



General Assembly

February Session, 2006

Raised Bill No. 5772

LCO No. 2676

02676 _____ GAE

Referred to Committee on Government Administration and Elections

Introduced by:
(GAE)

AN ACT CONCERNING ACCOUNTABILITY IN NONPROFIT CONTRACTING.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 1-218 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2006*):

3 Each contract in excess of [two million] five hundred thousand
4 dollars between a public agency and a person for the performance of a
5 governmental function shall (1) provide that the public agency is
6 entitled to receive a copy of records and files, including, but not
7 limited to, the titles and salaries of the employees of such person,
8 related to the performance of the governmental function, and (2)
9 indicate that such records and files are subject to the Freedom of
10 Information Act and may be disclosed by the public agency pursuant
11 to the Freedom of Information Act. No request to inspect or copy such
12 records or files shall be valid unless the request is made to the public
13 agency in accordance with the Freedom of Information Act. Any
14 complaint by a person who is denied the right to inspect or copy such
15 records or files shall be brought to the Freedom of Information

16 Commission in accordance with the provisions of sections 1-205 and 1-
17 206.

18 Sec. 2. (NEW) (*Effective October 1, 2006*) (a) Notwithstanding any
19 provision of the general statutes, on or before March thirty-first of each
20 calendar year, any nonprofit agency that has a contract with the state
21 to provide services to any disabled person, as a condition of such
22 contract for services, shall provide in a format determined by the
23 Commissioner of Social Services the following information: (1) Such
24 agency's identifying information, including the official name of such
25 agency, (2) any applicable provider state identification number, (3) the
26 name, business address and telephone number of a contact person, (4)
27 financial information including the total annual operating budget that
28 shall set forth annual expenditures for personnel, administrative and
29 equipment expenses, (5) personnel compensation information that
30 shall include the average annual wages or salary of direct care and
31 professional staff and the average percentage increase over the
32 previous year's average, (6) the names, annual wages or salaries and
33 percentage increase over the previous year's annual wages or salaries
34 of the five highest paid employees, (7) health care information that
35 shall include the percentage of direct care, professional and managerial
36 personnel who receive health care insurance through the employer
37 and the number of employees on industrial accident leave during the
38 preceding calendar year, (8) service quality information that shall
39 include the percentage of positions in the agency that were vacated
40 during the preceding calendar year, the number of abuse and neglect
41 claims substantiated by the nonprofit agency or the Department of
42 Social Services during the preceding calendar year, the number and
43 types of medication errors, the number of incident reports filed by the
44 nonprofit agency with the department, and copies of reports by all
45 accrediting and licensing agencies, (9) any other information or reports
46 concerning family and community supports, (10) all information
47 gathered through Quality Enhancement Survey Tool (QUEST) and
48 Individual Support Services Tool (ISST) reporting, and (11)
49 programmatic information that shall include the names of the

50 members of the board of directors and the percentage who have family
51 members with developmental disabilities, the number of agency
52 consumers who, during the preceding calendar year, have moved from
53 an agency residence to a private residence and the agency's plans, if
54 any, with respect to self-directed services, and information pertaining
55 to the nonprofit agency's provision of sheltered workshop services,
56 including the total percentage of agency expenditures devoted to
57 supporting sheltered workshop services, the number of consumers in
58 sheltered workshops, the number of consumers who receive less than
59 the federal minimum wage, the number of consumers who moved
60 during the preceding calendar year from sheltered workshops to
61 supported employment, the total revenue from goods and services
62 produced in the sheltered workshop and the names and addresses of
63 all businesses contracting with the nonprofit agency for goods and
64 services produced in the sheltered workshop.

65 (b) In the event the Department of Social Services determines that a
66 nonprofit agency has failed to furnish the information required in
67 subsection (a) of this section, it may withhold payments due to the
68 agency pending receipt of the required information, impose a penalty
69 or make the agency's noncompliance a consideration in future contract
70 awards.

71 (c) The Commissioner of Social Services shall make any information
72 submitted in accordance with the provisions of subsection (a) of this
73 section available on the department's Internet web site.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2006</i>	1-218
Sec. 2	<i>October 1, 2006</i>	New section

Statement of Purpose:

To lower the threshold on the dollar value of certain state contracts that are subject to the Freedom of Information Act, provide that salary information relating to employees performing work under such

contracts shall be subject to disclosure and require disclosure of certain information by nonprofit agencies who have contracts with the Department of Social Services.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]