



**NEW ENGLAND HEALTH CARE EMPLOYEES UNION • DISTRICT 1199 • SEIU**

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*Public Health Committee – Public Hearing 3/12/2008  
Testimony of Jennifer Smith, District 1199  
Re: S.B. No. 242 – An Act Concerning Changes To Statutes Affecting The  
Department Of Developmental Services*

We ask for your help in making a small statute language change in order to protect the spirit and intention of the existing Dept. of Developmental Services (DDS, formerly DMR) group home privatization moratorium. We suggest this change be amended into SB 242, *An Act Concerning Changes To Statutes Affecting The Department Of Developmental Services*.

As you know, statute language originating in the Public Health Committee and passed by the Legislature in 2005 (SB1262/Public Act No. 05-70) and extended in 2007 (Implementer) reads:

“...no state-owned real property that is being used for residential purposes by persons with mental retardation may be sold, leased or transferred by or on behalf of the state.”

The problem is that DDS last fall made a sudden, aggressive effort to close 380 Pomfret St., a Putnam-area group home, and convert it to DDS office space. Among other rationales, the Department claimed this would not be prohibited because it was technically not a sale, lease or transfer.

However, their efforts clearly violate the spirit and intention of the law. The moratorium language was passed in response to then-Gov. Rowland’s rushed privatization of 30 DDS group homes in order to prevent this exact situation from happening again somewhere else in the state.

Senators Williams and Guglielmo, and Representatives Johnston, Caron and Nafis worked closely with the families and direct care workers to successfully stop DDS from closing this group home, and can provide more details about DDS’ efforts. As the attached news article states, Governor Rell ultimately issued an order keeping the home open, stating “*the impact on the residents and their families far outweighs the cost benefits of closing the facility.*”

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Below please find sample language to close this unintended loophole so there is no mistake about what the Legislature intended, and more importantly, so no other DDS group home residents, their families, or caregivers have to go through this unnecessary struggle again.

We hope you'll consider amending this to S.B. 242.

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

Section 1. (*Effective from passage*). Section 17a-283a of the general statutes as amended by section 9 of Public Act 07-283 is repealed and the following is substituted in lieu thereof:

(a) Notwithstanding any provision of the general statutes concerning the sale, lease or transfer of real property by or on behalf of the state, during the period commencing on July 1, 2007, and ending on June 30, 2009, no state-owned or state-operated real property that is being used for residential purposes by persons with mental retardation may be converted to a different type of facility or use, sold, leased or transferred by or on behalf of the state. The provisions of this subsection shall not apply to any agreement for the conversion, sale, lease or transfer of any state-owned property entered into before June 2, 2005.

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## Rell orders Putnam group home kept open

By DUSTIN RACIOPPI

*Norwich Bulletin*

**PUTNAM.** — The fight paid off.

For six weeks, employees and families of clients at the 380 Pomfret St. Group Home have lobbied against the Department of Developmental Services plan to shut down the house because the building did not comply with the Americans with Disabilities Act.

Tuesday, they got their wish. Gov. M. Jodi Rell ordered the department to keep the home open and find an alternative to make it safe.

"I understand there are modifications to the building that must be undertaken to make it ADA compliant," Rell said in a press release. "However, the impact on the residents and their families far outweighs the cost benefits of closing the facility."

Upon learning the home would stay open, employee and outspoken activist for the home, Wayne Riendeau, was nearly speechless.

"I can't even put into words how I feel," he said. "It means everything to the people that live there and it's been in my head non-stop."

Mayor Robert Viens shared Riendeau's joy knowing how important the home has been to the six mentally disabled tenants and their families.

"Even though they're not blood related, they're a family and it's nice to see they'll stay together," he said.

DDS commissioner Peter H. O'Meara said the department already has done a study of the costs to renovate the home and will begin designing and planning for them.



*DDS Group Home at 380 Pomfret St., Putnam*

Riendeau said he learned a good lesson Tuesday.

"Down deep the best way I could put it is you have a voice," he said.

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### AT A GLANCE

The Department of Developmental Services issued a letter stating its intent to shut the 380 Pomfret St. Group Home by the end of November because it was not compliant with the Americans with Disabilities Act.

On Oct. 16, employees and families of clients at the home met with state Sen. Pro Tem Donald Williams Jr., D-Brooklyn, lobbying to keep the home open, saying the reasons to close the home was a smoke screen to turn toward privatization of state homes.

Another rally was held Nov. 1 at the John N. Dempsey Regional Center to keep the home open. It gained broader attention and eventually Gov. M. Jodi Rell heard of the situation. Tuesday she ordered the home to stay open.