



General Assembly

Substitute Bill No. 752

January Session, 2009

* SB00752PH 032709 *

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2 repealed and the following is substituted in lieu thereof (*Effective*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

19 services are not being provided. The Commissioner of Developmental
20 Services, or the commissioner's designee, shall, within existing
21 budgetary resources, use his or her best efforts to ensure the resident is
22 provided with the recommended services. The [department]
23 Department of Public Health shall include the results of any such
24 comparison, as well as any regulatory violations found by the
25 department during an inspection, in the survey of such nursing home.

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| This act shall take effect as follows and shall amend the following sections: | | |
| Section 1 | October 1, 2009 | 19a-498b(a) |

PRI *Joint Favorable Subst. C/R* PH
PH *Joint Favorable Subst.*