



General Assembly

Substitute Bill No. 752

January Session, 2009

* SB00752PRIPH_030909 *

**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2 repealed and the following is substituted in lieu thereof (*Effective*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 Commissioner of Developmental Services, or the commissioner's
12 designee. In any case where the Department of Public Health finds that
13 the recommended services are not being provided by a nursing home:
14 (1) The Department of Public Health shall document for the benefit of
15 the Commissioner of Developmental Services, or the commissioner's
16 designee, the reasons why such services are not being provided; and
17 (2) the Commissioner of Developmental Services, or the
18 commissioner's designee, shall promptly transmit any such

19 documentation to the resident's Department of Developmental
20 Services' case manager, who shall ensure the resident is provided the
21 recommended services not later than thirty days after the date the
22 Department of Public Health has made a determination that the
23 recommended services are not being provided. The [department]
24 Department of Public Health shall include the results of any such
25 comparison, as well as any regulatory violations found by the
26 department during an inspection, in the survey of such nursing home.

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

53 Sec. 3. (*Effective from passage*) The Commissioner of Developmental
 54 Services, in consultation with the Commissioner of Social Services,
 55 shall conduct a detailed cost review of the per capita, per diem costs of
 56 care provided to individuals who receive services from the
 57 Department of Developmental Services. The cost review shall compare
 58 the costs provided in institutional settings to those provided in
 59 community settings. The cost methodology utilized for such review
 60 shall include the acuity level of the individual receiving services,
 61 collective bargaining agreements, Medicaid costs, and cost disparities,
 62 if any, between public and private providers. Not later than February
 63 1, 2010, the Commissioner of Developmental Services shall report the
 64 findings of the cost review, in accordance with section 11-4a of the
 65 general statutes, to the joint standing committees of the General
 66 Assembly having cognizance of matters relating to appropriations and
 67 the budgets of state agencies, public health and human services, and
 68 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

PRI

Joint Favorable Subst. C/R

PH