



Senate

General Assembly

File No. 614

January Session, 2009

Substitute Senate Bill No. 752

Senate, April 14, 2009

The Committee on Public Health reported through SEN. HARRIS of the 5th Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

AN ACT IMPLEMENTING THE RECOMMENDATIONS OF THE PROGRAM REVIEW AND INVESTIGATIONS COMMITTEE CONCERNING ASSESSMENT OF THE NEEDS OF AGING INDIVIDUALS WITH DEVELOPMENTAL DISABILITIES.

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

1 Section 1. Subsection (a) of section 19a-498b of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective*
3 *October 1, 2009*):

4 (a) The Department of Public Health₂ [shall,] when conducting its
5 annual survey of a nursing home that has admitted a resident or
6 residents who have been administered a level two assessment, shall
7 compare the services recommended for any such resident in the level
8 two assessment with the actual services being provided to such
9 resident as reflected in such resident's plan of care. The department
10 shall ensure that the results of any such comparison pertaining to a
11 resident who is a client of the Department of Developmental Services
12 or who may qualify for services from said department are provided to

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 10 \$	FY 11 \$
Public Health, Dept.	GF - Cost	79,268	77,768
Comptroller Misc. Accounts (Fringe Benefits) ¹	GF - Cost	19,649	19,649

Note: GF=General Fund

Municipal Impact: None

The bill requires the Department of Public Health (DPH) to do an audit of services being provided to Department of Developmental Services (DDS) clients in nursing homes, which would be in addition to the routine auditing of these clients' services by DDS, and will cost the DPH \$79,268 in FY 10 and \$77,768 in FY 11 for a nurse consultant and related expenses. These costs are further detailed on the next page.

Fringe benefit costs under the Comptroller for the nurse consultant would be \$19,649 in FY 10 and FY 11.

Item	FY 10	FY 11
Nurse Consultant	\$77,268	\$77,268
Equipment (computer)	\$1,000	\$0

¹ The fringe benefit costs for state employees are budgeted centrally in the Miscellaneous Accounts administered by the Comptroller on an actual cost basis. The following is provided for estimated costs associated with additional personnel. The estimated non-pension fringe benefit rate as a percentage of payroll is 25.43%. Fringe benefit costs for new positions do not initially include pension costs as the state's pension contribution is based upon the 6/30/08 actuarial valuation for the State Employees Retirement System (SERS) which certifies the contribution for FY 10 and FY 11. Therefore, new positions will not impact the state's pension contribution until FY 12 after the next scheduled certification on 6/30/2010.

Other expenses (computer software, supplies, etc.)	\$1,000	\$500
TOTAL	\$79,268	\$77,768

Under this bill, DPH would be required to determine whether the approximately 350 DDS clients in nursing homes are receiving recommended services during its annual nursing home survey. If services are not being provided, DPH must report to DDS the reasons why.

DDS currently provides case management services to the DDS clients in nursing homes. The case managers routinely audit the level of services identified in the Level II screen, ensure that there is a plan for the identified services, and follow up with the nursing facility to ensure the DDS client has received the services identified in the plan. Additionally, the needs of this group are also assessed by the DDS Ombudsperson and a full time DDS nurse. The bill is not anticipated to have any fiscal impact to DDS.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation.

Sources: Department of Developmental Services, Department of Public Health

OLR Bill Analysis**sSB 752*****AN ACT IMPLEMENTING THE RECOMMENDATIONS OF THE PROGRAM REVIEW AND INVESTIGATIONS COMMITTEE CONCERNING ASSESSMENT OF THE NEEDS OF AGING INDIVIDUALS WITH DEVELOPMENTAL DISABILITIES.*****SUMMARY:**

This bill requires the Public Health Department (DPH) to report certain results of its annual nursing home licensing survey to the Developmental Services Department (DDS) when they involve a DDS client or someone who may qualify for DDS services. If the home is not providing certain services recommended for the individual, it requires DPH to tell DDS why. And it requires DDS, if budgeted funds are available, to use its best efforts to ensure the person receives those services.

EFFECTIVE DATE: October 1, 2009

NURSING HOME SCREENING AND SERVICES FOR PEOPLE WITH MENTAL RETARDATION

Federal law requires people to be screened before they enter a nursing home to determine if they have mental retardation or serious mental illness (a level I screening) and if so, whether they need nursing home care and specialized services, such as behavior management or day programming (a level II screening). State law requires DPH to survey annually each nursing home for licensure purposes. During that survey, it requires DPH to compare the services recommended on a resident's level II screening with the actual services the home is providing.

The bill requires DPH to communicate the results of any comparison that pertains to a DDS client or someone who might

qualify for DDS services. If the comparison shows that the home is not providing recommended services to someone with mental retardation, DPH must document for DDS the reasons why. DDS must, within its budget, use its best efforts to ensure the person receives the recommended services.

BACKGROUND

Qualifying for DDS Services

DDS serves people with mental retardation (and a limited number of adults with autism in a pilot program). In order to qualify for services a person must, before age 18, meet two conditions: significant, subaverage intellectual functioning (an IQ of 70 or less) and deficits in the ability to perform daily activities relative to someone the same age.

COMMITTEE ACTION

Program Review and Investigations Committee

Joint Favorable Substitute Change of Reference
Yea 11 Nay 0 (03/05/2009)

Public Health Committee

Joint Favorable Substitute
Yea 30 Nay 0 (03/26/2009)