



General Assembly

January Session, 2009

Raised Bill No. 752

LCO No. 2481

02481_____PRI

Referred to Committee on Program Review and Investigations

Introduced by:
(PRI)

**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2 repealed and the following is substituted in lieu thereof (*Effective*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 Health, [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 are provided to
11 the appropriate Department of Developmental Services' regional
12 nursing home coordinator. In any case where the Department of Public
13 Health finds that the recommended services are not being provided by
14 a nursing home: (1) The Department of Public Health shall document

15 for the benefit of the regional nursing home coordinator the reasons
16 why such services are not being provided; and (2) the regional nursing
17 home coordinator shall promptly transmit any such documentation to
18 the resident's Department of Developmental Services' case manager,
19 who shall ensure the resident is provided the recommended services
20 not later than thirty days after the date the Department of Public
21 Health has made a determination that the recommended services are
22 not being provided. The [department] Department of Public Health
23 shall include the results of any such comparison, as well as any
24 regulatory violations found by the department during an inspection, in
25 the survey of such nursing home.

26 Sec. 2. (*Effective from passage*) The Commissioner of Developmental
27 Services, in consultation with the Commissioner of Public Works and
28 the Secretary of the Office of Policy and Management, shall evaluate
29 the feasibility and appropriateness of the continuum of operational
30 options for the Southbury Training School. The range of operational
31 options considered shall include, but not be limited to, property
32 closure and sale, continued or modified use as a Department of
33 Developmental Services residential facility, and alternative uses for the
34 provision of other state agency services. The Commissioner of
35 Developmental Services shall hold not less than two public hearings
36 concerning the continuum of operational options for the Southbury
37 Training School. Not later than December 31, 2010, the Commissioner
38 of Developmental Services shall report his findings and
39 recommendations, in accordance with section 11-4a of the general
40 statutes, to the Governor, the joint standing committees of the General
41 Assembly having cognizance of matters relating to appropriations and
42 the budgets of state agencies, public health, government
43 administration and elections, and the Legislative Program Review and
44 Investigations Committee. For each operational option contained in the
45 report, the commissioner shall identify: (1) The underlying rationale
46 for consideration, (2) the population effected, (3) anticipated costs, (4)
47 anticipated revenue, (5) the anticipated timetable for implementation,
48 and (6) a description of the required steps and entities needed for

49 implementation of the option. The commissioner's report shall be
 50 accompanied by the transcripts of the public hearings held in
 51 accordance with the provisions of this section.

52 Sec. 3. (*Effective from passage*) The Commissioner of Developmental
 53 Services, in consultation with the Commissioner of Social Services,
 54 shall conduct a detailed cost review of the per capita, per diem costs of
 55 care provided to individuals who receive services from the
 56 Department of Developmental Services. The cost review shall compare
 57 the costs provided in institutional settings to those provided in
 58 community settings. The cost methodology utilized for such review
 59 shall include the acuity level of the individual receiving services,
 60 collective bargaining agreements, Medicaid costs, and cost disparities,
 61 if any, between public and private providers. Not later than February
 62 1, 2010, the Commissioner of Developmental Services shall report the
 63 findings of the cost review, in accordance with section 11-4a of the
 64 general statutes, to the joint standing committees of the General
 65 Assembly having cognizance of matters relating to appropriations and
 66 the budgets of state agencies, public health and human services, and
 67 the Legislative Program Review and Investigations Committee.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2009</i>	19a-498b(a)
Sec. 2	<i>from passage</i>	New section
Sec. 3	<i>from passage</i>	New section

Statement of Purpose:

To implement the recommendations of the Legislative Program Review and Investigations Committee concerning assessment of the needs of aging individuals with developmental disabilities.

[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.]