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Testimony Submitted to the Planning and Development Committee

H.B. No. 6596: AN ACT CONCERNING NOTIFICATION REQUIREMENTS FOR HALFWAY HOUSES
(Opposed - Written Only Testimony)

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Senator Coleman, Representative Sharkey and distinguished members of the Planning and Development Committee. I appreciate the opportunity to submit testimony in opposition to H.B. No. 6596. Connecticut Association of Nonprofits (CT Nonprofits) is a membership association that represents more than 530 nonprofit organizations. Approximately 300 of our member agencies contract with State government for a variety of human and social services. With regard to the populations most closely affected by the proposed legislation, our state-funded member agencies provide a multitude of services including group homes for various populations, halfway houses, and mental/behavioral health facilities which provide therapeutic care in many types of community settings.

H.B. 6596 seeks to require municipal land use commissions and boards to provide notice to the chief of police, fire chief and chief elected official of any application for a proposed public or private halfway house, group home, mental health facility or approved community residence, and to establish a state-wide database of such facilities.

CT Nonprofits strongly opposes the proposed legislation on many levels. In overarching terms, the legislation would serve to undermine zoning exemptions currently in place. In addition, the impact of the proposed process, would contradict the foundation of both the American with Disabilities Act (ADA), and in most circumstances, privacy regulations, as outlined in the Health Insurance Portability and Accountability Act (HIPAA.) In addition, the very essence of this legislation appears to provide an opportunity for state-sanctioned discrimination against the very populations who receive support from the nonprofit network – a network that provides these services on behalf of the state.

Various populations would be negatively impacted by the proposed legislation, in different ways.

- ⇒ For those who struggle with mental health and/or addiction related issues: The stigma which they battle would only be increased and reinforced through the exposure and intrusion which would result from the development of a 'registry.' A truly therapeutic environment – on every level, is essential to successful treatment. The process of managing mental health and addiction related issues, is one which is extremely personal, and as such, deserves the dignity of privacy and respect.
- ⇒ For individuals with intellectual and/or developmental disabilities: Developing an inclusive, community-based lifestyle, is the most essential aspect of service delivery, and the standard in philosophical ideal. Group home staff strive on a daily basis to assure that the management of these homes blends their presence into their host communities, as seamlessly as possible. It is important to note that the emergency preparedness plan for most group homes includes communication with local emergency response teams, as an inclusive network of support, in the event of a national emergency. Unlike the requirements which would be necessary as the result of this legislation, these relationships are a natural part of individuals becoming a 'part of' their communities, and NOT being 'labeled' through a public registry.

⇒ Finally, for those who reside in halfway houses and other alternatives to incarceration: It is essential for legislators and the communities of Connecticut to understand that most offenders who enter prison will eventually return to a community. In Connecticut, more than 95% of prison inmates leave the prison system and re-enter society. Statistics universally support the significant correlation between supervised, community re-entry services, and a reduction in recidivism. To this end, it is critical for the communities of Connecticut to understand that supervised re-entry into their communities – and NOT a system of extended incarceration, is critical to increasing public safety, by ending the cycle of recidivism and strengthening and healing these families in crisis. It is essential for the public to understand that the Department of Correction (DOC) and the Court Support Services Division (CSSD) of the Judicial Branch, have jurisdiction over these facilities, with multiple layers of security and accountability in place. These programs provide a structured, supervised environment, with public safety and successful re-entry into the community as the primary objectives.

In these fiscally challenging times, support of the populations directly served through the nonprofit provider network is not only essential to the individuals and families involved, but is critical to the state of Connecticut. We provide an extensive, long-range cost savings measure, which not only increases public safety, but strengthens the very fabric of our communities. As you continue your efforts to address the state budget crisis, it is essential to view the support of home and/or community-based, social services (as provided by the nonprofit provider network) not as an 'expense,' or an intrusion, but rather, an 'investment' in human capital and the welfare of our state.

In closing, I would encourage you to contact nonprofit providers of these community-based services, within your local constituency. The ability of the state of Connecticut to adequately meet the needs of its residents is greatly dependent upon the ability of the private provider community to sustain a vibrant network, which will continue to serve as the ultimate safety net for Connecticut's most vulnerable citizens.

I thank you for your time and consideration of these critically important issues. As always, please do not hesitate to contact me at any time, with questions, or for additional information.

Supporting Information / Documentation:

⇒ U.S. Department of Health & Human Services - HIPAA Administrative Simplification Statute & Rules:

<http://www.hhs.gov/ocr/privacy/hipaa/administrative/index.html>

⇒ U.S. Department of Justice - Americans with Disabilities Act; ADA Home Page: <http://www.ada.gov/>

For additional information, Please do not hesitate to contact:

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