



General Assembly

February Session, 2010

**Raised Bill No. 5448**

LCO No. 1450

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Referred to Committee on Public Health

Introduced by:  
(PH)

**AN ACT CONCERNING THE ADMINISTRATION OF THE  
DEPARTMENT OF DEVELOPMENTAL SERVICES.**

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

1 Section 1. Section 17a-248 of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective October 1, 2010*):

3 As used in this section and sections 17a-248b to 17a-248g, inclusive,  
4 as amended by this act, 38a-490a and 38a-516a, unless the context  
5 otherwise requires:

6 (1) "Commissioner" means the Commissioner of Developmental  
7 Services.

8 (2) "Council" means the State Interagency Birth-to-Three  
9 Coordinating Council established pursuant to section 17a-248b.

10 (3) "Early intervention services" means early intervention services,  
11 as defined in 34 CFR Part 303.12, as from time to time amended.

12 (4) "Eligible children" means children from birth to thirty-six months  
13 of age, who are not eligible for special education and related services

14 pursuant to sections 10-76a to 10-76h, inclusive, and who need early  
15 intervention services because such children are:

16 (A) Experiencing a significant developmental delay as measured by  
17 standardized diagnostic instruments and procedures, including  
18 informed clinical opinion, in one or more of the following areas: (i)  
19 Cognitive development; (ii) physical development, including vision or  
20 hearing; (iii) communication development; (iv) social or emotional  
21 development; or (v) adaptive skills; or

22 (B) Diagnosed as having a physical or mental condition that has a  
23 high probability of resulting in developmental delay.

24 (5) "Evaluation" means a multidisciplinary professional, objective  
25 assessment conducted by appropriately qualified personnel in order to  
26 determine a child's eligibility for early intervention services.

27 (6) "Individualized family service plan" means a written plan for  
28 providing early intervention services to an eligible child and the child's  
29 family.

30 (7) "Lead agency" means the Department of Developmental  
31 Services, the public agency responsible for the administration of the  
32 birth-to-three system in collaboration with the participating agencies.

33 (8) "Parent" means [the child's parent or a person in a parental  
34 relationship to the child. With respect to a child who has no parent or  
35 person in a parental relationship, "parent" means the person  
36 designated to serve in a parental relationship for the purposes of this  
37 section and sections 17a-248b to 17a-248g, inclusive, 38a-490a and 38a-  
38 516a, pursuant to regulations of the Department of Developmental  
39 Services, adopted in accordance with chapter 54 in consultation with  
40 the Department of Children and Families, for children in foster care]  
41 (A) a natural, adoptive or foster parent of a child; (B) a guardian,  
42 except for the Commissioner of Children and Families; (C) an  
43 individual acting in the place of a natural or adoptive parent,

44 including, but not limited to, a grandparent, stepparent, or other  
45 relative with whom the child lives; (D) an individual who is legally  
46 responsible for the child's welfare; or (E) an individual appointed to be  
47 a surrogate parent.

48 (9) "Participating agencies" includes, but is not limited to, the  
49 Departments of Education, Social Services, Public Health, Children  
50 and Families and Developmental Services, the Insurance Department,  
51 the Board of Education and Services for the Blind, the Commission on  
52 the Deaf and Hearing Impaired and the Office of Protection and  
53 Advocacy for Persons with Disabilities.

54 (10) "Qualified personnel" means persons who meet the standards  
55 specified in 34 CFR Part 303.12(e), as from time to time amended, and  
56 who are licensed physicians or psychologists or persons holding a  
57 state-approved or recognized license, certificate or registration in one  
58 or more of the following fields: (A) Special education, including  
59 teaching of the blind and the deaf; (B) speech and language pathology  
60 and audiology; (C) occupational therapy; (D) physical therapy; (E)  
61 social work; (F) nursing; (G) dietary or nutritional counseling; and (H)  
62 other fields designated by the commissioner that meet requirements  
63 that apply to the area in which the person is providing early  
64 intervention services, provided there is no conflict with existing  
65 professional licensing, certification and registration requirements.

66 [(11) "Region" means a region within the Department of  
67 Developmental Services.]

68 [(12)] (11) "Service coordinator" means a person carrying out service  
69 coordination, as defined in 34 CFR Part 303.22, as from time to time  
70 amended.

71 [(13)] (12) "Primary care provider" means physicians and advanced  
72 practice registered nurses, licensed by the Department of Public  
73 Health, who are responsible for performing or directly supervising the  
74 primary care services for children enrolled in the birth-to-three

75 program.

76 Sec. 2. Section 17a-248c of the general statutes is repealed and the  
77 following is substituted in lieu thereof (*Effective October 1, 2010*):

78 (a) The commissioner [shall] may establish [at least] one local  
79 interagency coordinating council in each region of the state. Each  
80 council shall consist of five or more individuals interested in the  
81 welfare of children ages birth to three years with disabilities or  
82 developmental delays.

83 (b) Each local interagency coordinating council established pursuant  
84 to subsection (a) of this section shall meet at least four times a year and  
85 shall advise and assist the [regional birth-to-three managers] lead  
86 agency regarding any matter relating to early intervention policies and  
87 procedures within the towns served by that council that is brought to  
88 its attention by parents, providers, public agencies or others, including  
89 the transition from early intervention services to services and  
90 programs under sections 10-76a to 10-76g, inclusive, and other early  
91 childhood programs.

92 (c) Council members who are parents of children with disabilities  
93 shall be reimbursed for reasonable and necessary expenses incurred in  
94 the performance of their duties.

95 Sec. 3. Subsection (a) of section 17a-248d of the general statutes is  
96 repealed and the following is substituted in lieu thereof (*Effective*  
97 *October 1, 2010*):

98 (a) The lead agency, in coordination with the participating agencies  
99 and in consultation with the council, shall establish and maintain a  
100 state-wide birth-to-three system of early intervention services pursuant  
101 to Part [H] C of the Individuals with Disabilities Education Act, 20  
102 USC [1471] 1431 et seq., for eligible children and families of such  
103 children.

104 Sec. 4. Section 17a-248e of the general statutes is repealed and the

105 following is substituted in lieu thereof (*Effective October 1, 2010*):

106 (a) Each eligible child and his family shall receive (1) a  
107 multidisciplinary assessment of the child's unique needs and the  
108 identification of services appropriate to meet such needs, (2) a written  
109 individualized family service plan developed by a multidisciplinary  
110 team, including the parent, within forty-five days after the referral, and  
111 (3) review of the individualized family service plan with the family at  
112 least every six months, with evaluation of the individualized family  
113 service plan at least annually.

114 (b) The individualized family service plan shall be in writing and  
115 contain: (1) A statement of the child's present level of physical  
116 development, cognitive development, language and speech  
117 development and self-help skills, based on acceptable objective criteria;  
118 (2) a statement of the family's priority, resources and concerns relating  
119 to enhancing the development of the eligible child; (3) a statement of  
120 the major outcomes expected to be achieved for the child and the  
121 family and the criteria, procedures and timelines used to determine the  
122 degree to which progress toward achieving the outcomes are being  
123 made, and whether modifications or revisions of the outcomes are  
124 necessary; (4) a statement of specific early intervention services  
125 necessary to meet the unique needs of the eligible child and the family,  
126 including the frequency, intensity and the method of delivering  
127 services; (5) a statement of the natural environments in which the  
128 services shall be provided; (6) the projected dates for initiation of  
129 services and the anticipated duration of such services; (7) the name of  
130 the approved comprehensive service provider that will provide or  
131 procure the services specified in the individualized family service plan;  
132 (8) the name of the individual service coordinator from the profession  
133 most immediately relevant to the eligible child's or the family's needs  
134 who will be responsible for the implementation of the plan and  
135 coordination with the other agencies and providers or an otherwise  
136 qualified provider selected by a parent; and (9) the steps to be taken to  
137 support the transition of the child who is eligible for participation in

138 preschool programs under Part B of the Individuals with Disabilities  
139 Act, 20 USC 1471 et seq., as appropriate.

140 (c) The individualized family service plan shall be developed in  
141 consultation with the child's pediatrician or primary care physician.

142 [(d) On and after July 1, 1996, the parent of any child who received  
143 early intervention services, other than service coordination, from a  
144 provider prior to said date and remains eligible for such services may  
145 choose to have his child continue to receive the services from such  
146 provider.]

147 [(e)] (d) The lead agency may provide early intervention services,  
148 arrange for the delivery of early intervention services by participating  
149 agencies or contract with providers to deliver early intervention  
150 services to eligible children and the families of such children. [,  
151 provided during the period from July 1, 1996, to June 30, 1997,  
152 inclusive, the agency shall, in cases where substantially equivalent  
153 proposals are submitted, give preferential consideration to contracting  
154 with regional educational service centers and local and regional boards  
155 of education that provided such services, including service  
156 coordination, prior to July 1, 1996.] The lead agency in providing,  
157 arranging or contracting for early intervention services shall monitor  
158 all birth-to-three service providers for quality and accountability in  
159 accordance with Section 616 of the Individuals with Disabilities  
160 Education Act, 20 USC 1416 and establish state-wide rates for such  
161 services. [the expenditures for administrative services, excluding  
162 evaluation assessments, and shall justify in writing, on or before  
163 September 1, 1997, and annually thereafter, to the Secretary of the  
164 Office of Policy and Management and the committees of the General  
165 Assembly having cognizance of matters relating to appropriations and  
166 to public health, if such expenditure levels exceed twenty per cent of  
167 the contracted amount.]

168 Sec. 5. Section 17a-248f of the general statutes is repealed and the  
169 following is substituted in lieu thereof (*Effective October 1, 2010*):

170 Procedural safeguards shall be the same as required under Part [H]  
171 C of the Individuals with Disabilities Education Act, 20 USC [1471]  
172 1431 et seq.

173 Sec. 6. Section 17a-248g of the 2010 supplement to the general  
174 statutes is repealed and the following is substituted in lieu thereof  
175 (*Effective October 1, 2010*):

176 (a) Subject to the provisions of this section, funds appropriated to  
177 the lead agency for purposes of section 17a-248, as amended by this  
178 act, sections 17a-248b to 17a-248f, as amended by this act, inclusive,  
179 this section and sections 38a-490a and 38a-516a shall not be used to  
180 satisfy a financial commitment for services that would have been paid  
181 from another public or private source but for the enactment of said  
182 sections, except for federal funds available pursuant to Part [H] of the  
183 Individuals with Disabilities Education Act, 20 USC [1471] 1431 et seq.,  
184 except that whenever considered necessary to prevent the delay in the  
185 receipt of appropriate early intervention services by the eligible child  
186 or family in a timely fashion, funds provided under said sections may  
187 be used to pay the service provider pending reimbursement from the  
188 public or private source that has ultimate responsibility for the  
189 payment.

190 (b) Nothing in section 17a-248, sections 17a-248b to 17a-248f,  
191 inclusive, this section and sections 38a-490a and 38a-516a shall be  
192 construed to permit the Department of Social Services or any other  
193 state agency to reduce medical assistance pursuant to this chapter or  
194 other assistance or services available to eligible children.  
195 Notwithstanding any provision of the general statutes, costs incurred  
196 for early intervention services that otherwise qualify as medical  
197 assistance that are furnished to an eligible child who is also eligible for  
198 benefits pursuant to this chapter shall be considered medical assistance  
199 for purposes of payments to providers and state reimbursement to the  
200 extent that federal financial participation is available for such services.

201 (c) Providers of early intervention services shall, in the first instance

202 and where applicable, seek payment from all third-party payers prior  
203 to claiming payment from the birth-to-three system for services  
204 rendered to eligible children, provided, for the purpose of seeking  
205 payment from the Medicaid program or from other third-party payers  
206 as agreed upon by the provider, the obligation to seek payment shall  
207 not apply to a payment from a third-party payer who is not prohibited  
208 from applying such payment, and who will apply such payment, to an  
209 annual or lifetime limit specified in the third-party payer's policy or  
210 contract.

211 (d) The commissioner, in consultation with the Office of Policy and  
212 Management and the Insurance Commissioner, shall adopt  
213 regulations, pursuant to chapter 54, providing public reimbursement  
214 for deductibles and copayments imposed under an insurance policy or  
215 health benefit plan to the extent that such deductibles and copayments  
216 are applicable to early intervention services.

217 (e) The commissioner shall establish and periodically revise, in  
218 accordance with this section, a schedule of fees based on a sliding scale  
219 for early intervention services. The schedule of fees shall consider the  
220 cost of such services relative to the financial resources of the state and  
221 the parents or legal guardians of eligible children, provided that on  
222 and after October 6, 2009, the commissioner shall (1) charge fees to  
223 such parents or legal guardians that are sixty per cent greater than the  
224 amount of the fees charged on the date prior to October 6, 2009; and (2)  
225 charge fees for all services provided, including those services provided  
226 in the first two months following the enrollment of a child in the  
227 program. Fees may be charged to any such parent or guardian,  
228 regardless of income, and shall be charged to any such parent or  
229 guardian with a gross annual family income of forty-five thousand  
230 dollars or more, except that no fee may be charged to the parent or  
231 guardian of a child who is eligible for Medicaid. Notwithstanding the  
232 provisions of subdivision (8) of subsection 17a-248, as amended by this  
233 act, as used in this subsection, "parent" means the natural or adoptive  
234 parent or legal guardian of any child receiving early intervention

235 services. The Department of Developmental Services may assign its  
236 right to collect fees to a designee or provider participating in the early  
237 intervention program and providing services to a recipient in order to  
238 assist the provider in obtaining payment for such services. The  
239 commissioner may implement procedures for the collection of the  
240 schedule of fees while in the process of adopting or amending such  
241 criteria in regulation, provided the commissioner prints notice of  
242 intention to adopt or amend the regulations in the Connecticut Law  
243 Journal within twenty days of implementing the policy. Such collection  
244 procedures and schedule of fees shall be valid until the time the final  
245 regulations or amendments are effective.

246 (f) The commissioner shall develop and implement procedures to  
247 hold a recipient harmless for the impact of pursuit of payment for  
248 early intervention services against lifetime insurance limits.

249 (g) Notwithstanding any provision of title 38a relating to the  
250 permissible exclusion of payments for services under governmental  
251 programs, no such exclusion shall apply with respect to payments  
252 made pursuant to section 17a-248, sections 17a-248b to 17a-248f,  
253 inclusive, this section and sections 38a-490a and 38a-516a. Except as  
254 provided in this subsection, nothing in this section shall increase or  
255 enhance coverages provided for within an insurance contract subject to  
256 the provisions of section 10-94f, subsection (a) of section 10-94g,  
257 subsection (a) of section 17a-219b, subsection (a) of section 17a-219c,  
258 sections 17a-248, 17a-248b to 17a-248f, inclusive, this section, and  
259 sections 38a-490a and 38a-516a.

260 (h) Notwithstanding any provision of the general statutes or the  
261 regulations of Connecticut state agencies, the signature on an  
262 individualized family service plan of an advanced practice registered  
263 nurse, working within said nurse's scope of practice in collaboration  
264 with a physician licensed to practice medicine in this state, in  
265 accordance with section 20-87a, and performing or directly supervising  
266 the primary care services for children enrolled in the birth-to-three

267 program, shall be deemed sufficient to order all such services included  
268 in the individualized family service plan and shall be deemed  
269 sufficient by the Department of Social Services to substantiate a claim  
270 for federal financial participation.

271 Sec. 7. Subsection (a) of section 17a-270 of the general statutes is  
272 repealed and the following is substituted in lieu thereof (*Effective*  
273 *October 1, 2010*):

274 (a) There is established a Council on Developmental Services which  
275 shall consist of thirteen members appointed as follows: Eight shall be  
276 appointed by the Governor, one of whom shall be a doctor of  
277 medicine, one of whom shall be a person with mental retardation who  
278 is receiving services from the Department of Developmental Services  
279 and at least two of whom shall be parents or guardians of persons with  
280 mental retardation, to serve for terms of two years each; four shall be  
281 appointed by members of the General Assembly for two-year terms,  
282 one [who] of whom shall be a parent or guardian of a person with  
283 mental retardation, appointed by the speaker of the House, one  
284 appointed by the minority leader of the House, one appointed by the  
285 president pro tempore of the Senate and one [who] of whom shall be a  
286 parent or guardian of a person with mental retardation, appointed by  
287 the minority leader of the Senate; and one [who] of whom shall be a  
288 member of the board of trustees of the Southbury Training School,  
289 appointed by said board for a term of one year. No member of the  
290 council may serve more than [six consecutive years] three consecutive  
291 terms, except that a member may continue to serve until a successor is  
292 appointed. The members of the council shall serve without  
293 compensation except for necessary expenses incurred in performing  
294 their duties. The Commissioner of Developmental Services or the  
295 commissioner's designee shall be an ex-officio member of the Council  
296 on Developmental Services without vote and shall attend its meetings.  
297 No employee of any state agency [or institution] engaged in the care or  
298 training of persons with mental retardation shall be eligible for  
299 appointment to the council. The council shall appoint annually, from

300 among its members, a chairperson, vice chairperson and secretary. The  
301 council may make rules for the conduct of its affairs. The council shall  
302 meet at least bimonthly and at other times upon the call of the chair or  
303 the written request of any two members.

304 Sec. 8. Subsection (a) of section 17a-217a of the general statutes is  
305 repealed and the following is substituted in lieu thereof (*Effective*  
306 *October 1, 2010*):

307 (a) There shall be a Camp Harkness Advisory Committee to advise  
308 the Commissioner of Developmental Services with respect to issues  
309 concerning the health and safety of persons who attend and utilize the  
310 facilities at Camp Harkness. The advisory committee shall be  
311 composed of twelve members as follows: (1) The director of Camp  
312 Harkness, who shall serve ex-officio, one member representing the  
313 Southeastern Connecticut Association for Developmental Disabilities,  
314 one member representing the Southbury Training School, one member  
315 representing the Association for Retarded Citizens of New London  
316 County, one consumer representing persons who use the camp on a  
317 residential basis and one member representing parents or guardians of  
318 persons who use the camp, all of whom shall be appointed by the  
319 Governor; (2) one member representing parents or guardians of  
320 persons who use the camp, who shall be appointed by the president  
321 pro tempore of the Senate; (3) one consumer from the Family Support  
322 Council established pursuant to section 17a-219c, as amended by this  
323 act, representing persons who use the camp on a day basis, who shall  
324 be appointed by the speaker of the House of Representatives; (4) one  
325 member representing the board of selectmen of the town of Waterford,  
326 who shall be appointed by the majority leader of the House of  
327 Representatives; (5) one member representing [the Camp Harkness  
328 Booster Club] a private nonprofit corporation that is: (A) Tax exempt  
329 under Section 501(c)(3) of the Internal Revenue Code of 1986, or any  
330 subsequent internal revenue code of the United States, as from time to  
331 time amended, and (B) established to promote and support Camp  
332 Harkness and its camping programs, who shall be appointed by the

333 majority leader of the Senate; (6) one member representing the  
334 Connecticut Institute for the Blind and the Oak Hill School, who shall  
335 be appointed by the minority leader of the House of Representatives;  
336 and (7) one member representing the United Cerebral Palsy  
337 Association, who shall be appointed by the minority leader of the  
338 Senate.

339 Sec. 9. Subsection (a) of section 17a-219c of the 2010 supplement to  
340 the general statutes is repealed and the following is substituted in lieu  
341 thereof (*Effective October 1, 2010*):

342 (a) There is established a Family Support Council to assist the  
343 Department of Developmental Services and other state agencies that  
344 administer or fund family support services to act in concert and,  
345 within available appropriations, to (1) establish a comprehensive,  
346 coordinated system of family support services, (2) use existing state  
347 and other resources efficiently and effectively as appropriate for such  
348 services, (3) identify and address services that are needed for families  
349 of children with disabilities, and (4) promote state-wide availability of  
350 such services. The council shall consist of twenty-seven voting  
351 members including the Commissioners of Public Health,  
352 Developmental Services, Children and Families, Education and Social  
353 Services, or their designees, the Child Advocate or the Child  
354 Advocate's designee, the executive director of the Office of Protection  
355 and Advocacy for Persons with Disabilities or the executive director's  
356 designee, the chairperson of the State Interagency Birth-to-Three  
357 Coordinating Council, [as] established pursuant to section 17a-248b, or  
358 the chairperson's designee, the executive director of the Commission  
359 on Children or the executive director's designee, and family members  
360 of, or individuals who advocate for, children with disabilities. The  
361 family members or individuals who advocate for children with  
362 disabilities shall comprise two-thirds of the council and shall be  
363 appointed as follows: Six by the Governor, three by the president pro  
364 tempore of the Senate, two by the majority leader of the Senate, one by  
365 the minority leader of the Senate, three by the speaker of the House of

366 Representatives, two by the majority leader of the House of  
367 Representatives and one by the minority leader of the House of  
368 Representatives. All appointed members serving on or after October 5,  
369 2009, including members appointed prior to October 5, 2009, shall  
370 serve in accordance with the provisions of section 4-1a. Members  
371 serving on or after October 5, 2009, including members appointed  
372 prior to October 5, 2009, shall serve no more than eight consecutive  
373 years on the council. The council shall meet at least quarterly and shall  
374 select its own chairperson. Council members shall serve without  
375 compensation but shall be reimbursed for necessary expenses  
376 incurred. The costs of administering the council shall be within  
377 available appropriations in accordance with this section and sections  
378 17a-219a to 17a-219b, inclusive.

379 Sec. 10. Section 17a-273 of the general statutes is repealed and the  
380 following is substituted in lieu thereof (*Effective October 1, 2010*):

381 (a) The Commissioner of Developmental Services shall appoint at  
382 least one advisory and planning council for each state developmental  
383 services region operated by the Department of Developmental  
384 Services, which council shall have the responsibility of consulting with  
385 and advising the director of the region on the needs of persons with  
386 mental retardation in the region, the annual plan and budget of the  
387 region and other matters deemed appropriate by the council.

388 (b) Each such council shall consist of at least ten members appointed  
389 from the state developmental services region. No employee of any  
390 state agency [or institution] engaged in the care or training of persons  
391 with mental retardation shall be eligible for appointment. At least one  
392 member shall be designated by [the incorporated local association for  
393 mentally retarded citizens in the region. In cases where a state  
394 developmental services region serves an area with more than one such  
395 association, at least two members of the council shall be designated by  
396 such associations. At least one member of each council shall be an  
397 attorney practicing law in the state of Connecticut who is familiar with

398 issues in the field of mental retardation] a local chapter of the Arc of  
399 Connecticut in the region. At least one member shall be an individual  
400 who is eligible for and receives services from the Department of  
401 Developmental Services. At least two members shall be parents of  
402 persons with mental retardation. Members shall be appointed for  
403 terms of three years. No member may serve more than two  
404 consecutive terms. Each council shall appoint annually, from among its  
405 members, a chairperson, vice-chairperson and secretary. The council  
406 may make rules for the conduct of its affairs. The director of the region  
407 shall be an ex-officio member of the council without vote and shall  
408 attend its meetings.

409 (c) The council shall meet at least six times a year and at other times  
410 upon the call of the chair or the director of the state developmental  
411 services region or on the written request of any two members. A  
412 majority of the council members in office shall constitute a quorum.  
413 Any member who fails to attend three consecutive meetings or who  
414 fails to attend fifty per cent of all meetings held during any calendar  
415 year shall be deemed to have resigned from office.

416 Sec. 11. Subsection (g) of section 17a-28 of the 2010 supplement to  
417 the general statutes is repealed and the following is substituted in lieu  
418 thereof (*Effective October 1, 2010*):

419 (g) When the commissioner or his designee determines it to be in a  
420 person's best interest, the commissioner or his designee may disclose  
421 records, whether or not created by the department and not otherwise  
422 privileged or confidential communications under state or federal law,  
423 without the consent of a person to:

424 (1) Multidisciplinary teams which are formed to assist the  
425 department in investigation, evaluation or treatment of child abuse  
426 and neglect cases or a multidisciplinary provider of professional  
427 treatment services under contract with the department for a child  
428 referred to the provider;

429 (2) Any agency in another state which is responsible for  
430 investigating or protecting against child abuse or neglect for the  
431 purpose of investigating a child abuse case;

432 (3) An individual, including a physician, authorized pursuant to  
433 section 17a-101f to place a child in protective custody if such  
434 individual has before him a child whom he reasonably suspects may  
435 be a victim of abuse or neglect and such individual requires the  
436 information in a record in order to determine whether to place the  
437 child in protective custody;

438 (4) An individual or public or private agency responsible for a  
439 person's care or custody and authorized by the department to  
440 diagnose, care for, treat or supervise a child who is the subject of a  
441 record of child abuse or neglect or a public or private agency  
442 responsible for a person's education for a purpose related to the  
443 individual's or agency's responsibilities;

444 (5) The Attorney General or any assistant attorney general  
445 providing legal counsel for the department;

446 (6) Individuals or public or private agencies engaged in medical,  
447 psychological or psychiatric diagnosis or treatment of a person  
448 perpetrating the abuse or who is unwilling or unable to protect the  
449 child from abuse or neglect when the commissioner or his designee  
450 determines that the disclosure is needed to accomplish the objectives  
451 of diagnosis or treatment;

452 (7) A person who reports child abuse pursuant to sections 17a-101a  
453 to 17a-101c, inclusive, and section 17a-103, who made a report of abuse  
454 involving the subject child, provided the information disclosed is  
455 limited to (A) the status of the investigation and (B) in general terms,  
456 any action taken by the department;

457 (8) An individual conducting bona fide research, provided no  
458 information identifying the subjects of records shall be disclosed

459 unless (A) such information is essential to the purpose of the research;  
460 (B) each person identified in a record or his authorized representative  
461 has authorized such disclosure in writing; and (C) the department has  
462 given written approval;

463 (9) The Auditors of Public Accounts or their representative,  
464 provided no information identifying the subjects of the records shall be  
465 disclosed unless such information is essential to an audit conducted  
466 pursuant to section 2-90;

467 (10) The Department of Social Services, provided the information  
468 disclosed is necessary to promote the health, safety and welfare of the  
469 child;

470 (11) A judge of the Superior Court for purposes of determining the  
471 appropriate disposition of a child convicted as delinquent or a child  
472 who is a member of a family with service needs;

473 (12) The superintendents, or their designees, of state-operated  
474 facilities within the department; and

475 (13) The Department of Developmental Services, to allow said  
476 department to determine eligibility, facilitate enrollment and plan for  
477 the provision of services to a child, who is a client of said department  
478 [but who is not yet participating] and who is applying for participation  
479 in said department's voluntary services program or enrolled in said  
480 program. Records provided pursuant to this subdivision shall be  
481 limited to a written summary of any investigation conducted by the  
482 Department of Children and Families pursuant to section 17a-101g. At  
483 the time that a parent or guardian completes an application for  
484 enrollment of a child in the Department of Developmental Services  
485 voluntary services program or at the time that a child's annual  
486 individualized plan of care is updated, said department shall notify  
487 such parent or guardian that records specified in this subdivision may  
488 be provided by the Department of Children and Families to the  
489 Department of Developmental Services without the consent of such

490 parent or guardian.

491 Sec. 12. Subdivision (31) of subsection (a) of section 2c-2b of the 2010  
 492 supplement to the general statutes is repealed. (*Effective October 1,*  
 493 *2010*)

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2010</i>	17a-248
Sec. 2	<i>October 1, 2010</i>	17a-248c
Sec. 3	<i>October 1, 2010</i>	17a-248d(a)
Sec. 4	<i>October 1, 2010</i>	17a-248e
Sec. 5	<i>October 1, 2010</i>	17a-248f
Sec. 6	<i>October 1, 2010</i>	17a-248g
Sec. 7	<i>October 1, 2010</i>	17a-270(a)
Sec. 8	<i>October 1, 2010</i>	17a-217a(a)
Sec. 9	<i>October 1, 2010</i>	17a-219c(a)
Sec. 10	<i>October 1, 2010</i>	17a-273
Sec. 11	<i>October 1, 2010</i>	17a-28(g)
Sec. 12	<i>October 1, 2010</i>	Repealer section

**Statement of Purpose:**

To enact various statutory changes concerning the internal administration of the Department of Developmental Services and entities that are under the auspices of said department.

*[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.]*