



STATE OF CONNECTICUT

COUNCIL ON DEVELOPMENTAL DISABILITIES



February 25, 2008

Public Health Committee
CT General Assembly
Room 3000
Legislative Office Building
Hartford, CT 06106

RE: HB 5424 An Act Authorizing Bonds Of The State For A Facility In
Manchester For Persons With Developmental Disabilities

Dear Sen. Handley, Rep. Sayers and Members of the Public Health
Committee:

We thank the Public Health Committee for its on-going support for
services for people with developmental disabilities and their families,
however, there are technical errors in HB 5424 as well as important issues of
which you should be aware while considering this bill.

First, please note that the name of the former Department of Mental
Retardation (DMR) was changed last year to the Department of
Developmental Services (DDS). Connecticut does not yet have a
Department of Developmental Disabilities.

More importantly, while this bill may address a specific local interest,
the bill addresses only people eligible for services from the Department of
Developmental Services. Like the formerly named DMR, the Department of
Developmental Services provides services only to those individuals who
meet its definition of mental retardation. While the Department's name may
have been changed, eligibility for services was not expanded.

Many of the Council on Developmental Disabilities constituents,
particularly those who are self advocates, regard the term "mental
retardation" as both pejorative and insulting. Together with many concerned

Connecticut citizens, the Council and actively involved self advocates worked hard to support the enactment of this name change for the Department. Notwithstanding this important first step, eligibility for services from the Department of Developmental Services is still dependent upon a diagnosis of mental retardation.

Those who work with individuals with disabilities, and those who are sensitive to their sensibilities, have replaced the term "mental retardation" with the term "intellectual disabilities." To that end, and to avoid confusion, we ask that the text of the bill be changed to address either people with intellectual disabilities, or specifically people with a diagnosis of mental retardation, if that is its intent.

Also enclosed is the federal definition of developmental disabilities to help the Public Health Committee understand the term "developmental disabilities".

Thank you.

Sincerely,

A handwritten signature in cursive script that reads "John M. Flanders". To the right of the signature is a small, hand-drawn oval containing the initials "EJP".

John M. Flanders
Chair
Legislation, Policy and
Planning Committee

Public Law 106-402

106th Congress

Oct. 30, 2000

Developmental Disabilities Assistance and Bill of Rights Act of 2000

Title I

Section 102

114 STAT. 1683 - 1684

(8) DEVELOPMENTAL DISABILITY.—

(A) IN GENERAL.—The term “developmental disability” means a severe, chronic disability of an individual that—

(i) is attributable to a mental or physical impairment or combination of mental and physical impairments;

(ii) is manifested before the individual attains age 22;

(iii) is likely to continue indefinitely;

(iv) results in substantial functional limitations

in 3 or more of the following areas of major life activity:

(I) Self-care.

(II) Receptive and expressive language.

(III) Learning.

(IV) Mobility.

(V) Self-direction.

(VI) Capacity for independent living.

(VII) Economic self-sufficiency; and

(v) reflects the individual’s need for a combination and sequence of special, interdisciplinary, or generic services, individualized supports, or other forms of assistance that are of lifelong or extended duration and are individually planned and coordinated.

(B) INFANTS AND YOUNG CHILDREN.—An individual from birth to age 9, inclusive, who has a substantial developmental delay or specific congenital or acquired condition, may be considered to have a developmental disability without meeting 3 or more of the criteria described in clauses (i) through (v) of subparagraph (A) if the individual, without services and supports, has a high probability of meeting those criteria later in life.