To: Senate Bill No. 492

"AN ACT CONCERNING DEFICIT MITIGATION FOR THE BIENNium ENDING JUNE 30, 2011."

1 Strike everything after the enacting clause and substitute the following in lieu thereof:

2 "Section 1. (Effective from passage) The amounts appropriated to the following agencies in section 1 of public act 09-3 of the June special session, as amended by section 1 of public act 09-7 of the September special session, are reduced by the following amounts for the fiscal year ending June 30, 2010:

<table>
<thead>
<tr>
<th>Agency</th>
<th>Amount</th>
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<tbody>
<tr>
<td>GENERAL FUND</td>
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<tr>
<td>LEGISLATIVE MANAGEMENT</td>
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T1 T2 T3 T4 T5 T6 T7
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<th>T8</th>
<th>AUDITORS OF PUBLIC ACCOUNTS</th>
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<td>T9</td>
<td>Other Expenses 603,355</td>
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<tr>
<td>T10</td>
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<td>T11</td>
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<tr>
<td>T12</td>
<td>ASIAN PACIFIC AMERICAN AFFAIRS COMMISSION</td>
</tr>
<tr>
<td>T13</td>
<td>Equipment 95</td>
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<td>T14</td>
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<td>T15</td>
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<tr>
<td>T16</td>
<td>GOVERNOR'S OFFICE</td>
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<tr>
<td>T17</td>
<td>Equipment 90</td>
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<td>T18</td>
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<tr>
<td>T19</td>
<td>SECRETARY OF THE STATE</td>
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<tr>
<td>T20</td>
<td>Equipment 95</td>
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<tr>
<td>T21</td>
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<tr>
<td>T22</td>
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<td>T23</td>
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<td>Equipment 825</td>
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<td>T46</td>
<td>Equipment 95</td>
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<td>FOR PERSONS WITH DISABILITIES</td>
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<td>Equipment</td>
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</table>
SB 492
Amendment

T125  COMMISSION ON CULTURE AND TOURISM
T126  Equipment 95
T128  Connecticut Association for the Performing Arts/
      Shubert Theater 103,764
T130  Hartford Urban Arts Grant 103,764
T131  New Britain Arts Alliance 20,752
T132  Film Industry Training Program 61,665
T133  Ivoryton Playhouse 12,136
T134  Discovery Museum 103,764
T135  National Theatre for the Deaf 41,506
T136  Culture, Tourism, and Arts Grant 511,000
T137  CT Trust for Historic Preservation 57,647
T138  Connecticut Science Center 172,782
T139  Greater Hartford Arts Council 25,941
T140  Stamford Center for the Arts 103,764
T141  Stepping Stone Child Museum 12,136
T142  Maritime Center Authority 145,635
T143  Basic Cultural Resources Grant 383,250
T144  Tourism Districts 328,500
T145  Connecticut Humanities Council 576,472
T146  Amistad Committee for the Freedom Trail 12,136
T147  Amistad Vessel 103,764
T148  New Haven Festival of Arts and Ideas 218,453
T149  New Haven Arts Council 25,941
T150  Palace Theater 103,764
T151  Beardsley Zoo 97,090
T152  Mystic Aquarium 169,908
T153  Quinebaug Tourism 16,425
T154  Northwestern Tourism 16,425
T155  Eastern Tourism 16,425
T156  Central Tourism 16,425
T157  Twain/Stowe Homes 26,214
T158

T159  DEPARTMENT OF ECONOMIC AND
      COMMUNITY DEVELOPMENT
T160
T161  Equipment 95
T162  Small Business Incubator Program 850,000
T163  Main Street Initiatives 151,711
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<th>Amount</th>
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<td>Grants for Substance Abuse Services</td>
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<td>Community Services (grant to town)</td>
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<td>THE BLIND</td>
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Sec. 2. (Effective from passage) The amounts appropriated to the following agencies in section 11 of public act 09-3 of the June special session, as amended by section 3 of public act 09-7 of the September special session, are reduced by the following amounts for the fiscal year ending June 30, 2011:

<table>
<thead>
<tr>
<th>T267</th>
<th>GENERAL FUND</th>
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<td>T268</td>
<td>2009-2010</td>
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<th>T270</th>
<th>GOVERNOR'S OFFICE</th>
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<td>T271</td>
<td>New England Governor's Conference 100,692</td>
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<td>T272</td>
<td>National Governors' Association 119,900</td>
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</tr>
<tr>
<td>T274</td>
<td>FREEDOM OF INFORMATION COMMISSION</td>
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</tbody>
</table>
| T275 | Personal Services | 41,932  
| T276 |  
| T277 | CONTRACTING STANDARDS BOARD |  
| T278 | Personal Services | 566,622  
| T279 | Other Expenses | 318,750  
| T280 |  
| T281 | OFFICE OF POLICY AND MANAGEMENT |  
| T282 | Regional Planning | 199,900  
| T283 |  
| T284 | OFFICE OF STATE ETHICS |  
| T285 | PS | 53,976  
| T286 |  
| T287 | STATE COMPTROLLER |  
| T288 | Interstate Environmental | 48,782  
| T289 |  
| T290 | DEPARTMENT OF AGRICULTURE |  
| T291 | Fair Testing | 1,000  
| T292 | Other Expenses | 140,507  
| T293 |  
| T294 | LABOR DEPARTMENT |  
| T295 | Other Expenses | 257,039  
| T296 | IDA | 100,000  
| T297 |  
| T298 | OFFICE OF THE CHILD ADVOCATE |  
| T299 | Personal Services | 310,000  
| T300 |  
| T301 | DEPARTMENT OF ENVIRONMENTAL PROTECTION |  
| T302 | Other Expenses | 1,481,122  
| T303 | Councils, Districts and ERTs Land Use | 250,000  
| T304 | Underground Storage Tank Account | 1,785,640  
| T305 |  
| T306 | DEPARTMENT OF AGRICULTURE |  
| T307 | Other Expenses | 140,507  
| T308 |  
| T309 | DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT |  

LCO No. 2985
<p>| T310 | Other Expenses       | 341,410 |
| T311 | Main Street Initiatives | 171,000 |
| T312 | COMMISSION ON CULTURE AND TOURISM |
| T313 | Connecticut Association for the Performing Arts/ |
| T314 | Shubert Theater       | 142,143 |
| T315 | Hartford Urban Arts Grant | 142,143 |
| T316 | New Britain Arts Alliance | 24,984 |
| T317 | Ivoryton Playhouse    | 16,625  |
| T318 | Discovery Museum      | 142,143 |
| T319 | National Theatre for the Deaf | 56,858 |
| T320 | Culture, Tourism, and Arts Grant | 700,000 |
| T321 | CT Trust for Historic Preservation | 78,968 |
| T322 | Connecticut Science Center | 236,688 |
| T323 | Greater Hartford Arts Council | 35,536 |
| T324 | Stamford Center for the Arts | 142,143 |
| T325 | Stepping Stone Child Museum | 16,625 |
| T326 | Maritime Center Authority | 199,500 |
| T327 | Basic Cultural Resources Grant | 525,000 |
| T328 | Connecticut Humanities Council | 789,688 |
| T329 | Amistad Committee for the Freedom Trail | 16,625 |
| T330 | Amistad Vessel        | 142,143 |
| T331 | New Haven Festival of Arts and Ideas | 299,250 |
| T332 | New Haven Arts Council | 35,536 |
| T333 | Palace Theater        | 142,143 |
| T334 | Beardsley Zoo         | 133,000 |
| T335 | Mystic Aquarium       | 232,750 |
| T336 | Twain/Stowe Homes     | 35,910  |
| T337 | Film Industry Training Program | 250,000 |
| T338 | Tourism Districts     | 450,000 |
| T339 | Film Industry Training Program | 250,000 |
| T340 | Quinebaug Tourism     | 22,500  |
| T341 | Northwestern Tourism  | 22,500  |
| T342 | Eastern Tourism       | 22,500  |
| T343 | Central Tourism       | 22,500  |
| T344 | DEPARTMENT OF DEVELOPMENTAL SERVICES |
| T345 | Personal Services     | 1,190,748 |
| T346 | DEPARTMENT OF DEVELOPMENTAL SERVICES |
| T347 | DEPARTMENT OF DEVELOPMENTAL SERVICES |</p>
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<th>Line</th>
<th>Department</th>
<th>Description</th>
<th>Amount</th>
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<td>Civil Air Patrol</td>
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<td>T350</td>
<td>Other Expenses</td>
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<td>T351</td>
<td>PS</td>
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<td>T353</td>
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<td>T354</td>
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<td>T357</td>
<td>DEPARTMENT OF SOCIAL SERVICES</td>
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<td>DSH - Urban Hospitals</td>
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<td>Connecticut Childrens' Medical Center</td>
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<td>T371</td>
<td>Services to the Elderly</td>
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<td>T373</td>
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<tr>
<td>T376</td>
<td>DEPARTMENT OF CHILDREN AND FAMILIES</td>
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<td>T377</td>
<td>Board and Children - Residential</td>
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<td>T378</td>
<td>Neighborhood Center</td>
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<td>T379</td>
<td>Grants for Psychiatric Clinics for Children</td>
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<td>Child Welfare Support Services</td>
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<td>Individualized Family Supports</td>
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<td>Community Kidcare</td>
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<td>DIVISION OF SPECIAL REVENUE</td>
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<td>T388</td>
<td>Other Expenses</td>
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<td>T390</td>
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<td>T391</td>
<td>Personal Services</td>
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<td>T392</td>
<td>Best Practices</td>
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<td>T393</td>
<td>Community Plans for Early Childhood</td>
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<td>T394</td>
<td>Connecticut Pre-Engineering Program</td>
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<td>T395</td>
<td>Readers as Leaders</td>
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<td>T396</td>
<td>Youth Service Bureau Enhancement</td>
<td>625,000</td>
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<td>T397</td>
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<tr>
<td>T398</td>
<td>DEPARTMENT OF HIGHER EDUCATION</td>
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<tr>
<td>T399</td>
<td>Americorps</td>
<td>500,000</td>
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<td>T400</td>
<td>Kirklynn Kerr</td>
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<td>Minority Advancement</td>
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<td>DEPARTMENT OF MENTAL HEALTH AND ADDICTION SERVICES</td>
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<td>T405</td>
<td>Other Expenses</td>
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<td>T406</td>
<td>PS</td>
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<td>Young Adult</td>
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<td>T408</td>
<td>Substance Abuse</td>
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<td>T409</td>
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<td>T410</td>
<td>DEPARTMENT OF CHILDREN AND FAMILIES</td>
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<tr>
<td>T411</td>
<td>Board and Care for Children - Residential</td>
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</tr>
<tr>
<td>T412</td>
<td>Neighborhood Center</td>
<td>261,010</td>
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<td>T413</td>
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<td>T414</td>
<td>PUBLIC DEFENDER SERVICES COMMISSION</td>
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<td>T415</td>
<td>Personal Service</td>
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<td>T417</td>
<td>DEPARTMENT OF AGING</td>
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<td>T418</td>
<td>Personal Services</td>
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<td>T419</td>
<td>Other Expenses</td>
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<td>T420</td>
<td>Equipment</td>
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<td>T422</td>
<td>STATE TREASURER - DEBT SERVICE</td>
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<tr>
<td>T423</td>
<td>Debt Service</td>
<td>5,000,000</td>
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</tbody>
</table>
Sec. 3. *(Effective from passage)* The amounts appropriated to the following agencies in section 12 of public act 09-3 of the June special session, as amended by section 4 of public act 09-7 of the September special session, are reduced by the following amounts for the fiscal year ending June 30, 2011:

<table>
<thead>
<tr>
<th>Agency</th>
<th>Amount</th>
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<tbody>
<tr>
<td>SPECIAL TRANSPORTATION FUND</td>
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<tr>
<td>Other Expenses</td>
<td>$3,500,000</td>
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<tr>
<td>Rail Operations</td>
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</tr>
<tr>
<td>Tweed-New Haven Airport Grant</td>
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</tr>
<tr>
<td>Non-ADA Dial-A-Ride Program</td>
<td>$576,361</td>
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<tr>
<td><strong>TOTAL</strong></td>
<td><strong>$8,269,181</strong></td>
</tr>
</tbody>
</table>

Sec. 4. *(Effective from passage)* (a) The sum of $5,000,000 shall be transferred from the Tobacco and Health Trust Fund and credited to the resources of the General Fund for the fiscal year ending June 30, 2010.

(b) The sum of $6,000,000 shall be transferred from the Biomedical Research Trust Fund and credited to the resources of the General Fund for the fiscal year ending June 30, 2010.

(c) Notwithstanding section 9-701 of the general statutes, the balance of funds in the Citizens’ Election Fund shall be transferred and credited to the resources of the General Fund for the fiscal year ending June 30, 2010.

(d) Notwithstanding section 16-331cc of the general statutes, the
sum of $2,300,000 shall be transferred from the public, educational and
governmental programming and education technology investment
account and credited to the resources of the General Fund for the fiscal
year ending June 30, 2010.

(e) Notwithstanding section 19a-32e of the general statutes, the sum
of $5,000,000 shall be transferred from the Stem Cell Research Fund
and credited to the resources of the General Fund for the fiscal year
ending June 30, 2010.

(f) Notwithstanding the provisions of section 14-164m of the general
statutes, the sum of $1,000,000 shall be transferred from the Emissions
Enterprise Fund and credited to the resources of the General Fund for
the fiscal year ending June 30, 2009.

(g) Notwithstanding any provision of the general statutes, after
completion of any transfers of funds required under public act 09-3 of
the June special session, any balance remaining in any account within
the Environmental Conservation Fund, the Environmental Quality
Fund or the Clean Air Account shall be transferred from said funds
and account and shall be credited to the resources of the General Fund
for the fiscal year ending June 30, 2010.

(h) Notwithstanding the provisions of section 4-66aa of the general
statutes, from the effective date of this section until July 1, 2010, the
funds in the community investment account, established pursuant to
section 4-66aa of the general statutes, shall be distributed as follows:
(1) $5,000,000 to the resources of the General Fund; and (2) the
remainder pursuant to subsection (b) of said section 4-66aa.

(i) Any balance remaining in the Federal Emergency Management
Agency (FEMA) Administration Account administered by the Office of
Policy and Management shall be transferred and credited to the
resources of the General Fund for the fiscal year ending June 30, 2010.

Sec. 5. (Effective from passage) The amount appropriated in section 5
of public act 08-1 of the August 24 special session, as amended by
section 3 of public act 09-2 of the June special session, section 31 of
special act 09-3 of the June special session and section 82 of public act
09-5 of the September special session, for Operation Fuel at two
hundred per cent of Federal Poverty Level is reduced by $1,000,000.

Sec. 6. Section 25 of public act 09-3 of the June special session, as
amended by section 57 of public act 09-6 of the September special
session, is amended to read as follows (Effective from passage):

(a) Up to [$500,000] $225,000 appropriated to the Department of
Higher Education in section 1 of public act 09-3 of the June special
session, as amended by section 1 of public act 09-7 of the September
special session, for Connecticut Independent College Student Grant,
and set aside pursuant to subsection (c) of this section, shall be
transferred to Opportunities for Veterinary Medicine, and such funds
shall be available for such purpose during the fiscal year ending June
30, 2010.

(b) Up to $500,000 appropriated to the Department of Higher
Education in section [(11)] 11 of public act 09-3 of the June special
session, as amended by section 3 of public act 09-7 of the September
special session, for Connecticut Independent College Student Grant,
and set aside pursuant to subsection (c) of this section, shall be
transferred to Opportunities for Veterinary Medicine, and such funds
shall be available for such purpose during the fiscal year ending June
30, 2011.

(c) Notwithstanding the provisions of section 10a-40, for the fiscal
years ending June 30, 2010, and June 30, 2011, the Department of
Higher Education shall compute funding based on the unreduced
appropriation and reduce the computed funding amount by $500,000
for an independent college or university that returned a minimum of
$500,000 of its funding for fiscal year 2009 during said fiscal year.

Sec. 7. (Effective from passage) Notwithstanding section 32-356 of the
general statutes, the sum of $850,000 shall be transferred from the
small business incubator account and shall be transferred and credited
to the resources of the General Fund for the fiscal year ending June 30, 2010.

Sec. 8. (Effective from passage) (a) The sum of $380,000 appropriated to the Department of Economic and Community Development in subsection (a) of section 21 of public act 07-1, and carried forward in subsection (b) of said section and section 506 of public act 09-3 of the June special session, for Home CT, for the purpose of the housing incentive zone program, established under the provisions of section 8-13m to 8-13x, inclusive, of the general statutes, shall not be expended and shall be transferred to the resources of the General Fund for the fiscal year ending June 30, 2010.

(b) The sum of $1,397,602 held by the Office of Policy and Management in an account for purposes of administering and funding the housing incentive zone program, established under the provisions of sections 8-13m to 8-13x, inclusive, of the general statutes, shall not be expended and shall be transferred to the resources of the General Fund for the fiscal year ending June 30, 2010.

Sec. 9. (Effective from passage) The amount appropriated in subsection (a) of section 2 of public act 09-2 of the June 19 special session to Teachers' Retirement Board, for Retirees Health Service Cost, and carried forward by subsection (b) of said section, shall be reduced by $179,228.

Sec. 10. Section 20 of public act 09-7 of the September special session is repealed and the following is substituted in lieu thereof (Effective from passage):

(a) (1) Up to $264,000 of the funds appropriated to the Department of Social Services in [sections 1 and] section 11 of public act 09-3 of the June special session, for Housing/Homeless Services, shall be made available to provide rental assistance and services for Round 3 development projects for the Next Steps Initiative, established pursuant to section 17a-485c of the general statutes, during the fiscal [years ending June 30, 2010, and] year ending June 30, 2011.
[(2) Up to $510,000 of the funds appropriated to the Department of Mental Health and Addiction Services in section 1 of public act 09-3 of the June special session, for Housing Supports and Services, shall be made available to provide rental assistance and services for Round 3 development projects for the Next Steps Initiative, established pursuant to section 17a-485c of the general statutes, during the fiscal year ending June 30, 2010.]

[(3)] (2) Up to $1,000,000 of the funds appropriated to the Department of Mental Health and Addiction Services in section 11 of public act 09-3 of the June special session, for Housing Supports and Services, shall be made available to provide rental assistance and services for Round 3 development projects for the Next Steps Initiative, established pursuant to section 17a-485c of the general statutes, during the fiscal year ending June 30, 2011.

[(4) Any funds made available in subdivisions (1), (2) and (3) of this subsection that are not used to provide rental assistance and services for Round 3 development projects for the Next Steps Initiative, established pursuant to section 17a-485c of the general statutes, shall be used for other rental assistance and services for new scattered site supportive housing.]

[(b)] (3) Up to $1,000,000 of the funds appropriated to Debt Service - State Treasurer in [sections 1 and] section 11 of public act 09-3 of the June special session, for Debt Service, shall be made available to provide debt service, in accordance with section 17a-485e of the general statutes, for Round 3 development projects for the Next Steps Initiative, established pursuant to section 17a-485c of the general statutes, for the fiscal [years ending June 30, 2010, and] year ending June 30, 2011.

Sec. 11. Subsection (a) of section 17b-295 of the general statutes is repealed and the following is substituted in lieu thereof (Effective from passage):

(a) The commissioner shall impose cost-sharing requirements,
including the payment of a premium or copayment, in connection with
services provided under the HUSKY Plan, Part B, to the extent
permitted by federal law. [I, and] Copayments under the HUSKY Plan,
Part B, shall be the same as those in effect for active state employees
enrolled in a point-of-enrollment health care plan, provided the
family's annual combined premiums and copayments do not exceed
the maximum annual aggregate cost-sharing requirement. The cost-
sharing requirements imposed by the commissioner shall be in
accordance with the following limitations:

(1) The commissioner may increase the maximum annual aggregate
cost-sharing requirements, provided such cost-sharing requirements
shall not exceed five per cent of the family's gross annual income. The
commissioner may impose a premium requirement on families whose
income exceeds two hundred thirty-five per cent of the federal poverty
level as a component of the family's cost-sharing responsibility,
provided: (A) The family's annual combined premiums and
copayments do not exceed the maximum annual aggregate cost-
sharing requirement, and (B) premium requirements shall not exceed
the sum of thirty dollars per month per child, with a maximum
premium of fifty dollars per month per family. The commissioner shall
not impose a premium requirement on families whose income exceeds
one hundred eighty-five per cent of the federal poverty level but does
not exceed two hundred thirty-five per cent of the federal poverty
level; and

(2) The commissioner shall require each managed care plan to
monitor copayments and premiums under the provisions of
subdivision (1) of this subsection.

Sec. 12. Section 17b-197 of the general statutes is repealed and the
following is substituted in lieu thereof (Effective from passage):

[(a)] If a recipient of state-administered general assistance or person
receiving aid under both the Social Security Disability Income Program
and the state supplement to the federal Supplemental Security Income

Program has been denied aid under the federal Supplemental Security Income Program, or has been notified by the Social Security Administration that his benefits under such program will be terminated, the Commissioner of Social Services shall advise the recipient as to his right of the recipient's right to appeal and the availability of local legal counsel. The attorney chosen by the recipient shall be reimbursed by the state for his reasonable fees, on a contingency basis, limited to the amount approved by the Department of Social Services, pursuant to the provisions of 42 USC 406 and limited to the amount approved by the Social Security Administration [when such approval is required by federal regulations for such appeals] under said provisions. Such attorney's fees [shall not] may be recoverable from such recipient or his estate. The full amount of any interim assistance reimbursement received by the state shall be applied to reduce any obligation owed to the town by such recipient.

[(b) Those persons receiving aid under both the federal Social Security Administration Disability Program and the state supplement to the federal Supplemental Security Income Program, who have been notified that their benefits under the federal program will be terminated by the Social Security Administration, shall be eligible for the payment of attorney's fees, on a contingency basis, incurred in appealing such termination. The attorney chosen by the recipient shall be reimbursed by the state for his reasonable fees, on a contingency basis, limited to the amount approved by the Department of Social Services and limited to the amount approved by the Social Security Administration when such approval is required by federal regulations for such appeals. Such attorney's fees shall not be recoverable from such recipient or his estate.]

Sec. 13. Subsection (d) of section 17b-266 of the 2010 supplement to the general statutes is repealed and the following is substituted in lieu thereof (Effective from passage):

(d) The commissioner shall pay all capitation claims which would otherwise be reimbursed to the health plans described in subsection (b)
of this section in [June, 2011] April, 2010, no later than [July 31, 2011] May 31, 2010. Each subsequent payment made by the commissioner to such health plans for capitation claims due shall be made in the second month following the month to which the capitation applies.

Sec. 14. Subsection (f) of section 17b-274d of the 2010 supplement to the general statutes is repealed and the following is substituted in lieu thereof (Effective from passage):

(f) Nonpreferred drugs in the classes of drugs included on the preferred drug lists shall be subject to prior authorization. [Prior authorization is not required for any mental-health-related drug that has been filled or refilled, in any dosage, at least one time in the one-year period prior to the date the individual presents a prescription for the drug at a pharmacy. If prior authorization is granted for a drug not included on a preferred drug list, the authorization shall be valid for one year from the date the prescription is first filled.] Antiretroviral classes of drugs shall not be included on the preferred drug lists.

Sec. 15. (NEW) (Effective May 1, 2010) The Commissioner of Social Services shall, to the extent permitted by federal law, impose cost-sharing requirements on Medicaid recipients, except that copayments shall not be imposed for the following services: (1) Inpatient hospitalization; (2) hospital emergency; (3) home health care; (4) those provided under a home and community-based waiver; (5) laboratory; (6) emergency ambulance; and (7) nonemergency medical transportation. The aggregate cost-sharing requirements for prescription drugs shall not exceed twenty dollars per month.

Sec. 16. Subsection (a) of section 17b-295 of the general statutes is repealed and the following is substituted in lieu thereof (Effective from passage):

(a) The commissioner shall impose cost-sharing requirements, including the payment of a premium or copayment, in connection with services provided under the HUSKY Plan, Part B, to the extent permitted by federal law, and in accordance with the following
(1) The commissioner may increase the maximum annual aggregate cost-sharing requirements, provided such cost-sharing requirements shall not exceed five per cent of the family's gross annual income. The commissioner may impose a premium requirement on families whose income exceeds one hundred eighty-five per cent of the federal poverty level but does not exceed two hundred thirty-five per cent of the federal poverty level as a component of the family's cost-sharing responsibility, provided: (A) The family's annual combined premiums and copayments do not exceed the maximum annual aggregate cost-sharing requirement, and (B) premium requirements shall not exceed the sum of twenty-five dollars per month for families with one child, with a maximum premium of thirty dollars per month per family. The commissioner may impose a premium requirement on families whose income exceeds two hundred thirty-five per cent of the federal poverty level as a component of the family's cost-sharing responsibility, provided: (A) The family's annual combined premiums and copayments do not exceed the maximum annual aggregate cost-sharing requirement, and (B) premium requirements shall not exceed the sum of [thirty] fifty dollars per month [per] for families with one child, with a maximum premium of [fifty] seventy-five dollars per month per family; [.] The commissioner shall not impose a premium requirement on families whose income exceeds one hundred eighty-five per cent of the federal poverty level but does not exceed two hundred thirty-five per cent of the federal poverty level;[] and

(2) The commissioner shall require each managed care plan to monitor copayments and premiums under the provisions of subdivision (1) of this subsection.

Sec. 17. Subsection (c) of section 17b-311 of the general statutes is repealed and the following is substituted in lieu thereof (Effective from passage):

(c) (1) The Commissioner of Social Services shall provide premium
assistance to eligible state residents whose gross annual income does not exceed three hundred per cent of the federal poverty level. Such premium assistance shall be limited to: [1(1)] (A) One hundred seventy-five dollars per month for individuals whose gross annual income is below one hundred fifty per cent of the federal poverty level; [1(2)] (B) one hundred fifty dollars per month for individuals whose gross annual income is at or above one hundred fifty per cent of the federal poverty level but not more than one hundred eighty-five per cent of the federal poverty level; [1(3)] (C) seventy-five dollars per month for individuals whose gross annual income is above one hundred eighty-five per cent of the federal poverty level but not more than two hundred thirty-five per cent of the federal poverty level; and [1(4)] (D) fifty dollars per month for individuals whose gross annual income is above two hundred thirty-five per cent of the federal poverty level but not more than three hundred per cent of the federal poverty level.

Individuals insured under the Charter Oak Health Plan shall pay their share of payment for coverage in the plan directly to the insurer.

(2) Notwithstanding the provisions of this subsection, for the fiscal years ending June 30, 2010, and June 30, 2011, the Commissioner of Social Services shall only provide premium assistance to state residents who are eligible for such assistance and who are enrolled in the Charter Oak Health Plan on March 31, 2010.

Sec. 18. (NEW) (Effective from passage) A provider enrolled in any medical assistance program administered by the Department of Social Services, when billing the department for any good or service, shall bill the department the lowest amount accepted from any member of the general public for a similar good or service.

Sec. 19. Subsection (g) of section 17b-340 of the 2010 supplement to the general statutes is repealed and the following is substituted in lieu thereof (Effective from passage):

(g) For the fiscal year ending June 30, 1993, any intermediate care facility for the mentally retarded with an operating cost component of
its rate in excess of one hundred forty per cent of the median of operating cost components of rates in effect January 1, 1992, shall not receive an operating cost component increase. For the fiscal year ending June 30, 1993, any intermediate care facility for the mentally retarded with an operating cost component of its rate that is less than one hundred forty per cent of the median of operating cost components of rates in effect January 1, 1992, shall have an allowance for real wage growth equal to thirty per cent of the increase determined in accordance with subsection (q) of section 17-311-52 of the regulations of Connecticut state agencies, provided such operating cost component shall not exceed one hundred forty per cent of the median of operating cost components in effect January 1, 1992. Any facility with real property other than land placed in service prior to October 1, 1991, shall, for the fiscal year ending June 30, 1995, receive a rate of return on real property equal to the average of the rates of return applied to real property other than land placed in service for the five years preceding October 1, 1993. For the fiscal year ending June 30, 1996, and any succeeding fiscal year, the rate of return on real property for property items shall be revised every five years. The commissioner shall, upon submission of a request, allow actual debt service, comprised of principal and interest, in excess of property costs allowed pursuant to section 17-311-52 of the regulations of Connecticut state agencies, provided such debt service terms and amounts are reasonable in relation to the useful life and the base value of the property. For the fiscal year ending June 30, 1995, and any succeeding fiscal year, the inflation adjustment made in accordance with subsection (p) of section 17-311-52 of the regulations of Connecticut state agencies shall not be applied to real property costs. For the fiscal year ending June 30, 1996, and any succeeding fiscal year, the allowance for real wage growth, as determined in accordance with subsection (q) of section 17-311-52 of the regulations of Connecticut state agencies, shall not be applied. For the fiscal year ending June 30, 1996, and any succeeding fiscal year, no rate shall exceed three hundred seventy-five dollars per day unless the commissioner, in consultation with the Commissioner of Developmental Services,
determines after a review of program and management costs, that a
rate in excess of this amount is necessary for care and treatment of
facility residents. For the fiscal year ending June 30, 2002, rate period,
the Commissioner of Social Services shall increase the inflation
adjustment for rates made in accordance with subsection (p) of section
17-311-52 of the regulations of Connecticut state agencies to update
allowable fiscal year 2000 costs to include a three and one-half per cent
inflation factor. For the fiscal year ending June 30, 2003, rate period, the
commissioner shall increase the inflation adjustment for rates made in
accordance with subsection (p) of section 17-311-52 of the regulations
of Connecticut state agencies to update allowable fiscal year 2001 costs
to include a one and one-half per cent inflation factor, except that such
increase shall be effective November 1, 2002, and such facility rate in
effect for the fiscal year ending June 30, 2002, shall be paid for services
provided until October 31, 2002, except any facility that would have
been issued a lower rate effective July 1, 2002, than for the fiscal year
ending June 30, 2002, due to interim rate status or agreement with the
department shall be issued such lower rate effective July 1, 2002, and
have such rate updated effective November 1, 2002, in accordance with
applicable statutes and regulations. For the fiscal year ending June 30,
2004, rates in effect for the period ending June 30, 2003, shall remain in
effect, except any facility that would have been issued a lower rate
effective July 1, 2003, than for the fiscal year ending June 30, 2003, due
to interim rate status or agreement with the department shall be issued
such lower rate effective July 1, 2003. For the fiscal year ending June
30, 2005, rates in effect for the period ending June 30, 2004, shall
remain in effect until September 30, 2004. Effective October 1, 2004,
each facility shall receive a rate that is five per cent greater than the
rate in effect September 30, 2004. Effective upon receipt of all the
necessary federal approvals to secure federal financial participation
matching funds associated with the rate increase provided in
subdivision (4) of subsection (f) of this section, but in no event earlier
than October 1, 2005, and provided the user fee imposed under section
17b-320 is required to be collected, each facility shall receive a rate that
is four per cent more than the rate the facility received in the prior
fiscal year, except any facility that would have been issued a lower rate effective October 1, 2005, than for the fiscal year ending June 30, 2005, due to interim rate status or agreement with the department, shall be issued such lower rate effective October 1, 2005. Such rate increase shall remain in effect unless: (A) The federal financial participation matching funds associated with the rate increase are no longer available; or (B) the user fee created pursuant to section 17b-320 is not in effect. For the fiscal year ending June 30, 2007, rates in effect for the period ending June 30, 2006, shall remain in effect until September 30, 2006, except any facility that would have been issued a lower rate effective July 1, 2006, than for the fiscal year ending June 30, 2006, due to interim rate status or agreement with the department, shall be issued such lower rate effective July 1, 2006. Effective October 1, 2006, no facility shall receive a rate that is more than three per cent greater than the rate in effect for the facility on September 30, 2006, except any facility that would have been issued a lower rate effective October 1, 2006, due to interim rate status or agreement with the department, shall be issued such lower rate effective October 1, 2006. For the fiscal year ending June 30, 2008, each facility shall receive a rate that is two and nine-tenths per cent greater than the rate in effect for the period ending June 30, 2007, except any facility that would have been issued a lower rate effective July 1, 2007, than for the period ending June 30, 2007, due to interim rate status, or agreement with the department, shall be issued such lower rate effective July 1, 2007. For the fiscal year ending June 30, 2009, rates in effect for the period ending June 30, 2008, shall remain in effect until June 30, 2009, except any facility that would have been issued a lower rate for the fiscal year ending June 30, 2009, due to interim rate status or agreement with the department, shall be issued such lower rate. For the fiscal years ending June 30, 2010, and June 30, 2011, rates in effect for the period ending June 30, 2009, shall remain in effect until [June 30, 2011] March 31, 2010, except any facility that would have been issued a lower rate for the [fiscal year ending June 30, 2010, or the fiscal year ending June 30, 2011] period ending March 31, 2020, due to interim rate status or agreement with the department, shall be issued such lower rate. For the period beginning...
April 1, 2010, to June 30, 2011, inclusive, each facility shall receive a rate that is two per cent lower than the rate in effect on March 31, 2010, except that any facility that would have been issued a lower rate for the period beginning April 1, 2010, to June 30, 2011, inclusive, due to interim rate status or agreement with the department, shall be issued such lower rate.

Sec. 20. Subsection (g) of section 17b-239 of the general statutes is repealed and the following is substituted in lieu thereof (Effective from passage):

(g) Effective June 1, 2001, the commissioner shall establish inpatient hospital rates in accordance with the method specified in regulations adopted pursuant to this section and applied for the rate period beginning October 1, 2000, except that the commissioner shall update each hospital’s target amount per discharge to the actual allowable cost per discharge based upon the 1999 cost report filing multiplied by sixty-two and one-half per cent if such amount is higher than the target amount per discharge for the rate period beginning October 1, 2000, as adjusted for the ten per cent incentive identified in Section 4005 of Public Law 101-508. If a hospital’s rate is increased pursuant to this subsection, the hospital shall not receive the ten per cent incentive identified in Section 4005 of Public Law 101-508. For rate periods beginning October 1, 2001, through September 30, 2006, the commissioner shall not apply an annual adjustment factor to the target amount per discharge. Effective April 1, 2005, the revised target amount per discharge for each hospital with a target amount per discharge less than three thousand seven hundred fifty dollars shall be three thousand seven hundred fifty dollars. Effective October 1, 2007, the commissioner, in consultation with the Secretary of the Office of Policy and Management, shall establish, within available appropriations, an increased target amount per discharge of not less than four thousand two hundred fifty dollars for each hospital with a target amount per discharge less than four thousand two hundred fifty dollars for the rate period ending September 30, 2007, and the commissioner may apply an annual adjustment factor to the target...
amount per discharge for hospitals that are not increased as a result of this adjustment. [Not later than October 1, 2008, the commissioner shall submit a report to the joint standing committees of the General Assembly having cognizance of matters relating to public health, human services and appropriations and the budgets of state agencies identifying any increased target amount per discharge established or annual adjustment factor applied on or after October 1, 2006, and the associated cost increase estimates related to such actions.] Effective April 1, 2010, the commissioner shall establish a target amount per discharge of not less than four thousand forty dollars for each hospital.

Sec. 21. (NEW) (Effective May 1, 2010) To the extent permitted by federal law, no payment shall be provided for eyeglasses, contact lenses or services provided by an optician under any medical assistance program administered by the Department of Social Services.

Sec. 22. (NEW) (Effective from passage) The Commissioner of Social Services shall only authorize payment for the mode of transportation service that is medically necessary for a recipient of assistance under a medical assistance program administered by the Department of Social Services. Notwithstanding any provisions of the general statutes or regulations of Connecticut state agencies, a recipient who requires nonemergency transportation and who shall be transported in a prone position but who does not require medical services during transport may be transported in a stretcher van. The commissioner shall establish rates for nonemergency transportation provided by a stretcher van.

Sec. 23. (NEW) (Effective from passage) Notwithstanding any provision of the general statutes or the regulations of Connecticut state agencies, the Commissioner of Transportation shall adopt regulations, in accordance with chapter 54 of the general statutes, to establish oversight of stretcher vans as a livery service for which a permit is required, provided certification issued by the Department of Public Health to provide transportation on a stretcher shall be sufficient qualification to be issued a stretcher van permit by the Commissioner.
Sec. 24. Subsection (a) of section 19a-180 of the 2010 supplement to the general statutes is repealed and the following is substituted in lieu thereof (Effective from passage):

(a) No person shall operate any ambulance service, rescue service or management service [or otherwise transport in a motor vehicle a patient on a stretcher] without either a license or a certificate issued by the commissioner. No person shall operate a commercial ambulance service or commercial rescue service or a management service without a license issued by the commissioner. A certificate shall be issued to any volunteer or municipal ambulance service which shows proof satisfactory to the commissioner that it meets the minimum standards of the commissioner in the areas of training, equipment and personnel. No license or certificate shall be issued to any volunteer, municipal or commercial ambulance service, rescue service or management service, as defined in subdivision (19) of section 19a-175, as amended by this act, unless it meets the requirements of subsection (e) of section 14-100a. Applicants for a license shall use the forms prescribed by the commissioner and shall submit such application to the commissioner accompanied by an annual fee of two hundred dollars. In considering requests for approval of permits for new or expanded emergency medical services in any region, the commissioner shall consult with the Office of Emergency Medical Services and the emergency medical services council of such region and shall hold a public hearing to determine the necessity for such services. Written notice of such hearing shall be given to current providers in the geographic region where such new or expanded services would be implemented, provided, any volunteer ambulance service which elects not to levy charges for services rendered under this chapter shall be exempt from the provisions concerning requests for approval of permits for new or expanded emergency medical services set forth in this subsection. A primary service area responder that operates in the service area identified in the application shall, upon request, be granted intervenor status with opportunity for cross-examination. Each applicant for
licensure shall furnish proof of financial responsibility which the commissioner deems sufficient to satisfy any claim. The commissioner may adopt regulations, in accordance with the provisions of chapter 54, to establish satisfactory kinds of coverage and limits of insurance for each applicant for either licensure or certification. Until such regulations are adopted, the following shall be the required limits for licensure: (1) For damages by reason of personal injury to, or the death of, one person on account of any accident, at least five hundred thousand dollars, and more than one person on account of any accident, at least one million dollars, (2) for damage to property at least fifty thousand dollars, and (3) for malpractice in the care of one passenger at least two hundred fifty thousand dollars, and for more than one passenger at least five hundred thousand dollars. In lieu of the limits set forth in subdivisions (1) to (3), inclusive, of this subsection, a single limit of liability shall be allowed as follows: (A) For damages by reason of personal injury to, or death of, one or more persons and damage to property, at least one million dollars; and (B) for malpractice in the care of one or more passengers, at least five hundred thousand dollars. A certificate of such proof shall be filed with the commissioner. Upon determination by the commissioner that an applicant is financially responsible, properly certified and otherwise qualified to operate a commercial ambulance service, rescue service or management service, the commissioner shall issue the appropriate license effective for one year to such applicant. If the commissioner determines that an applicant for either a certificate or license is not so qualified, the commissioner shall notify such applicant of the denial of the application with a statement of the reasons for such denial. Such applicant shall have thirty days to request a hearing on the denial of the application.

Sec. 25. Subdivision (11) of section 19a-175 of the 2010 supplement to the general statutes is repealed and the following is substituted in lieu thereof (Effective from passage):

(11) "Invalid coach" means a vehicle used exclusively for the transportation of nonambulatory patients, who are not confined to
stretchers,] to or from either a medical facility or the patient's home in nonemergency situations or utilized in emergency situations as a backup vehicle when insufficient emergency vehicles exist;

Sec. 26. Subsection (c) of section 17b-265d of the 2010 supplement to the general statutes is repealed and the following is substituted in lieu thereof (Effective from passage):

(c) A full benefit dually eligible Medicare Part D beneficiary shall be responsible for any Medicare Part D prescription drug copayments imposed pursuant to Public Law 108-173, the Medicare Prescription Drug, Improvement, and Modernization Act of 2003, in amounts not to exceed [fifteen] twenty dollars per month. The department shall be responsible for payment, on behalf of such beneficiary, of any Medicare Part D prescription drug copayments in any month in which such copayment amounts exceed [fifteen] twenty dollars in the aggregate.

Sec. 27. (NEW) (Effective May 1, 2010) Notwithstanding any provision of the general statutes, on and after May 1, 2010, no payment shall be made under a medical assistance program administered by the Department of Social Services for an over-the-counter drug, except for insulin and insulin syringes and as may be required by federal law.

Sec. 28. Subsection (b) of section 17b-192 of the 2010 supplement to the general statutes is repealed and the following is substituted in lieu thereof (Effective April 1, 2010):

(b) Each person eligible for state-administered general assistance shall be entitled to receive medical care through a federally qualified health center or other primary care provider as determined by the commissioner. The Commissioner of Social Services shall determine appropriate service areas and shall, in the commissioner's discretion, contract with community health centers, other similar clinics, and other primary care providers, if necessary, to assure access to primary care services for recipients who live farther than a reasonable distance from a federally qualified health center. The commissioner shall assign
and enroll eligible persons in federally qualified health centers and
with any other providers contracted for the program because of access
needs. Each person eligible for state-administered general assistance
shall be entitled to receive hospital services. Medical services under the
program shall be limited to the services provided by a federally
qualified health center, hospital, or other provider contracted for the
program at the commissioner's discretion because of access needs.
Dental coverage shall be limited to dental services for an emergency
condition. For purposes of this section, an emergency condition means
a dental condition manifesting itself by acute symptoms of sufficient
severity, including severe pain, such that a prudent layperson, who
possesses an average knowledge of health and medicine, could
reasonably expect the absence of immediate dental attention to result
in placing the health of the individual in serious jeopardy, cause
serious impairment to body functions or cause serious dysfunction of
any body organ or part. The commissioner shall ensure that ancillary
services and specialty services are provided by a federally qualified
health center, hospital, or other providers contracted for the program
at the commissioner's discretion. Ancillary services include, but are not
limited to, radiology, laboratory, and other diagnostic services not
available from a recipient's assigned primary care provider, and
durable medical equipment. Specialty services are services provided
by a physician with a specialty that are not included in ancillary
services. Ancillary or specialty services provided under the program
shall not exceed such services provided under the state-administered
general assistance program on July 1, 2003, except [for] (1)
nonemergency medical transportation, [and vision care services which
may be provided on a limited basis within available appropriations.
Notwithstanding any provision of this subsection, the commissioner
may provide, or require a contractor to provide,] which shall be
limited to transportation for radiation oncology, chemotherapy and
dialysis, and (2) home health services or skilled nursing facility
coverage for state-administered general assistance recipients being
discharged from a chronic disease hospital when the provision of such
services or coverage is determined to be cost effective by the
commissioner.

Sec. 29. (NEW) (Effective from passage) The Commissioner of Social Services, to the extent permitted by federal law, shall amend the Medicaid state plan to limit, on and after May 1, 2010, dental coverage to medical assistance recipients age twenty-one and older to dental services for an emergency condition. For the purposes of this section, an emergency condition means a dental condition manifesting itself by acute symptoms of sufficient severity, including severe pain, such that a prudent layperson, who possesses an average knowledge of health and medicine, could reasonably expect the absence of immediate dental attention to result in placing the health of the individual, or with respect to a pregnant woman, the health of the woman or her unborn child, in serious jeopardy, cause serious impairment to body functions or cause serious dysfunction of any body organ or part.

Sec. 30. (NEW) (Effective from passage) (a) The terms "medically necessary" and "medical necessity", as used by the Department of Social Services to administer the department's medical assistance program, mean those health services required to prevent, identify, diagnose, treat, rehabilitate or ameliorate a health problem or its effects, or to maintain health and functioning, provided such services are: (1) Consistent with generally accepted standards of medical practice; (2) clinically appropriate in terms of type, frequency, timing, site and duration; (3) demonstrated through scientific evidence to be safe and effective and the least costly among similarly effective alternatives, where adequate scientific evidence exists; and (4) not primarily for the convenience of the patient, physician or other health care providers.

(b) Not later than April 1, 2010, the Department of Social Services shall apply the definition of "medically necessary" and "medical necessity" in subsection (a) of this section in administering the medical assistance program. The department shall amend or repeal any inconsistent definitions in the regulations of Connecticut state agencies that are used in administering the department's medical assistance
Sec. 31. (NEW) (Effective from passage) The Commissioner of Social Services shall amend the Medicaid state plan to provide coverage for the treatment of tuberculosis for any eligible person to the extent permitted under federal law.

Sec. 32. (NEW) (Effective from passage) The Commissioner of Social Services, pursuant to section 17b-10 of the general statutes, may implement policies and procedures necessary to administer subsection (b) of section 17b-192, of the general statutes, as amended by this act, section 17b-197, subsection (g) of section 17b-239, subsection (c) of section 17b-265d, subsection (d) of section 17b-266, subsection (f) of section 17b-274d, subsection (a) of section 17b-295, subsection (c) of section 17b-311, subsection (g) of section 17b-340, subdivision (11) of section 19a-175, subsection (a) of section 19a-180, and sections 15, 18, 21, 22, 27, 29, 30 and 31 of this act, while in the process of adopting such policies and procedures as regulation, provided the commissioner prints notice of intent to adopt regulations in the Connecticut Law Journal not later than twenty days after the date of implementation. Policies and procedures implemented pursuant to this section shall be valid until the time final regulations are adopted.

Sec. 33. (NEW) (Effective from passage) The state, through the Commissioner of Administrative Services, may purchase equipment, supplies, materials and services from a person who has a contract to sell such property to other state governments, political subdivisions of this state, nonprofit organizations or public purchasing consortia, in accordance with the terms and conditions of said contract.

Sec. 34. Section 126 of public act 09-3 of the June special session, as amended by section 41 of public act 09-8 of the September special session, is amended to read as follows (Effective from passage):

(a) For the fiscal year ending June 30, 2010, the Comptroller shall transfer the sum of [eighty-one] seventy-one million two hundred thousand dollars from the resources of the General Fund to the Special
Transportation Fund.

(b) For the fiscal years ending June 30, 2011, and June 30, 2012, the Comptroller shall transfer the sum of one hundred twenty-six million dollars from the resources of the General Fund to the Special Transportation Fund.

(c) For the fiscal year ending June 30, 2013, and annually thereafter, the Comptroller shall transfer the sum of one hundred seventy-two million eight hundred thousand dollars from the resources of the General Fund to the Special Transportation Fund.

Sec. 35. Subsection (l) of section 74 of public act 09-3 of the June special session is repealed and the following is substituted in lieu thereof (Effective from passage):

(l) (1) The sum of $3,000,000 shall be transferred from The University of Connecticut operating reserve account and credited to the resources of the General Fund for the fiscal year ending June 30, 2010.

(2) The sum of $5,000,000 shall be transferred from The University of Connecticut operating reserve account and credited to the resources of the General Fund for the fiscal year ending June 30, 2011.

Sec. 36. Section 73 of public act 09-3 of the June special session, as amended by section 42 of public act 09-8 of the September special session, is amended to read as follows (Effective from passage):

(a) Notwithstanding the provisions of section 4-30a of the general statutes, the State Treasurer shall, on the effective date of this section, transfer the sum of one billion thirty-nine million seven hundred thousand dollars from the Budget Reserve Fund to the resources of the General Fund to be used as revenue for the fiscal year ending June 30, 2010.

(b) Notwithstanding the provisions of section 4-30a of the general
statutes, the State Treasurer shall, on July 1, 2010, transfer the sum of
three hundred forty-two million one hundred twenty-two million
eight hundred thousand dollars from the Budget Reserve Fund to the
resources of the General Fund to be used as revenue for the fiscal year
ending June 30, 2011.

Sec. 37. Subsection (a) of section 5-142 of the general statutes is
repealed and the following is substituted in lieu thereof (Effective from
passage):

(a) If any member of the Division of State Police within the
Department of Public Safety or of any correctional institution, or any
institution or facility of the Department of Mental Health and
Addiction Services giving care and treatment to persons afflicted with
a mental disorder or disease, or any institution for the care and
treatment of persons afflicted with any mental defect, or any full-time
enforcement officer of the Department of Environmental Protection,
the Department of Motor Vehicles, the Department of Consumer
Protection who carries out the duties and responsibilities of sections
30-2 to 30-68m, inclusive, the Office of Adult Probation, the
Department of Public Works or the Board of Pardons and Paroles, any
probation officer for juveniles or any employee of any juvenile
detention home, any member of the police or fire security force of The
University of Connecticut, any member of the police or fire security
force of Bradley International Airport, any member of the Office of
State Capitol Police or any person appointed under section 29-18 as a
special policeman for the State Capitol building and grounds and the
Legislative Office Building and parking garage and related structures
and facilities and other areas under the supervision and control of the
Joint Committee on Legislative Management, the Chief State's
Attorney, the Chief Public Defender, the Deputy Chief State's
Attorney, the Deputy Chief Public Defender, any state's attorney, any
assistant state's attorney or deputy assistant state's attorney, any public
defender, assistant public defender or deputy assistant public
defender, any chief inspector or inspector appointed under section 51-286 or any staff member or employee of the Division of Criminal
Justice or of the Division of Public Defender Services, or any Judicial Department employee sustains any injury (1) while making an arrest or in the actual performance of such police duties or guard duties or fire duties or inspection duties, or prosecution or public defender or courthouse duties, or while attending or restraining an inmate of any such institution or as a result of being assaulted in the performance of such person's duty, or while responding to an emergency or code at a correctional institution, and (2) that is a direct result of the special hazards inherent in such duties, the state shall pay all necessary medical and hospital expenses resulting from such injury. If total incapacity results from such injury, such person shall be removed from the active payroll the first day of incapacity, exclusive of the day of injury, and placed on an inactive payroll. Such person shall continue to receive the full salary that such person was receiving at the time of injury, [subject to all salary benefits of active employees, including annual increments, and all salary adjustments, including salary deductions, required in the case of active employees] including annual increments, after such full salary has been reduced by an amount equal to the deduction for federal or state taxes, or both, and for the federal Insurance Contribution Act, calculated pursuant to subsection (c) of section 31-310, for a period of two hundred sixty weeks from the date of the beginning of such incapacity. Thereafter, such person shall be removed from the payroll and shall receive compensation at the rate of fifty per cent of the salary that such person was receiving at the expiration of said two hundred sixty weeks as long as such person remains so disabled, except that any such person who is a member of the Division of State Police within the Department of Public Safety shall receive compensation at the rate of sixty-five per cent of such salary as long as such person remains so disabled. Such benefits shall be payable to a member of the Division of State Police after two hundred sixty weeks of disability only if the member elects in writing to receive such benefits in lieu of any benefits payable to the employee under the state employees retirement system. In the event that such disabled member of the Division of State Police elects the compensation provided under this subsection, no benefits shall be
payable under chapter 568 or the state employees retirement system until the former of the employee's death or recovery from such disability. The provisions of section 31-293 shall apply to any such payments, and the state of Connecticut is authorized to bring an action or join in an action as provided by said section for reimbursement of moneys paid and which it is obligated to pay under the terms of this subsection. All other provisions of the workers' compensation law not inconsistent with this subsection, including the specific indemnities and provisions for hearing and appeal, shall be available to any such state employee or the dependents of such a deceased employee. All payments of compensation made to a state employee under this subsection shall be charged to the appropriation provided for compensation awards to state employees. On and after October 1, 1991, any full-time officer of the Department of Environmental Protection, the Department of Motor Vehicles, the Department of Consumer Protection who carries out the duties and responsibilities of sections 30-2 to 30-68m, inclusive, the Office of Adult Probation, the Department of Public Works or the Board of Pardons and Paroles, any probation officer for juveniles or any employee of any juvenile detention home, the Chief State's Attorney, the Chief Public Defender, the Deputy Chief State's Attorney, the Deputy Chief Public Defender, any state's attorney, assistant state's attorney or deputy assistant state's attorney, any public defender, assistant public defender or deputy assistant public defender, any chief inspector or inspector appointed under section 51-286 or any staff member or employee of the Division of Criminal Justice or the Division of Public Defender Services, or any Judicial Department employee who sustains any injury in the course and scope of such person's employment shall be paid compensation in accordance with the provisions of section 5-143 and chapter 568, except, if such injury is sustained as a result of being assaulted in the performance of such person's duty, any such person shall be compensated pursuant to the provisions of this subsection.

Sec. 38. Section 31-310 of the general statutes is amended by adding subsection (c) as follows (Effective from passage):

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(NEW) (c) Each August fifteenth, the chairman of the Workers' Compensation Commission, in consultation with the advisory board, shall publish a table of the full salaries after such salaries have been reduced by an amount equal to the deduction for federal or state taxes, or both, and for the federal Insurance Contribution Act, to be effective the following October first. Such table shall be conclusive for the purpose of determining the full salary after such deductions under section 5-142 of the general statutes.

Sec. 39. (Effective from passage) The sum of $100,000,000 appropriated in section 1 of public act 09-3 of the June special session, as amended by public act 09-7 of the September special session, to the State Comptroller - Fringe Benefits, for State Employee Retirement Contributions, and unexpended pursuant to the provision authorizing such withholding in the agreement between the State of Connecticut and the State Employees Bargaining Agent Coalition (SEBAC) ratified May 8, 2009, shall be transferred to the State Employees Retirement Fund for the fiscal year ending June 30, 2010.

Sec. 40. (Effective from passage) The Governor shall attain the following savings through the following initiatives, for the fiscal year ending June 30, 2010:

(1) $250,000 -- change in one hundred per cent benefit under workers' compensation law for certain state employees.

(2) $50,000 -- expansion of use of cooperative purchasing plans.

(3) $1,774,000 -- delay of new supportive housing starts until the fiscal year ending June 30, 2011.

(4) $11,811 -- deappropriation of General Fund equipment funding for various agencies.

(5) $164,814 -- deappropriation of funding to the Freedom of Information Commission, the Office of State Ethics and the State Elections Enforcement Commission in lieu of rescissions.
Sec. 41. (Effective from passage) Notwithstanding sections 12-3, 17a-9, 17a-452, 29-179i and 32-1d of the general statutes, the employment of each deputy commissioner of a state agency shall be terminated effective April 1, 2010, and no deputy commissioner position shall be filled or refilled until the Budget Reserve Fund equals at least five per cent of the net General Fund appropriations for the current fiscal year.

Sec. 42. (Effective from passage) On and after April 1, 2010, no public official or state employee, other than the Governor, shall be entitled to a driver at state expense.

Sec. 43. Subsection (c) of section 14-100a of the general statutes is repealed and the following is substituted in lieu thereof (Effective May 1, 2010):

(c) (1) The operator of and any front seat passenger in a motor vehicle with a gross vehicle weight rating not exceeding ten thousand pounds or fire fighting apparatus originally equipped with seat safety belts complying with the provisions of the Code of Federal Regulations, Title 49, Section 571.209, as amended from time to time, shall wear such seat safety belt while the vehicle is being operated on any highway, except as follows:

(A) A child six years of age and under shall be restrained as provided in subsection (d) of this section;

(B) The operator of such vehicle shall secure or cause to be secured in a seat safety belt any passenger seven years of age or older and under sixteen years of age; and

(C) If the operator of such vehicle is under eighteen years of age, such operator and each passenger in such vehicle shall wear such seat safety belt while the vehicle is being operated on any highway.

(2) The provisions of subdivision (1) of this subsection shall not apply to (A) any person whose physical disability or impairment would prevent restraint in such safety belt, provided such person
obtains a written statement from a licensed physician containing reasons for such person's inability to wear such safety belt and including information concerning the nature and extent of such condition. Such person shall carry the statement on his or her person or in the motor vehicle at all times when it is being operated, or (B) an authorized emergency vehicle, other than fire fighting apparatus, responding to an emergency call or a motor vehicle operated by a rural letter carrier of the United States postal service while performing his or her official duties or by a person engaged in the delivery of newspapers.

(3) Failure to wear a seat safety belt shall not be considered as contributory negligence nor shall such failure be admissible evidence in any civil action.

(4) Any operator of a motor vehicle, who is eighteen years of age or older, and any passenger in such motor vehicle, who violates any provision of this subsection shall have committed an infraction and shall be fined $25. Any operator of a motor vehicle who is under eighteen years of age and any passenger in such motor vehicle who violates any provision of this subsection shall have committed an infraction and shall be fined $75. Points may not be assessed against the operator's license of any person convicted of such violation.

Sec. 44. Subsection (a) of section 14-37a of the 2010 supplement to the general statutes is repealed and the following is substituted in lieu thereof (Effective May 1, 2010):

(a) Any person whose operator's license has been suspended pursuant to any provision of this chapter or chapter 248, except pursuant to section 14-215 for operating under suspension or pursuant to section 14-140 for failure to appear for any scheduled court appearance, and any person identified in subsection (g) of this section may make application to the Commissioner of Motor Vehicles for (1) a special "work" permit to operate a motor vehicle to and from such
person's place of employment or, if such person is not employed at a
fixed location, to operate a motor vehicle only in connection with, and
to the extent necessary, to properly perform such person's business or
profession, or (2) a special "education" permit to operate a motor
vehicle to and from an accredited institution of higher education in
which such person is enrolled. Such application shall be accompanied
by a fee of one hundred dollars.

Sec. 45. Section 51-164m of the general statutes is repealed and the
following is substituted in lieu thereof (Effective May 1, 2010):

(a) The judges of the Superior Court shall establish and maintain a
schedule of fines to be paid for the violation of the sections of the
general statutes deemed to be infractions, [and] The judges of the
Superior Court shall establish and maintain a separate sliding scale of
fines for speeding infractions committed under section 14-219 with a
minimum fine of [thirty-five] fifty dollars and the fine increasing in
proportion to the severity of the violation. The fines may be modified
as the judges of the Superior Court deem advisable.

(b) The judges of the Superior Court shall establish and maintain a
schedule of fines to be paid for those violations of section 14-219
specified in subsection (e) of said section, with such fines increasing in
proportion to the severity of the violation and for violations under
subsection (b) of section 51-164n. The fines may be modified as the
judges of the Superior Court deem advisable.

(c) [No] (1) Except as provided in subdivision (2) of this subsection,
no fine established in accordance with the provisions of subsection (a)
of this section may be less than thirty-five dollars or [in excess of] more
than ninety dollars.

(2) No fine established in accordance with the provisions of
subsection (a) of this section for a violation of any provision of title 14
deemed an infraction may be less than fifty dollars or more than ninety
dollars, except that fines established for [(1)] (A) parking tag violations,
and [(2)] (B) violations of subsection (c) of section 14-100a, as amended
by this act, may be less than [thirty-five] fifty dollars.

(d) No fine established in accordance with the provisions of subsection (b) of this section may be in an amount in excess of the maximum amount specified by statute for such violation.

(e) Any infraction for which a fine has not been established pursuant to the provisions of subsection (a) of this section shall carry a fine of thirty-five dollars or, if the infraction is for a violation of any provision of title 14, fifty dollars, until such time as the judges of the Superior Court may establish a different fine for such infraction.

(f) Any violation for which a fine has not been established pursuant to subsection (b) of this section shall carry a fine of one hundred dollars or the maximum fine specified by statute for such violation, whichever is less.

Sec. 46. Subsection (g) of section 51-164n of the general statutes is repealed and the following is substituted in lieu thereof (Effective May 1, 2010):

(g) In any trial for the alleged commission of an infraction, the practice, procedure, rules of evidence and burden of proof applicable in criminal proceedings shall apply. Any person found guilty at the trial or upon a plea shall be guilty of the commission of an infraction and shall be fined not less than thirty-five dollars or more than ninety dollars or, if the infraction is for a violation of any provision of title 14, not less than fifty dollars or more than ninety dollars.

Sec. 47. Subsection (b) of section 14-13 of the general statutes is repealed and the following is substituted in lieu thereof (Effective May 1, 2010):

(b) Any person who violates any provision of this section shall [, for a first offense,] be deemed to have committed an infraction and be fined [thirty-five] fifty dollars, [, and, for each subsequent offense, shall be fined not more than fifty dollars.]
Sec. 48. Subsection (b) of section 14-17 of the general statutes is repealed and the following is substituted in lieu thereof (Effective May 1, 2010):

(b) Any person who violates any provision of this section shall be deemed to have committed an infraction and be fined [thirty-five] fifty dollars for each offense.

Sec. 49. Subsection (c) of section 14-26 of the general statutes is repealed and the following is substituted in lieu thereof (Effective May 1, 2010):

(c) Any person who violates any provision of this section shall have committed an infraction. Any person who violates any provision of subsection (b) of this section shall be fined [, for the first offense, thirty-five] dollars and, for each subsequent offense, not less than thirty-five dollars nor more than fifty dollars.

Sec. 50. Subsection (e) of section 14-36a of the general statutes is repealed and the following is substituted in lieu thereof (Effective May 1, 2010):

(e) Any person who violates any provision of subsection (d) or (e) of this section shall, for a first offense, be deemed to have committed an infraction and be fined [not less than thirty-five dollars or more than] fifty dollars and, for a subsequent offense, shall be fined not more than one hundred dollars or imprisoned not more than thirty days, or both.

Sec. 51. Subsection (e) of section 14-40a of the general statutes is repealed and the following is substituted in lieu thereof (Effective May 1, 2010):

(e) Any person who violates any provision of subsection (a), (b) or (d) of this section shall, for a first offense, be deemed to have committed an infraction and be fined [not less than thirty-five dollars or more than] fifty dollars and, for any subsequent offense, shall be fined not more than one hundred dollars or imprisoned not more than
Sec. 52. Subsection (b) of section 14-81 of the 2010 supplement to the general statutes is repealed and the following is substituted in lieu thereof (Effective May 1, 2010):

(b) Any person who violates any provision of this section shall be deemed to have committed an infraction and be fined [not less than thirty-five dollars nor more than] fifty dollars for each offense.

Sec. 53. Subsection (c) of section 14-145 of the general statutes is repealed and the following is substituted in lieu thereof (Effective May 1, 2010):

(c) Any person who violates any provision of this section shall, for a first offense, be deemed to have committed an infraction and be fined [not less than thirty-five dollars nor more than] fifty dollars, and, for each subsequent offense, shall be fined not less than fifty dollars nor more than one hundred dollars or imprisoned not more than thirty days or be both fined and imprisoned.

Sec. 54. Subsection (n) of section 14-164c of the general statutes is repealed and the following is substituted in lieu thereof (Effective May 1, 2010):

(n) No person, firm or corporation shall operate or allow to be operated any motor vehicle that has not been inspected and found to be in compliance with the provisions of subsections (c), (d) and (i) of this section and the regulations adopted by the commissioner. Operation in violation of said subsections or the regulations adopted by the commissioner shall be an infraction for each violation, except that the fine for a first violation shall be [thirty-five] fifty dollars. The commissioner may deny the issuance of registration to the owner of a motor vehicle, or the renewal of registration to any such owner, or suspend or revoke any registration that has been issued, if such motor vehicle is not in compliance with the inspection requirements of this chapter, or such owner has failed to pay any fee required by the
provisions of this chapter.

Sec. 55. Subsection (a) of section 14-223 of the general statutes is repealed and the following is substituted in lieu thereof (Effective May 1, 2010):

(a) Whenever the operator of any motor vehicle fails promptly to bring his motor vehicle to a full stop upon the signal of any officer in uniform or prominently displaying the badge of his office, or disobeys the direction of such officer with relation to the operation of his motor vehicle, he shall be deemed to have committed an infraction and be fined [thirty-five dollars for a first offense and shall be fined not less than thirty-five dollars nor more than fifty dollars for any subsequent offense] fifty dollars.

Sec. 56. Section 14-285 of the general statutes is repealed and the following is substituted in lieu thereof (Effective May 1, 2010):

Each vehicle, except a motor vehicle, which is so constructed or which is so loaded that the driver is prevented from having a free and unobstructed view of the highway immediately to the rear and at the sides of the same, shall be equipped with a mirror or reflector attached to and so located and adjusted on such vehicle as to give the operator thereof a clear reflected view of the highway directly to the rear on a line parallel to the side of the body of such vehicle. Any person operating such a vehicle shall make observations for the approach of vehicles from the rear and, when so approached, shall drive to the right of the center line of the traveled way as promptly as safety will permit, giving the vehicle approaching from the rear opportunity to pass in safety. Any person who violates any provision of this section shall be deemed to have committed an infraction and be fined [not less than thirty-five dollars nor more than] fifty dollars for each offense.

Sec. 57. Section 26-27b of the 2010 supplement to the general statutes is repealed and the following is substituted in lieu thereof (Effective April 6, 2010, and applicable to all license and permit fees collected on or after said date):
(a) On or after July 1, 1993, no person sixteen years of age or older may hunt waterfowl or take waterfowl in the state without first procuring a Connecticut Migratory Bird Conservation Stamp and having such stamp in his possession with his signature written in ink across the face of the stamp while hunting waterfowl or taking waterfowl. The stamp shall not be transferable and shall be issued annually beginning on July first.

(b) The Commissioner of Environmental Protection shall provide for the design, production and procurement of the mandatory Connecticut Migratory Bird Conservation Stamp and shall, by regulations adopted in accordance with the provisions of chapter 54, provide for the issuance of the stamp. Stamps shall be sold at a price determined by the commissioner, provided the price of a mandatory stamp shall not exceed [fifteen] twelve dollars. Any agent or town clerk issuing such stamps may retain a fee of fifty cents for each stamp sold and shall remit the balance to the Department of Environmental Protection.

Sec. 58. Section 26-28 of the 2010 supplement to the general statutes is repealed and the following is substituted in lieu thereof (Effective April 6, 2010, and applicable to all license and permit fees collected on or after said date):

(a) Except as provided in subsection (b) of this section, the fees for firearms hunting, archery hunting, trapping and sport fishing licenses or for the combination thereof shall be as follows: (1) Resident firearms hunting license, [twenty-eight] seventeen dollars; (2) resident fishing license, [forty] twenty-four dollars; (3) resident marine waters fishing license, ten dollars; (4) one-day resident marine waters fishing license, [fifteen] five dollars; (5) resident all-waters fishing license, [fifty] thirty dollars; (6) resident combination license to fish in inland waters and firearms hunt, [fifty-six] thirty-four dollars; (7) resident combination license to fish in marine waters and firearms hunt, [fifty] twenty-five dollars; (8) resident combination license to fish in all waters and firearms hunt, [sixty] forty-five dollars; (9) resident combination license to fish in all waters and bow and arrow permit to hunt deer and...
small game issued pursuant to section 26-86c, as amended by this act, [eighty-four] sixty dollars; (10) resident firearms super sport license to fish in all waters and firearms hunt, firearms private land shotgun or rifle deer permit issued pursuant to section 26-86a, as amended by this act, and permit to hunt wild turkey during the spring season on private land issued pursuant to section 26-48a, as amended by this act, [one hundred sixteen] seventy-five dollars; (11) resident archery super sport license to fish in all waters, bow and arrow permit to hunt deer and small game issued pursuant to section 26-86c, as amended by this act, and permit to hunt wild turkey during the spring season on private land issued pursuant to section 26-48a, as amended by this act, [one hundred four] eighty dollars; (12) resident trapping license, [fifty] thirty dollars; (13) resident junior trapping license for persons under sixteen years of age, [fifteen] four dollars; (14) junior firearms hunting license, [fifteen] four dollars; (15) nonresident firearms hunting license, [one hundred thirty-four] eighty dollars; (16) nonresident inland waters fishing license, [eighty] forty-eight dollars; (17) nonresident inland waters fishing license for a period of three consecutive days, [thirty-two] nineteen dollars; (18) nonresident marine waters fishing license, sixty dollars; (19) nonresident marine waters fishing license for a period of three consecutive days, twenty-four dollars; (20) nonresident all-waters fishing license, one hundred dollars; (21) nonresident combination license to firearms hunt and inland waters fish, one hundred seventy-six dollars; (22) nonresident combination license to fish in all waters and firearms hunt, one hundred ninety dollars; (23) nonresident combination license to fish in marine waters and firearms hunt, one hundred seventy dollars; and (24) nonresident trapping license, two hundred fifty dollars. Persons sixty-five years of age and over who have been residents of this state for not less than one year and who meet the requirements of subsection (b) of section 26-31 may be issued an annual license to firearms hunt or to fish or combination license to fish and firearms hunt or a license to trap without fee. The issuing agency shall indicate on a combination license the specific purpose for which such license is issued. The town clerk shall retain a recording fee of one dollar for each license issued by him.
(b) Any nonresident residing in one of the New England states or the state of New York may procure a license to hunt or to fish or to hunt and fish for the same fee or fees as a resident of this state if he is a resident of a state the laws of which allow the same privilege to residents of this state.

Sec. 59. Section 26-37 of the 2010 supplement to the general statutes is repealed and the following is substituted in lieu thereof (Effective April 6, 2010, and applicable to all license and permit fees collected on or after said date):

The commissioner, upon written application and the payment of a fee of [fifteen] eight dollars, shall issue to any person licensed to hunt, to hunt and trap or fish, or the combination thereof, a duplicate license when he is satisfied that the original license of such person has been lost, destroyed or mutilated beyond recognition. No such application form shall contain any material false statement. All such application forms shall have printed thereon, "I declare under the penalties of false statement that the statements herein made by me are true and correct." Any person who makes any material false statement on such application form shall be guilty of false statement and shall be subject to the penalties provided for false statement and such offense shall be deemed to have been committed in the town of residence of the applicant, except that in the case of applications received from nonresidents such offense shall be deemed to have been committed in the town in which such application is presented or received for processing. The town clerk certifying such application form shall receive from the total fee herein specified the sum of one dollar.

Sec. 60. Section 26-39 of the 2010 supplement to the general statutes is repealed and the following is substituted in lieu thereof (Effective April 6, 2010, and applicable to all license and permit fees collected on or after said date):

Any hunting organization or individual owning and using for hunting an organized pack of ten or more hounds or beagles may hunt
foxes or rabbits for sport during the open season provided therefor, provided such organization or individual shall be licensed to do so.

The commissioner may issue such license upon application and the payment of an annual fee of [seventy] forty-two dollars. Persons participating in hunting conducted with an organized pack of hounds under such a license shall not be required to have a hunting license. No participant in such hunt shall carry firearms.

Sec. 61. Section 26-48a of the 2010 supplement to the general statutes is repealed and the following is substituted in lieu thereof (Effective April 6, 2010, and applicable to all license and permit fees collected on or after said date):

(a) The commissioner may establish, by regulations adopted in accordance with the provisions of chapter 54, standards for the management of salmon, migratory game birds in accordance with section 26-92, pheasant and turkey which shall include provision for the issuance of permits, tags or stamps. The commissioner may charge a fee for a permit, tag or stamp as follows: Not more than [twenty-eight] seventeen dollars for turkey; not more than [fifteen] four dollars for migratory game birds; not more than [twenty-eight] seventeen dollars for pheasant and not more than [fifty-six] thirty-four dollars for salmon. No person shall be issued a permit, tag or stamp for migratory birds, pheasant or turkey without first obtaining a license to hunt and no person shall be issued a permit, tag or stamp for salmon without first obtaining a license to fish. Notwithstanding any provision of any regulation to the contrary, the commissioner may charge a fee of [twenty-eight] seventeen dollars for the issuance of a permit to hunt wild turkey on state-owned or private land during the fall season.

(b) Such permits, tags or stamps shall be issued to qualified applicants by any town clerk. Application for such permits, tags or stamps shall be on such form and require of the applicant such information as the commissioner may prescribe. The commissioner may adopt regulations, in accordance with the provisions of chapter 54, authorizing a town clerk to retain part of any fee paid for a permit,
tag or stamp issued by such town clerk pursuant to this section, provided the amount retained shall not be less than fifty cents.

Sec. 62. Section 26-86a of the 2010 supplement to the general statutes is repealed and the following is substituted in lieu thereof (Effective April 6, 2010, and applicable to all license and permit fees collected on or after said date):

(a) The commissioner shall establish by regulation adopted in accordance with the provisions of chapter 54 standards for deer management, and methods, regulated areas, bag limits, seasons and permit eligibility for hunting deer with bow and arrow, muzzleloader and shotgun, except that no such hunting shall be permitted on Sunday. No person shall hunt, pursue, wound or kill deer with a firearm without first obtaining a deer permit from the commissioner in addition to the license required by section 26-27. Application for such permit shall be made on forms furnished by the commissioner and containing such information as he may require. Such permit shall be of a design prescribed by the commissioner, shall contain such information and conditions as the commissioner may require, and may be revoked for violation of any provision of this chapter or regulations adopted pursuant thereto. As used in this section, "muzzleloader" means a rifle or shotgun of at least forty-five caliber, incapable of firing a self-contained cartridge, which uses powder, a projectile, including, but not limited to, a standard round ball, mini-balls, maxi-balls and Sabot bullets, and wadding loaded separately at the muzzle end and "rifle" means a long gun the projectile of which is six millimeters or larger in diameter. The fee for a firearms permit shall be [twenty-eight] seventeen dollars for residents of the state and [one hundred] sixty dollars for nonresidents, except that any nonresident who is an active full-time member of the armed forces, as defined in section 27-103, may purchase a firearms permit for the same fee as is charged a resident of the state. The commissioner shall issue, without fee, a private land deer permit to the owner of ten or more acres of private land and the husband or wife, parent, grandparent, sibling and any lineal descendant of such owner, provided no such owner, husband or
wife, parent, grandparent, sibling or lineal descendant shall be issued
more than one such permit per season. Such permit shall allow the use
of a rifle, shotgun, muzzleloader or bow and arrow on such land from
November first to December thirty-first, inclusive. Deer may be so
hunted at such times and in such areas of such state-owned land as are
designated by the Commissioner of Environmental Protection and on
privately owned land with the signed consent of the landowner, on
forms furnished by the department, and such signed consent shall be
carried by any person when so hunting on private land. The owner of
ten acres or more of private land may allow the use of a rifle to hunt
deer on such land during the shotgun season. The commissioner shall
determine, by regulation, the number of consent forms issued for any
regulated area established by said commissioner. The commissioner
shall provide for a fair and equitable random method for the selection
of successful applicants who may obtain shotgun and muzzleloader
permits for hunting deer on state lands. Any person whose name
appears on more than one application for a shotgun permit or more
than one application for a muzzleloader permit shall be disqualified
from the selection process for such permit. No person shall hunt,
pursue, wound or kill deer with a bow and arrow without first
obtaining a bow and arrow permit pursuant to section 26-86c, as
amended by this act. "Bow and arrow" as used in this section and in
section 26-86c, as amended by this act, means a bow with a draw
weight of not less than forty pounds. The arrowhead shall have two or
more blades and may not be less than seven-eighths of an inch at the
widest point. No person shall carry firearms of any kind while hunting
with a bow and arrow under said sections.

(b) Any person who takes a deer without a permit shall be fined not
less than two hundred dollars or more than five hundred dollars or
imprisoned not less than thirty days or more than six months or shall
be both fined and imprisoned, for the first offense, and for each
subsequent offense shall be fined not less than two hundred dollars or
more than one thousand dollars or imprisoned not more than one year
or shall be both fined and imprisoned.
Sec. 63. Section 26-86c of the 2010 supplement to the general statutes is repealed and the following is substituted in lieu thereof (Effective April 6, 2010, and applicable to all license and permit fees collected on or after said date):

No person may hunt deer or small game with a bow and arrow under the provisions of this chapter without a valid permit issued by the Commissioner of Environmental Protection pursuant to this section or section 26-86a, as amended by this act, for persons hunting deer with bow and arrow under private land deer permits issued free to qualifying landowners, or their husbands or wives, parents, grandparents, lineal descendants or siblings under that section. The fee for such bow and arrow permit to hunt deer and small game shall be [sixty] thirty-six dollars for residents and [two hundred] one hundred twenty dollars for nonresidents, or [twenty-six] sixteen dollars for any person twelve years of age or older but under sixteen years of age, except that any nonresident who is an active full-time member of the armed forces, as defined in section 27-103, may purchase a bow and arrow permit to hunt deer and small game for the same fee as is charged a resident of the state. Permits to hunt with a bow and arrow under the provisions of this chapter shall be issued only to qualified applicants therefor by the Commissioner of Environmental Protection, in such form as said commissioner prescribes. Applications shall be made on forms furnished by the commissioner containing such information as he may require and all such application forms shall have printed thereon: "I declare under the penalties of false statement that the statements herein made by me are true and correct." Any person who makes any material false statement on such application form shall be guilty of false statement and shall be subject to the penalties provided for false statement and said offense shall be deemed to have been committed in the town in which the applicant resides. No such application shall contain any material false statement. On and after January 1, 2002, permits to hunt with a bow and arrow under the provisions of this chapter shall be issued only to qualified applicants who have successfully completed the conservation
education bow hunting course as specified in section 26-31 or an equivalent course in another state.

Sec. 64. Subsection (c) of section 26-142a of the 2010 supplement to the general statutes is repealed and the following is substituted in lieu thereof (Effective April 6, 2010, and applicable to all license and permit fees collected on or after said date):

(c) The fee for the following fishing licenses and registrations and for a commercial fishing vessel permit shall be: (1) For a license to take blue crabs for commercial purposes, one hundred fifty dollars; (2) for a license to take lobsters for personal use, but not for sale, (A) by the use of not more than ten lobster pots, traps or similar devices provided finfish may be taken incidentally during such use if taken in accordance with recreational fishery creel limits adopted under section 26-159a and if taken for personal use and not for sale, or (B) by skin diving, scuba diving or by hand, [one hundred twenty] seventy-two dollars; (3) for a license to take lobsters, fish or crabs, other than blue crabs for personal use or for sale, by the use of more than ten lobster pots or similar devices, [one hundred ninety] one hundred eighty dollars for residents of this state and [two hundred eighty-five] two hundred seventy dollars for nonresidents, provided any such license issued to a resident of a state that does not issue commercial licenses conferring the same authority to take lobsters to residents of Connecticut shall be limited to the taking of crabs, other than blue crabs, and a nonresident shall not be issued such license if the laws of the nonresident's state concerning the taking of lobster are less restrictive than regulations adopted pursuant to section 26-157c; (4) for a license to take lobsters, crabs other than blue crabs, squid, sea scallops and finfish, for personal use or for sale, by the use of more than ten lobster pots or similar devices, or by the use of any otter trawl, balloon trawl, beam trawl, sea scallop dredge or similar device, [two hundred eighty-five] two hundred seventy dollars for residents of this state and one thousand five hundred dollars for nonresidents, provided any such license issued to residents of states which do not issue commercial licenses conferring the same authority to take
lobsters to residents of Connecticut shall be limited to the taking of crabs other than blue crabs, squid, sea scallops and finfish by the use of any otter trawl, balloon trawl, beam trawl, sea scallop dredge or similar device, and a nonresident shall not be issued such license if the laws of the state of residency concerning the taking of lobster are less restrictive than regulations adopted under the authority of section 26-157c; (5) for a license to set or tend gill nets, seines, scap or scoop nets used to take American shad, [two hundred] one hundred twenty dollars; (6) for the registration of each pound net or similar device used to take finfish, two hundred eighty-five dollars, provided persons setting, operating, tending or assisting in setting, operating or tending such pound nets shall not be required to be licensed; (7) for a license to set or tend gill nets, seines, traps, fish pots, cast nets, fykes, scaps, scoops, eel pots or similar devices to take finfish other than American shad or bait species for commercial purposes, or, in any waters seaward of the inland district demarcation line, to take finfish other than American shad or bait species for commercial purposes by hook and line, or to take horseshoe crabs by hand, one hundred ninety dollars for residents of this state and two hundred fifty dollars for nonresidents, and any such license obtained for the taking of any fish species for commercial purposes by hook and line, in excess of any creel limit adopted under the authority of section 26-159a, three hundred seventy-five dollars for residents of this state and six hundred twenty-five dollars for nonresidents, provided for the taking for bait of horseshoe crabs only, this license may be issued without regard to the limitations in section 26-142b to any holder of a Department of Agriculture conch license who held such license between January 1, 1995, and July 1, 2000, inclusive; (8) for a license to set or tend seines, traps, scaps, scoops, weirs or similar devices to take bait species in the inland district for commercial purposes, one hundred dollars; (9) for a license to set or tend seines, traps, scaps, scoops or similar devices to take bait species in the marine district for commercial purposes, one hundred dollars; (10) for a license to buy finfish, lobsters, crabs, including blue crabs and horseshoe crabs, sea scallops, squid or bait species for resale from any commercial fisherman licensed to take or
land such species for commercial purposes, regardless of where taken, two hundred fifty dollars; (11) for the registration of any party boat, head boat or charter boat used for fishing, three hundred fifteen dollars; (12) for a license to land finfish, lobsters, crabs, including blue crabs and horseshoe crabs, sea scallops, squid or bait species, five hundred dollars; (13) for a commercial fishing vessel permit, one hundred dollars; (14) for a license to take menhaden from marine waters for personal use, but not for sale, by the use of a single gill net not more than sixty feet in length, [one hundred] sixty dollars; and (15) for an environmental tourism cruise vessel permit, one hundred dollars, provided the landing of any species regulated under Department of Environmental Protection regulations is prohibited.

Sec. 65. Section 13b-61c of the 2010 supplement to the general statutes is repealed and the following is substituted in lieu thereof (Effective from passage):

(a) For the fiscal year ending June 30, 2010, the Comptroller shall transfer the sum of eighty-one million two hundred thousand dollars from the resources of the General Fund to the Special Transportation Fund.

(b) For the fiscal years ending June 30, 2011, and June 30, 2012, the Comptroller shall transfer the sum of [one hundred twenty-six million] one hundred twenty-four million nine hundred five thousand dollars from the resources of the General Fund to the Special Transportation Fund.

(c) For the fiscal year ending June 30, 2013, and annually thereafter, the Comptroller shall transfer the sum of [one hundred seventy-two million eight hundred thousand] one hundred seventy-one million seven hundred five thousand dollars from the resources of the General Fund to the Special Transportation Fund.

Sec. 66. (Effective from passage) Notwithstanding the provisions of sections 3-69a and 9-750 of the general statutes, from the effective date of this section to June 30, 2011, inclusive, (1) no funds received by the
State Treasurer under part III of chapter 32 of the general statutes and deposited in the General Fund shall be credited to the Citizens' Election Fund established in section 9-701 of the general statutes, and no revenues from the tax imposed under chapter 208 of the general statutes shall be deposited in the Citizens' Election Fund.

Sec. 67. (Effective from passage) During the fiscal year ending June 30, 2011, there shall be no passenger rate increase for the Metro North-New Haven Line unless such rate increase is approved prior to the effective date of this section.

Sec. 68. (Effective from passage) Notwithstanding the provisions of sections 5-213, 31-277, 46b-233, 51-47, 51-287a and 51-295b of the general statutes, no longevity payment shall be made to state employees exempt from the classified service pursuant to section 5-198 of the general statutes for April, 2010 or for the fiscal year ending June 30, 2011.

Sec. 69. (Effective from passage) Each collective bargaining agreement between an employer, as defined in section 5-270 of the general statutes, and an employee organization, as defined in said section 5-270, which is executed or renegotiated on or after the effective date of this section, shall specify that no longevity payment shall be made to a member of such employee organization for April, 2010 or for the fiscal year ending June 30, 2011.

Sec. 70. (Effective from passage) (a) Notwithstanding the provisions of section 2-8 of the general statutes, for the fiscal years ending June 30, 2010, to June 30, 2011, inclusive, the members and officers of the General Assembly shall receive salaries that are ten per cent less than the salaries specified in said section.

(b) Notwithstanding the provisions of section 3-2 of the general statutes, for the fiscal years ending June 30, 2010, to June 30, 2011, inclusive, the Governor and the Lieutenant Governor shall receive salaries that are ten per cent less than the salaries specified in said section.
(c) Notwithstanding the provisions of section 3-11 of the general statutes, for the fiscal years ending June 30, 2010, to June 30, 2011, inclusive, the Treasurer shall receive a salary that is ten per cent less than the salary specified in said section.

(d) Notwithstanding the provisions of section 3-77 of the general statutes, for the fiscal years ending June 30, 2010, to June 30, 2011, inclusive, the Secretary of the State shall receive a salary that is ten per cent less than the salary specified in said section.

(e) Notwithstanding the provisions of section 3-111 of the general statutes, for the fiscal years ending June 30, 2010, to June 30, 2011, inclusive, the Comptroller shall receive a salary that is ten per cent less than the salary specified in said section.

(f) Notwithstanding the provisions of section 3-124 of the general statutes, for the fiscal years ending June 30, 2010, to June 30, 2011, inclusive, the Attorney General shall receive a salary that is ten per cent less than the salary specified in said section.

(g) For the fiscal years ending June 30, 2010, to June 30, 2011, inclusive, the commissioners of state agencies and the executive directors of boards and commissions shall receive salaries in amounts that are ten per cent less than the amounts of the salaries they received for the fiscal year ending June 30, 2009.

Sec. 71. (Effective from passage) (a) Notwithstanding the provisions of section 2-15 of the general statutes, no member of the General Assembly shall receive any transportation allowance during the fiscal years ending June 30, 2010, to June 30, 2011.

(b) No member of the General Assembly or legislative employee shall receive payment from the state for any expenses associated with or resulting from attendance at any conference or other meeting in this state or another state or for any other travel related expense during the fiscal years ending June 30, 2010, to June 30, 2011.
Sec. 72. (Effective from passage) Notwithstanding the provisions of section 2-15a of the general statutes, no member of the General Assembly shall be entitled to any unsolicited mailings at the expense of the state during the fiscal years ending June 30, 2010, and June 30, 2011.

Sec. 73. (Effective from passage) All active and retired state employees not included in any prevailing bargaining unit contract, including managers, confidential employees, unclassified employees, appointed officials and employees, other such nonrepresented employees and employees of boards and commissions covered by a state group hospitalization and medical and surgical insurance plan shall pay a minimum copayment of (1) ten dollars for a generic drug prescription, (2) twenty-five dollars for a preferred brand name drug, (3) forty dollars for a nonpreferred brand name drug, (4) twenty dollars for a primary care office visit, (5) thirty dollars for a specialist office visit, (6) two hundred fifty dollars for inpatient hospitalization, and (7) one hundred fifty dollars for nonemergency services provided during an emergency room visit. A nonpreferred brand name drug shall be available with a forty-dollar copayment based upon medical necessity as certified by the member's physician, in accordance with the Pharmacy Benefit Manager's process.

Sec. 74. (Effective from passage) Each collective bargaining agreement between an employer, as defined in section 5-270 of the general statutes, and an employee organization, as defined in said section 5-270, which is executed or renegotiated on or after the effective date of this section, shall specify that employees covered by a state group hospitalization and medical and surgical insurance plan offered pursuant to such collective bargaining agreement shall pay a minimum copayment of (1) ten dollars for a generic drug prescription, (2) twenty-five dollars for a preferred brand name drug, (3) forty dollars for a nonpreferred brand name drug, (4) twenty dollars for a primary care office visit, (5) thirty dollars for a specialist office visit, (6) two hundred fifty dollars for inpatient hospitalization, and (7) one hundred fifty dollars for nonemergency services provided during an
emergency room visit. A nonpreferred brand name drug shall be available with a forty-dollar copayment based upon medical necessity as certified by the member's physician, in accordance with the Pharmacy Benefit Manager's process.

Sec. 75. (Effective from passage) Notwithstanding the provisions of chapter 67 of the general statutes, all state employees in positions exempt from the classified service pursuant to section 5-198 of the general statutes shall take one mandatory schedule reduction day each month during the period from April 1, 2010, to June 30, 2011, inclusive. The provisions of this section shall not apply during any month for which such state employees are required to take schedule reduction days pursuant to section 3 of special act 09-6.

Sec. 76. (Effective from passage) Each collective bargaining agreement between an employer, as defined in section 5-270 of the general statutes, and an employee organization, as defined in said section 5-270, which is executed or renegotiated on or after the effective date of this section, shall specify that employees take one mandatory schedule reduction day each month during the period from April 1, 2010, to June 30, 2011, inclusive, except for those months for which state employees are required to take schedule reduction days pursuant to section 3 of special act 09-6.

Sec. 77. (NEW) (Effective from passage) Notwithstanding chapter 62 of the general statutes, the Commissioner of Motor Vehicles shall begin procedures to privatize services for renewals of passenger registrations, as defined in section 14-1 of the general statutes, and noncommercial motor vehicle operator's licenses. Such privatization of services shall be completed on or before July 1, 2010.

Sec. 78. (NEW) (Effective from passage) Notwithstanding chapter 62 of the general statutes, the Secretary of the Office of Policy and Management shall, in consultation with the Commissioners of the Department of Developmental Services, Mental Health and Addiction Services, Social Services and Children and Families, or their successor
agencies, submit a plan to the General Assembly not later than July 1, 2010, to reduce expenditures for Personal Services by $50,000,000 through the privatization of services for the fiscal year ending June 30, 2011. If the General Assembly fails to vote to approve or reject such plan within thirty days after such plan has been submitted, such plan shall be deemed approved. If the General Assembly modifies such plan, the secretary shall implement the plan as modified. If the General Assembly rejects such plan, the secretary shall submit a revised plan for approval not later than thirty days after such rejection and, upon any subsequent rejections, shall continue to submit revised plans until a plan is approved.

Sec. 79. (NEW) (Effective from passage) The Secretary of the Office of Policy and Management shall immediately begin planning the state agency and quasi-public agency consolidations required under this act, in consultation with the executive heads of the agencies affected by such consolidations. The secretary shall submit monthly reports to the General Assembly on the secretary's progress in implementing such consolidations, in accordance with the provisions of section 11-4a of the general statutes.

Sec. 80. (NEW) (Effective October 1, 2010) (a) There is established a Department of Human Services. The department head shall be the Commissioner of Human Services, who shall be appointed by the Governor, in accordance with the provisions of sections 4-5 to 4-8, inclusive, of the general statutes, with the powers and duties therein prescribed.

(b) The Department of Human Services shall constitute a successor department to the Department of Public Health, the Department of Children and Families, the Department of Developmental Services, the Department of Mental Health and Addiction Services and the Department of Social Services in accordance with the provisions of sections 4-38d and 4-39 of the general statutes.

(c) Whenever the words "Commissioner of Public Health", 
"Commissioner of Children and Families", "Commissioner of Developmental Services", "Commissioner of Mental Health and Addiction Services" and "Commissioner of Social Services" are used in the general statutes, the words "Commissioner of Human Services" shall be substituted in lieu thereof. Wherever the words "Department of Public Health", "Department of Children and Families", "Department of Developmental Services", "Department of Mental Health and Addiction Services" and "Department of Social Services" are used in the general statutes, the words "Department of Human Services" shall be substituted in lieu thereof.

(d) Any order or regulation of the Department of Public Health, the Department of Children and Families, the Department of Developmental Services, the Department of Mental Health and Addiction Services and the Department of Social Services that is in force on October 1, 2010, shall continue in force and effect as an order or regulation of the Department of Human Services until amended, repealed or superseded pursuant to law. Where any order or regulation of said departments conflict, the Commissioner of Human Services may implement policies and procedures consistent with the provisions of this act while in the process of adopting the policy or procedure in regulation form, provided notice of intention to adopt the regulations is printed in the Connecticut Law Journal within twenty days of implementation. The policy or procedure shall be valid until the time the final regulations are effective.

Sec. 81. Subsection (a) of section 1-101aa of the 2010 supplement to the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

(a) As used in this section, "department" means the [Department of Developmental Services, the Department of Mental Health and Addiction Services or the Department of Public Health] Department of Human Services, and "provider" means any independent contractor or private agency under contract with the department to provide services.
Sec. 82. Section 1-217 of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

(a) No public agency may disclose, under the Freedom of Information Act, the residential address of any of the following persons:

(1) A federal court judge, federal court magistrate, judge of the Superior Court, Appellate Court or Supreme Court of the state, or family support magistrate;

(2) A sworn member of a municipal police department, a sworn member of the Division of State Police within the Department of Public Safety or a sworn law enforcement officer within the Department of Environmental Protection;

(3) An employee of the Department of Correction;

(4) An attorney-at-law who represents or has represented the state in a criminal prosecution;

(5) An attorney-at-law who is or has been employed by the Public Defender Services Division or a social worker who is employed by the Public Defender Services Division;

(6) An inspector employed by the Division of Criminal Justice;

(7) A firefighter;

(8) An employee of the Department of [Children and Families] Human Services;

(9) A member or employee of the Board of Pardons and Paroles;

(10) An employee of the judicial branch; or

[(11) An employee of the Department of Mental Health and Addiction Services who provides direct care to patients; or]
[(12)] (11) A member or employee of the Commission on Human Rights and Opportunities.

(b) The business address of any person described in this section shall be subject to disclosure under section 1-210. The provisions of this section shall not apply to Department of Motor Vehicles records described in section 14-10.

Sec. 83. Section 4-5 of the 2010 supplement to the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

As used in sections 4-6, 4-7 and 4-8, the term "department head" means Secretary of the Office of Policy and Management, Commissioner of Administrative Services, Commissioner of Revenue Services, Banking Commissioner, [Commissioner of Children and Families,] Commissioner of Consumer Protection, Commissioner of Correction, Commissioner of Economic and Community Development, State Board of Education, Commissioner of Emergency Management and Homeland Security, Commissioner of Environmental Protection, Commissioner of Agriculture, Commissioner of [Public Health] Human Services, Insurance Commissioner, Labor Commissioner, Liquor Control Commission, [Commissioner of Mental Health and Addiction Services,] Commissioner of Public Safety, [Commissioner of Social Services, Commissioner of Developmental Services,] Commissioner of Motor Vehicles, Commissioner of Transportation, Commissioner of Public Works, Commissioner of Veterans' Affairs, Chief Information Officer, the chairperson of the Public Utilities Control Authority, the executive director of the Board of Education and Services for the Blind, the executive director of the Connecticut Commission on Culture and Tourism, and the executive director of the Office of Military Affairs. As used in sections 4-6 and 4-7, "department head" also means the Commissioner of Education.

Sec. 84. Section 4-38c of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):
There shall be within the executive branch of state government the following departments: Office of Policy and Management, Department of Administrative Services, Department of Revenue Services, Department of Banking, Department of Agriculture, [Department of Children and Families,] Department of Consumer Protection, Department of Correction, Department of Economic and Community Development, State Board of Education, Department of Emergency Management and Homeland Security, Department of Environmental Protection, [Department of Public Health,] Board of Governors of Higher Education, Department of Human Services, Insurance Department, Labor Department, [Department of Mental Health and Addiction Services, Department of Developmental Services,] Department of Public Safety, [Department of Social Services,] Department of Transportation, Department of Motor Vehicles, Department of Veterans' Affairs, Department of Public Works and Department of Public Utility Control.

Sec. 85. Section 4-60i of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

The Commissioner of [Social] Human Services shall (1) develop, throughout the Departments of [Developmental Services, Public Health,] Human Services and Correction, [Children and Families and Mental Health and Addiction Services,] uniform management information, uniform statistical information, uniform terminology for similar facilities and uniform regulations for the licensing of human services facilities, (2) plan for increased participation of the private sector in the delivery of human services, (3) provide direction and coordination to federally funded programs in the human services agencies and recommend uniform system improvements and reallocation of physical resources and designation of a single responsibility across human services agencies lines to eliminate duplication.

Sec. 86. Section 4-61aa of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):
(a) There is established a committee to encourage the employment by the state of persons with disabilities. The Commissioner of Administrative Services shall appoint the members of the committee, which shall be chaired by such commissioner, or his designee, and include one representative of each of the following:

(1) The Board of Education and Services to the Blind;  
(2) The Commission on the Deaf and Hearing Impaired;  
(3) The Bureau of Rehabilitative Services;  
(4) The Office of Protection and Advocacy for Persons with Disabilities;  
(5) The Department of Human Services; and  
[(6) The Department of Developmental Services; and]  
[(7)] (6) The Labor Department.

(b) The committee shall:

(1) Advise, and develop written guidelines for, the Commissioner of Administrative Services and the executive heads of other state agencies regarding the adaptation of employment examinations and alternative hiring processes for, and the reasonable accommodation of, persons with disabilities; and

(2) Review the program established under subsection (b) of section 4-61u and compliance with the provisions of section 46a-70 concerning persons with physical disabilities.

Sec. 87. Subsection (a) of section 4-61cc of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

(a) Notwithstanding any provision of the general statutes, each
executive branch agency, department, board, commission or official, other than the Department of [Public Health] Human Services or the State Board of Education, responsible for the issuance of a license, certificate, permit or registration required by the general statutes for the practice of a profession shall renew the license, certificate, permit or registration issued to an individual which expires while the individual is (1) on active duty in the armed forces of the United States, or (2) a member of the National Guard when ordered out by the Governor for military service. Such renewal shall be valid for a period of one year from the date of such individual's discharge from active duty or ordered military service, or until the date the individual successfully renews the license in accordance with this section and the general statutes, whichever occurs first. Such individual applying for renewal of a license, certificate, permit or registration shall submit to the agency, department, board, commission or official such documentation as may be required by such agency, department, board, commission or official.

Sec. 88. Section 4-66d of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

(a) The Secretary of the Office of Policy and Management shall develop a standardized form of notice for the [Departments of Social Services, Children and Families, Developmental Services and Mental Health and Addiction Services] Department of Human Services for the purpose of disclosing to an applicant or recipient of care or support, or the legally liable relative, as defined in subsection (c) of section 4a-12, of a person receiving care or support, the possibility of liability for reimbursement of any amount paid by the state on behalf of the care or support of an applicant, recipient or child. Said form shall include the following: (1) Whether payments required are full or partial payment of moneys owed to the department; (2) that the applicant or recipient of care or support, or the legally liable relative may be liable for the entire cost of care or support; and (3) that upon request, at the end of care or support, itemization of costs and list of services provided. Said form may be included in an application for care or support.
(b) The [Departments of Social Services, Children and Families, Developmental Services and Mental Health and Addiction Services] Department of Human Services shall provide the form of notice established pursuant to subsection (a) of this section to all applicants or recipients of care or support or the legally liable relatives, as defined in subsection (c) of section 4a-12, of a child receiving care or support, if the whereabouts of such relatives are known.

Sec. 89. Subsection (a) of section 4-67x of the 2010 supplement to the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

(a) There shall be a Child Poverty and Prevention Council consisting of the following members or their designees: The Secretary of the Office of Policy and Management, the president pro tempore of the Senate, the speaker of the House of Representatives, the minority leader of the Senate and the minority leader of the House of Representatives, the Commissioners of [Children and Families, Social Human Services, Correction, [Developmental Services, Mental Health and Addiction Services,] Transportation, [Public Health,] Education, Economic and Community Development and Health Care Access, the Labor Commissioner, the Chief Court Administrator, the chairperson of the Board of Governors of Higher Education, the Child Advocate, the chairperson of the Children's Trust Fund Council and the executive directors of the Commission on Children and the Commission on Human Rights and Opportunities. The Secretary of the Office of Policy and Management, or the secretary's designee, shall be the chairperson of the council. The council shall (1) develop and promote the implementation of a ten-year plan, to begin June 8, 2004, to reduce the number of children living in poverty in the state by fifty per cent, and (2) within available appropriations, establish prevention goals and recommendations and measure prevention service outcomes in accordance with this section in order to promote the health and well-being of children and families.

Sec. 90. Section 4a-16 of the 2010 supplement to the general statutes
When any person supported or cared for by the state under a program of public assistance or in an institution maintained by the Department of Developmental Services or Department of Mental Health and Addiction Human Services, or when an inmate of the Department of Correction, or when any child committed to the Commissioner of Social Services or Commissioner of Children and Families Human Services dies leaving only personal estate, including personal assets owing and due the estate after death, not exceeding the aggregate value, as described in section 45a-273, the Commissioner of Administrative Services or the commissioner's authorized representative shall, upon filing with the probate court having jurisdiction of such estate a certificate that the total estate is under the aggregate value, as described in section 45a-273, and the claim of the state, together with the expense of last illness not exceeding three hundred seventy-five dollars and funeral and burial expenses in accordance with section 17b-84, equals or exceeds the amount of such estate, be issued a certificate by said court that the commissioner is the legal representative of such estate only for the following purpose. The commissioner shall have authority to claim such estate, the commissioner's receipt for the same to be a valid discharge of the liability of any person turning over the same, and to settle the same by payment of the expense of last illness not exceeding three hundred seventy-five dollars, expense of funeral and burial in accordance with section 17b-84 and the remainder as partial or full reimbursement of the claim of the state for care or assistance rendered to the decedent. The commissioner shall file with said probate court a statement of the settlement of such estate as herein provided.

Sec. 91. Section 4-77a of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

The estimates of expenditure requirements transmitted by the administrative head of each budgeted agency to the Secretary of the...
Office of Policy and Management, pursuant to section 4-77, shall include an estimate of the amount required by such agency for the payment of the workers' compensation claims of the employees of each such agency. Appropriations which are recommended in the budget document transmitted by the Governor in the odd-numbered years or the status report transmitted by the Governor in the even-numbered years to the General Assembly pursuant to section 4-71 or contained in the state budget act or any deficiency bill, as provided in section 2-36, for the payment of such claims shall be made as follows: (1) For the Departments of [Developmental Services, Mental Health and Addiction] Human Services, Correction, Transportation [.] and Public Safety, [and Children and Families,] directly to said agencies; and (2) for all other budgeted state agencies, to the Department of Administrative Services which shall maintain an account for payment of workers' compensation claims.

Sec. 92. Subsection (d) of section 4a-12 of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

(d) Notwithstanding the provisions of subsection (c) of this section, no liability shall be imposed upon a liable relative upon determination by the Department of [Developmental Services, Social Services, Children and Families, Mental Health and Addiction Services or Public Health] Human Services that the benefit of the assistance or service provided would be significantly impaired by the imposition of such liability. Each such department may waive all or part of any liability resulting from its delay in establishing such liability if it determines that imposition of such liability would pose a significant financial hardship upon a liable relative.

Sec. 93. Subdivision (1) of subsection (a) of section 4a-82 of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

(1) "Person with a disability" means any individual with a disability,
excluding blindness, as such term is applied by the Department of
[Mental Health and Addiction Services, the Department of
Developmental] Human Services, the Bureau of Rehabilitation Services
within the Department of [Social] Human Services or the Veterans'
Administration and who is certified by the Bureau of Rehabilitation
Services within the Department of [Social] Human Services as
qualified to participate in a qualified partnership, as described in
subsections (f) to (m), inclusive, of this section;

Sec. 94. Section 8-3e of the general statutes is repealed and the
following is substituted in lieu thereof (Effective October 1, 2010):

(a) No zoning regulation shall treat the following in a manner
different from any single family residence: (1) Any community
residence that houses six or fewer mentally retarded persons and
necessary staff persons and that is licensed under the provisions of
section 17a-227, (2) any child-care residential facility that houses six or
fewer children with mental or physical disabilities and necessary staff
persons and that is licensed under sections 17a-145 to 17a-151,
inclusive, or (3) any community residence that houses six or fewer
persons receiving mental health or addiction services and necessary
staff persons paid for or provided by the Department of [Mental
Health and Addiction] Human Services and that has been issued a
license by [the Department of Public Health] such department under
the provisions of section 19a-491, if a license is required.

(b) Any resident of a municipality in which such a community
residence or child-care residential facility is located may, with the
approval of the legislative body of such municipality, petition the
Commissioner of Human Services to (1) [the Commissioner of
Developmental Services to] revoke the license of such community
residence on the grounds that such community residence is not in
compliance with the provisions of any statute or regulation concerning
the operation of such residences, (2) [the Commissioner of Children
and Families to] revoke the license of such child-care residential
facility on the grounds that such child-care residential facility is not in
compliance with the provision of any general statute or regulation concerning the operation of such child-care residential facility, or (3) [the Commissioner of Mental Health and Addiction Services to] withdraw funding from such community residence on the grounds that such community residence is not in compliance with the provisions of any general statute or regulation adopted thereunder concerning the operation of a community residence.

Sec. 95. Section 8-206d of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

The Commissioner of Economic and Community Development shall administer an emergency fuel assistance program to provide: (1) Emergency fuel assistance on behalf of private, nonprofit group homes and halfway houses receiving state aid and licensed by or under contract with the [Department of Public Health, the Department of Children and Families, the Department of Mental Health and Addiction Services, the] Department of Correction or the Department of [Developmental] Human Services, provided no group home or halfway house shall receive emergency fuel assistance in excess of one thousand dollars unless the commissioner finds additional assistance is necessary to protect the health and safety of the residents of such group home or halfway house; (2) grants to municipalities for emergency fuel assistance to receivers of rents appointed pursuant to section 47a-56a, to prevent and respond to abandonment by landlords of tenant-occupied dwelling units, provided no municipality shall receive an amount in excess of one thousand five hundred dollars for each receivership established within such municipality unless the commissioner finds additional assistance is necessary to protect the health and safety of the residents of such dwelling units; and (3) emergency fuel assistance to housing authorities for state-financed housing projects, for fuel costs incurred after October 1, 1979. The commissioner shall adopt regulations, in accordance with the provisions of chapter 54, establishing eligibility criteria for the distribution of state funds appropriated to the Department of Economic and Community Development for such program. The
The commissioner may, in his discretion and based on his determination of need, allocate any funds appropriated for the purposes of this section among group homes and halfway houses, municipalities and housing authorities.

Sec. 96. Section 10-16y of the 2010 supplement to the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

There shall be an Office of Early Childhood Planning, Outreach and Coordination within the Department of Education. The office shall be responsible for:

(1) Planning, developing and coordinating with other agencies the delivery of services to children birth to nine years of age, inclusive;

(2) Coordinating the enhancement and implementation of the Early Childhood Information System, in consultation with the Early Childhood Education Cabinet pursuant to section 10-16z, with the capability of tracking: (A) The health, safety and school readiness of all children receiving early care and education from any local or regional board of education or any program receiving public funding, in a manner similar to the system described in section 10-10a; (B) the characteristics of the existing and potential workforce serving such children in any local or regional school district or in a program receiving any public funding; and (C) the characteristics of the programs in which such children are served. The Department of Education shall be responsible for assigning unique identifiers to all such children and staff and programs tracked by the Early Childhood Information System. Any local or regional board of education, school readiness program, as defined in subdivision (1) of subsection (a) of section 10-16p receiving any public funding, or any child day care center described in subdivision (1) of section 19a-77 and licensed by the Department of [Public Health] Human Services, including any participating in a program administered by [the Department of Social Services] such department pursuant to chapter 319rr, shall ensure that
all children and all staff in such center or program are entered into the Early Childhood Information System;

(3) Developing and reporting on an early childhood accountability plan, in consultation with the Early Childhood Education Cabinet;

(4) Implementing a communications strategy for outreach to families, service providers and policymakers;

(5) Beginning a state-wide longitudinal evaluation of the school readiness program, not later than January 1, 2010, in consultation with the Department of [Social] Human Services, that examines the educational progress of children from prekindergarten programs to grade four, inclusive, including a study of the reliability and validity of the kindergarten assessment tool developed pursuant to subsection (h) of section 10-14n; and

(6) Developing, coordinating and supporting public and private partnerships to aid early childhood initiatives.

Sec. 97. Subsection (a) of section 10-16z of the 2010 supplement to the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

(a) There is established the Early Childhood Education Cabinet. The cabinet shall consist of: (1) The Commissioner of Education, or the commissioner's designee, (2) one representative from the Department of Education who is responsible for programs required under the Individuals With Disabilities Education Act, 20 USC 1400 et seq., as amended from time to time, appointed by the Commissioner of Education, (3) [the Commissioner of Social Services, or the commissioner's designee, (4)] a representative from an institution of higher education in this state appointed by the Commissioner of Higher Education, [(5) the Commissioner of Public Health, or the commissioner's designee, (6) the Commissioner of Developmental Services, or the commissioner's designee, (7) the Commissioner of Mental Health and Addiction Services, or the commissioner's designee,
(8) (4) the Commissioner of Human Services, or the commissioner's designee, (5) the executive director of the Commission on Children, or the executive director's designee, [(9)] (6) the project director of the Connecticut Head Start State Collaboration Office, [(10)] (7) a representative from a Head Start program appointed by the minority leader of the House of Representatives, [(11)] (8) a representative of a local provider of early childhood education appointed by the minority leader of the Senate, [(12)] (9) two appointed by the speaker of the House of Representatives, one of whom is a member of the House of Representatives and one of whom is a parent who has a child attending a school in a priority school district, [(13)] (10) two appointed by the president pro tempore of the Senate, one of whom is a member of the Senate and one of whom is a representative of a public elementary school with a prekindergarten program, [(14)] (11) a representative of the business or philanthropic community in this state appointed by the Governor, and [(15)] (12) the Secretary of the Office of Policy and Management, or the secretary's designee. The chairperson of the council shall be appointed from among its members by the Governor.

Sec. 98. Subsection (a) of section 10-19 of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

(a) The knowledge, skills and attitudes required to understand and avoid the effects of alcohol, of nicotine or tobacco and of drugs, as defined in subdivision (17) of section 21a-240, on health, character, citizenship and personality development shall be taught every academic year to pupils in all grades in the public schools; and, in teaching such subjects, textbooks and such other materials as are necessary shall be used. Annually, at such time and in such manner as the Commissioner of Education shall request, each local and regional board of education shall attest to the State Board of Education that all pupils enrolled in its schools have been taught such subjects pursuant to this subsection and in accordance with a planned, ongoing and systematic program of instruction. The content and scheduling of
instruction shall be within the discretion of the local or regional board of education. Institutions of higher education approved by the State Board of Education to train teachers shall give instruction on the subjects prescribed in this section and concerning the best methods of teaching the same. The State Board of Education and the Board of Governors of Higher Education in consultation with the Commissioner of [Mental Health and Addiction Services and the Commissioner of Public Health] Human Services shall develop health education or other programs for elementary and secondary schools and for the training of teachers, administrators and guidance personnel with reference to understanding and avoiding the effects of nicotine or tobacco, alcohol and drugs.

Sec. 99. Subsection (e) of section 10-76d of the 2010 supplement to the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

(e) (1) Any local or regional board of education which provides special education pursuant to any mandates in this section shall provide transportation, to and from, but not beyond the curb of, the residence of the child, unless otherwise agreed upon by the board and the parent or guardian of the child, tuition, room and board and other items necessary to the provision of such special education except for children who are placed in a residential facility because they need services other than educational services, in which case the financial responsibility of the school district and payment to such district shall be limited to the reasonable costs of special education instruction as defined in the regulations of the State Board of Education. If a hearing board, pursuant to subsection (d) of section 10-76h, rejects the educational program prescribed by the local or regional board of education and determines that a placement by a parent or guardian was appropriate, the local or regional board of education shall reimburse the parent or guardian for the reasonable costs incurred for the provision of special education pursuant to this section from the initiation of review procedures as provided by said section 10-76h.
(2) For purposes of this subdivision, "public agency" includes the offices of a government of a federally recognized Native American tribe. Notwithstanding any other provisions of the general statutes, for the fiscal year ending June 30, 1987, and each fiscal year thereafter, whenever a public agency, other than a local or regional board of education, the State Board of Education or the Superior Court acting pursuant to section 10-76h, places a child in a foster home, group home, hospital, state institution, receiving home, custodial institution or any other residential or day treatment facility, and such child requires special education, the local or regional board of education under whose jurisdiction the child would otherwise be attending school or, if no such board can be identified, the local or regional board of education of the town where the child is placed, shall provide the requisite special education and related services to such child in accordance with the provisions of this section. Within one business day of such a placement by the Department of [Children and Families] Human Services or offices of a government of a federally recognized Native American tribe, said department or offices shall orally notify the local or regional board of education responsible for providing special education and related services to such child of such placement. The department or offices shall provide written notification to such board of such placement within two business days of the placement. Such local or regional board of education shall convene a planning and placement team meeting for such child within thirty days of the placement and shall invite a representative of the Department of [Children and Families] Human Services or offices of a government of a federally recognized Native American tribe to participate in such meeting. (A) The local or regional board of education under whose jurisdiction such child would otherwise be attending school shall be financially responsible for the reasonable costs of such special education and related services in an amount equal to the lesser of one hundred per cent of the costs of such education or the average per pupil educational costs of such board of education for the prior fiscal year, determined in accordance with the provisions of subsection (a) of section 10-76f. The State Board of Education shall pay on a current
basis, except as provided in subdivision (3) of this subsection, any
costs in excess of such local or regional board's basic contributions paid
by such board of education in accordance with the provisions of this
subdivision. (B) Whenever a child is placed pursuant to this
subdivision, on or after July 1, 1995, by the Department of [Children
and Families] Human Services and the local or regional board of
education under whose jurisdiction such child would otherwise be
attending school cannot be identified, the local or regional board of
education under whose jurisdiction the child attended school or in
whose district the child resided at the time of removal from the home
by said department shall be responsible for the reasonable costs of
special education and related services provided to such child, for one
calendar year or until the child is committed to the state pursuant to
section 46b-129 or 46b-140 or is returned to the child's parent or
guardian, whichever is earlier. If the child remains in such placement
beyond one calendar year the Department of [Children and Families]
Human Services shall be responsible for such costs. During the period
the local or regional board of education is responsible for the
reasonable cost of special education and related services pursuant to
this subparagraph, the board shall be responsible for such costs in an
amount equal to the lesser of one hundred per cent of the costs of such
education and related services or the average per pupil educational
costs of such board of education for the prior fiscal year, determined in
accordance with the provisions of subsection (a) of section 10-76f. The
State Board of Education shall pay on a current basis, except as
provided in subdivision (3) of this subsection, any costs in excess of
such local or regional board's basic contributions paid by such board of
education in accordance with the provisions of this subdivision. The
costs for services other than educational shall be paid by the state
agency which placed the child. The provisions of this subdivision shall
not apply to the school districts established within the Department of
[Children and Families] Human Services, pursuant to section 17a-37 [.]
being provided at a private residential institution, including the
residential components of regional educational service centers, to a
child for whom no local or regional board of education can be found
responsible under subsection (b) of this section, Unified School District
#2 shall provide the special education and related services and be
financially responsible for the reasonable costs of such special
education instruction for such children. Notwithstanding the
provisions of this subdivision, for the fiscal years ending June 30, 2004,
to June 30, 2007, inclusive, and for the fiscal years ending June 30, 2010,
and June 30, 2011, the amount of the grants payable to local or regional
boards of education in accordance with this subdivision shall be
reduced proportionately if the total of such grants in such year exceeds
the amount appropriated for the purposes of this subdivision for such
year.

(3) Payment for children who require special education and who
reside on state-owned or leased property or in permanent family
residences as defined in section 17a-154, and who are not the
educational responsibility of the unified school districts established
pursuant to section 17a-37, section 17a-240 or section 18-99a, shall be
made in the following manner: The State Board of Education shall pay
to the school district which is responsible for providing instruction for
each such child pursuant to the provisions of this subsection one
hundred per cent of the reasonable costs of such instruction. In the
fiscal year following such payment, the State Board of Education shall
deduct from the special education grant due the local or regional board
of education under whose jurisdiction the child would otherwise be
attending school, where such board has been identified, the amount
for which such board would otherwise have been financially
responsible pursuant to the provisions of subdivision (2) of this
subsection. No such deduction shall be made for any school district
which is responsible for providing special education instruction for
children whose parents or legal guardians do not reside within such
district. The amount deducted shall be included as a net cost of special
education by the Department of Education for purposes of the state's
special education grant calculated pursuant to section 10-76g. A school district otherwise eligible for reimbursement under the provisions of this subdivision for the costs of education of a child residing in a permanent family residence shall continue to be so eligible in the event that a person providing foster care in such residence adopts the child. Notwithstanding the provisions of this subdivision, for the fiscal years ending June 30, 2004, and June 30, 2005, the amount of the grants payable to local or regional boards of education in accordance with this subdivision shall be reduced proportionately if the total of such grants in such year exceeds the amount appropriated for the purposes of this subdivision for such year.

(4) Notwithstanding any other provision of this section, the Department of [Mental Health and Addiction] Human Services shall provide regular education and special education and related services to eligible residents in facilities operated by the department who are eighteen to twenty-one years of age. In the case of a resident who requires special education, the department shall provide the requisite identification and evaluation of such resident in accordance with the provisions of this section. The department shall be financially responsible for the provision of educational services to eligible residents. The Departments of [Mental Health and Addiction Services, Children and Families] Human Services and Education shall develop and implement an interagency agreement which specifies the role of each agency in ensuring the provision of appropriate education services to eligible residents in accordance with this section. The State Board of Education shall pay to the Department of [Mental Health and Addiction] Human Services one hundred per cent of the reasonable costs of such educational services provided to eligible residents of such facilities. Payment shall be made by the board as follows: Eighty-five per cent of the estimated cost in July and the adjusted balance in May.

(5) Application for the grant to be paid by the state for costs in excess of the local or regional board of education's basic contribution shall be made by such board of education by filing with the State Board of Education, in such manner as prescribed by the
Commissioner of Education, annually on or before December first a
statement of the cost of providing special education, as defined in
subdivision (2) of this subsection, for a child of the board placed by a
state agency in accordance with the provisions of said subdivision or,
where appropriate, a statement of the cost of providing educational
services other than special educational services pursuant to the
provisions of subsection (b) of section 10-253, provided a board of
education may submit, not later than March first, claims for additional
children or costs not included in the December filing. Payment by the
state for such excess costs shall be made to the local or regional board
of education as follows: Seventy-five per cent of the cost in February
and the balance in May. The amount due each town pursuant to the
provisions of this subsection and the amount due to each town as
tuition from other towns pursuant to this section shall be paid to the
treasurer of each town entitled to such aid, provided the treasurer shall
treat such grant or tuition received, or a portion of such grant or
tuition, which relates to special education expenditures incurred
pursuant to subdivisions (2) and (3) of this subsection in excess of such
board's budgeted estimate of such expenditures, as a reduction in
expenditures by crediting such expenditure account, rather than town
revenue. The state shall notify the local or regional board of education
when payments are made to the treasurer of the town pursuant to this
subdivision.

Sec. 100. Subsection (a) of section 10-76i of the general statutes is
repealed and the following is substituted in lieu thereof (Effective
October 1, 2010):

(a) There shall be an Advisory Council for Special Education which
shall advise the General Assembly, State Board of Education and the
Commissioner of Education, and which shall engage in such other
activities as described in this section. Said advisory council shall
consist of the following members: (1) Two appointed by the
Commissioner of Education, one of whom shall be an official of the
Department of Education and one of whom shall be a representative of
an institution of higher education in the state that prepares teacher and
related services personnel; (2) four appointed by the Commissioner of Developmental Human Services, one of whom shall be an official of the department and one of whom shall be a person with disabilities or a parent of such a person; (3) two appointed by the Commissioner of Children and Families, one of whom shall be an official of the department and one of whom shall be a person with disabilities or a parent or foster parent of such a person; (4) one appointed by the Commissioner of Correction; (5) four who are members of the General Assembly, one appointed by the majority leader of the House of Representatives, one appointed by the minority leader of the House of Representatives, one appointed by the president pro tempore of the Senate and one appointed by the minority leader of the Senate; (6) three appointed by the president pro tempore of the Senate, one of whom shall be a member of the Connecticut Association of Boards of Education, one of whom shall be a member of the Connecticut Speech-Language-Hearing Association and one of whom shall be a person with disabilities or the parent of such a person; (7) two appointed by the majority leader of the Senate one of whom shall be a person with disabilities or the parent of such a person and one of whom shall be a regular education teacher; (8) four appointed by the minority leader of the Senate, one of whom shall be a representative of a vocational, community or business organization concerned with the provision of transitional services to children with disabilities, one of whom shall be a member of the Connecticut Association of Private Special Education Facilities and two of whom shall be persons with disabilities or the parents of such persons; (9) three appointed by the speaker of the House of Representatives, one of whom shall be a member of the Connecticut Association of School Administrators and a local education official, one of whom shall be a person with disabilities or the parent of such a person and one of whom shall be a member of the literacy coalition and a person with disabilities or the parent of such a person; (10) two appointed by the majority leader of the House of Representatives, one of whom shall be a person working in the field of special-education-related services and one of whom shall
be a person with disabilities or the parent of such a person; [(11)] (10) four appointed by the minority leader of the House of Representatives, two of whom shall be persons with disabilities or the parents of such persons, one of whom shall be a member of the Connecticut Association of Pupil Personnel Administrators and an administrator of a program for children who require special education, and one of whom shall be a special education teacher; [(12)] (11) eight appointed by the Governor, all of whom shall be persons with disabilities or parents of such persons and one of whom shall also be associated with a charter school; and [(13)] (12) such other members as required by the Individuals with Disabilities Education Act, 20 USC 1400 et seq., as amended from time to time, appointed by the Commissioner of Education. The terms of the present members shall expire on June 30, 1998. Appointments shall be made to the council by July 1, 1998. Members shall serve two-year terms, except that members appointed pursuant to subdivisions (1) to [(4)] (3), inclusive, and [(12)] (11) of this subsection whose terms commenced July 1, 1998, shall serve three-year terms and the successors to such members appointed pursuant to said subdivisions shall serve two-year terms.

Sec. 101. Subsection (a) of section 10-253 of the 2010 supplement to the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

(a) Children placed out by the Commissioner of [Children and Families] Human Services or by other agencies or persons, including offices of a government of a federally recognized Native American tribe, private child-caring or child-placing agencies licensed by the Department of [Children and Families] Human Services, and eligible residents of facilities operated by the Department of [Mental Health and Addiction Services or by the Department of Public Health] Human Services who are eighteen to twenty-one years of age, shall be entitled to all free school privileges of the school district where they then reside as a result of such placement, except as provided in subdivision (4) of subsection (e) of section 10-76d. Except as provided in subsection (d) of this section and subdivision (4) of subsection (e) of section 10-76d,
payment for such education shall be made by the board of education of
the school district under whose jurisdiction such child would
otherwise be attending school where such a school district is identified.

Sec. 102. Subsection (b) of section 17a-4a of the general statutes is
repealed and the following is substituted in lieu thereof (Effective
October 1, 2010):

(b) The Children's Behavioral Health Advisory Committee shall be
composed of the following ex-officio voting members: (1) The
Commissioner of [Children and Families] Human Services or the
commissioner's designee; (2) [the Commissioner of Social Services or
the commissioner's designee; (3)] the Executive Director of the
Children's Health Council or said director's designee; [(4)] (3) the Chief
Court Administrator or said administrator's designee; [(5)] (4) the
Commissioner of Education or the commissioner's designee; [(6) the
Commissioner of Mental Health and Addiction Services or the
commissioner's designee; (7) the Commissioner of Developmental
Services or the commissioner's designee; (8)] and (5) the executive
director of the Office of Protection and Advocacy for Persons with
Disabilities or the director's designee; and the following public
members: (A) Two members appointed by the Governor, one of whom
shall be a parent of a child who receives behavioral health services and
one of whom shall be a provider of behavioral health services; (B) six
members, one of whom shall be appointed by the president pro
tempore of the Senate, one of whom shall be appointed by the speaker
of the House of Representatives, one of whom shall be appointed by
the majority leader of the Senate, one of whom shall be appointed by
the majority leader of the House of Representatives, one of whom shall
be appointed by the minority leader of the Senate and one of whom
shall be appointed by the minority leader of the House of
Representatives, and all of whom shall be knowledgeable on issues
relative to children in need of behavioral health services and family
supports; and (C) sixteen members appointed by the chairperson of the
State Advisory Council on Children and Families. The membership of
the advisory committee shall fairly and adequately represent parents
of children who have a serious emotional disturbance. At least fifty-
one per cent of the members of the advisory committee shall be
persons who are parents or relatives of a child who has or had a
serious emotional disturbance or persons who had a serious emotional
disturbance as children and no more than half the members of the
committee shall be persons who receive income from a private practice
or any public or private agency that delivers behavioral health
services.

Sec. 103. Section 17a-22a of the general statutes is repealed and the
following is substituted in lieu thereof (Effective October 1, 2010):

(a) The Commissioner of [Social Services and the Commissioner of
Children and Families] Human Services shall, within available
appropriations, develop and administer an integrated behavioral
health service delivery system to be known as Connecticut Community
KidCare. Said system shall provide services to children and youths
with behavioral health needs who are in the custody of the
Department of [Children and Families] Human Services, who are
eligible to receive services from the HUSKY Plan, Part A or the
federally subsidized portion of Part B, or receive services under the
voluntary services program operated by the Department of [Children
and Families] Human Services. All necessary changes to the IV-E, Title
XIX and Title XXI state plans shall be made to maximize federal
financial participation. The Commissioner of [Social] Human Services
may amend the state Medicaid plan to facilitate the claiming of federal
reimbursement for private nonmedical institutions as defined in the
Social Security Act. The Commissioner of [Social] Human Services may
implement policies and procedures necessary to provide
reimbursement for the services provided by private nonmedical
institutions, as defined in 42 CFR Part 434, while in the process of
adopting such policies and procedures in regulation form, provided
the commissioner prints notice of intention to adopt the regulations in
the Connecticut Law Journal within twenty days of implementing such
policies and procedures. Policies and procedures implemented
pursuant to this subsection shall be valid until the time such
(b) Connecticut Community KidCare shall, within available appropriations, provide a comprehensive benefit package of behavioral health specialty services. The HUSKY Plan shall continue to provide primary behavioral health services and may provide additional behavioral health services to be determined by the Department of Social Services and shall assure an integration of such services with the behavioral health services provided by Connecticut Community KidCare.

(c) Connecticut Community KidCare shall include: (1) A system of care model in which service planning is based on the needs and preferences of the child or youth and his or her family and that places an emphasis on early identification, prevention and treatment; (2) a comprehensive behavioral health program with a flexible benefit package that shall include clinically necessary and appropriate home and community-based treatment services and comprehensive support services in the least restrictive setting; (3) community-based care planning and service delivery, including services and supports for children from birth through early childhood that link Connecticut Community KidCare to the early childhood community and promote emotional wellness; (4) comprehensive children and youth behavioral health training for agency and system staff and interested parents and guardians; (5) an efficient balance of local participation and state-wide administration; (6) integration of agency funding to support the benefit package; (7) a performance measurement system for monitoring quality and access; (8) accountability for quality, access and cost; (9) elimination of the major gaps in services and barriers to access services; (10) a system of care that is family-focused with respect for the legal rights of the child or youth and his or her parents and provides training, support and family advocacy services; (11) assurances of timely payment of service claims; (12) assurances that no child or youth shall be disenrolled or inappropriately discharged due to behavioral health care needs; and (13) identification of youths in need of transition services to adult systems.
[(d) The Commissioner of Social Services and the Commissioner of Children and Families shall enter into a memorandum of understanding for the purpose of the joint administration of Connecticut Community KidCare. Such memorandum of understanding shall establish mechanisms to administer funding for, establish standards for and monitor implementation of Connecticut Community KidCare and specify that (1) the Department of Social Services, which is the agency designated as the single state agency for the administration of the Medicaid program pursuant to Title XIX of the Social Security Act and is the agency responsible for the administration of the HUSKY Plan, Part B under Title XXI of the Social Security Act, manage all Medicaid and HUSKY Plan modifications, waiver amendments, federal reporting and claims processing and provide financial management, and (2) the Department of Children and Families, which is the state agency responsible for administering and evaluating a comprehensive and integrated state-wide program of services for children and youths with behavioral health needs, define the services to be included in the continuum of care and develop state-wide training programs for providers, families and other persons.

(e) Said commissioners shall consult with the Commissioner of Mental Health and Addiction Services, the Commissioner of Developmental Services, the Commissioner of Public Health and the Commissioner of Education during the development of Connecticut Community KidCare in order to (1) ensure coordination of a delivery system of behavioral health services across the life span of children, youths and adults with behavioral health needs, (2) maximize federal reimbursement and revenue, and (3) ensure the coordination of care and funding among agencies.]

[(f)] (d) The Commissioner of Social Services and the Commissioner of Children and Families [Human Services] may apply for any federal waivers or waiver amendments necessary to implement the provisions of this section.

Sec. 104. Section 17a-22b of the 2010 supplement to the general
statutes is repealed and the following is substituted in lieu thereof

(Effective October 1, 2010):

(a) Each community collaborative shall, within available appropriations, (1) complete a local needs assessment which shall include objectives and performance measures, (2) specify the number of children and youths requiring behavioral health services, and (3) specify the number of children and youths actually receiving community-based and residential services and the type and frequency of such services. Each community collaborative shall submit its local needs assessment to the Commissioner of [Children and Families and the Commissioner of Social] Human Services.

(b) The area offices of the Department of [Children and Families] Human Services shall contract with lead service agencies, within available appropriations, to coordinate the care of all children and youths enrolled in Connecticut Community KidCare residing within their designated catchment areas, including children and youths with complex behavioral health service needs. The lead service agencies shall employ or subcontract for the employment of care coordinators to assist families in establishing and implementing individual service plans for children and youths with complex behavioral health service needs and to improve clinical outcomes and cost effectiveness. Parents shall be afforded a choice of contracted providers for authorized services.

(c) Each community collaborative may establish the number of members and the type of representatives to ensure that the membership of such collaborative is appropriately balanced. The chief elected officers of municipalities served by a community collaborative may designate a member to serve as a representative of the chief elected officials. A community collaborative, at a minimum, shall consist of representatives from the local or regional board of education, special education program, youth services bureau, local departments of social services and public health, representatives from private organizations serving children and youths and a substantial number of
parents of children and youths with behavioral health needs. A community collaborative shall participate in the area advisory councils established under section 17a-30, provide outreach to community resources, coordinate behavioral health services by forming, with the consent of the family, child specific teams for children and youths with complex behavioral health service needs, conduct community need assessments to identify service gaps and service barriers, identify priority investment areas for the state and lead service agencies and provide public education and support. A community collaborative shall establish a governance structure, determine membership and identify or establish a fiscal agent.

(d) The Commissioner of [Children and Families and the Commissioner of Social] Human Services shall, within available appropriations, provide or arrange for the administrative services necessary to operate Connecticut Community KidCare.

Sec. 105. Subsection (a) of section 17a-22c of the 2010 supplement to the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

(a) The Commissioner of [Children and Families and the Commissioner of Social] Human Services shall establish performance measures in the areas of finance, administration, utilization, client satisfaction, quality and access for Connecticut Community KidCare.

Sec. 106. Section 17a-22f of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

(a) The Commissioner of [Social] Human Services may, with regard to the provision of behavioral health services provided pursuant to a state plan under Title XIX or Title XXI of the Social Security Act [: (1) Contract] contract with an administrative services organization to provide clinical management, provider network development and other administrative services, [: and (2) delegate responsibility to the Department of Children and Families for the clinical management portion of such administrative contract.]

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(b) For purposes of this section, the term "clinical management" describes the process of evaluating and determining the appropriateness of the utilization of behavioral health services and providing assistance to clinicians or beneficiaries to ensure appropriate use of resources and may include, but is not limited to, authorization, concurrent and retrospective review, discharge review, quality management, provider certification and provider performance enhancement. The [Commissioners of Social Services and Children and Families] Commissioner of Human Services shall [jointly] develop clinical management policies and procedures. The Department of [Social] Human Services may implement policies and procedures necessary to carry out the purposes of this section, including any necessary changes to existing behavioral health policies and procedures concerning utilization management, while in the process of adopting such policies and procedures in regulation form, provided the commissioner publishes notice of intention to adopt the regulations in the Connecticut Law Journal within twenty days of implementing such policies and procedures. Policies and procedures implemented pursuant to this subsection shall be valid until the earlier of (1) the time such regulations are effective, or (2) December 31, 2006.

Sec. 107. Subsection (b) of section 17a-22g of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

(b) No person shall solicit, disclose, receive or make use of, or authorize, knowingly permit, participate in or acquiesce in the use of, any list of the names of, or any information concerning, persons applying for or receiving assistance under the Connecticut Community KidCare program, directly or indirectly derived from the records, papers, files or communications of the state or its subdivisions or agencies, or acquired in the course of the performance of official duties. [The Commissioner of Children and Families shall disclose case-specific information to any authorized representative of the Commissioner of Social Services for purposes directly connected with the administration of Connecticut Community KidCare.] No such
representative shall disclose any information obtained pursuant to this section, except as specified in this section.

Sec. 108. Section 17a-22h of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

(a) The [Commissioners of Social Services and Children and Families] Commissioner of Human Services shall develop and implement an integrated behavioral health service system for HUSKY Part A and HUSKY Part B members, children enrolled in the voluntary services program operated by the Department of [Children and Families] Human Services and may, at the discretion of the [Commissioners of Children and Families and Social Services] Commissioner of Human Services, include other children, adolescents and families served by the Department of [Children and Families] Human Services, which shall be known as the Behavioral Health Partnership. The Behavioral Health Partnership shall seek to increase access to quality behavioral health services through: (1) Expansion of individualized, family-centered, community-based services; (2) maximization of federal revenue to fund behavioral health services; (3) reduction in the unnecessary use of institutional and residential services for children; (4) capture and investment of enhanced federal revenue and savings derived from reduced residential services and increased community-based services; (5) improved administrative oversight and efficiencies; and (6) monitoring of individual outcomes, provider performance, taking into consideration the acuity of the patients served by each provider, and overall program performance.

(b) The Behavioral Health Partnership shall operate in accordance with the financial requirements specified in this subsection. Prior to the conversion of any grant-funded services to a rate-based, fee-for-service payment system, the Department of [Social Services and the Department of Children and Families] Human Services shall submit documentation verifying that the proposed rates seek to cover the reasonable cost of providing services to the Behavioral Health Partnership Oversight Council, established pursuant to section 17a-22j.
Sec. 109. Subsection (a) of section 17a-22i of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

(a) The Commissioner of [Children and Families and the Commissioner of Social Services shall each] Human Services shall designate a director for the Behavioral Health Partnership. [Each] The director shall coordinate the responsibilities of his or her department, within the statutory authority of [each] the department, for the planning, development, administration and evaluation of the activities specified under subsection (a) of section 17a-22h to increase access to quality behavioral health services.

Sec. 110. Section 17a-22j of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

(a) There is established a Behavioral Health Partnership Oversight Council which shall advise the [Commissioners of Children and Families and Social Services] Commissioner of Human Services on the planning and implementation of the Behavioral Health Partnership.

(b) The council shall consist of the following members:

(1) Four appointed by the speaker of the House of Representatives; two of whom are representatives of general or specialty psychiatric hospitals; one of whom is an adult with a psychiatric disability; and one of whom is an advocate for adults with psychiatric disabilities;

(2) Four appointed by the president pro tempore of the Senate, two of whom are parents of children who have a behavioral health disorder or have received child protection or juvenile justice services from the Department of [Children and Families] Human Services; one of whom has expertise in health policy and evaluation; and one of whom is an advocate for children with behavioral health disorders;

(3) Two appointed by the majority leader of the House of Representatives; one of whom is a primary care provider serving
children pursuant to the HUSKY Plan; and one of whom is a child
psychiatrist serving children pursuant to the HUSKY Plan;

(4) Two appointed by the majority leader of the Senate; one of
whom is either an adult with a substance use disorder or an advocate
for adults with substance use disorders; and one of whom is a
representative of school-based health clinics;

(5) Two appointed by the minority leader of the House of
Representatives; one of whom is a provider of community-based
behavioral health services for adults; and one of whom is a provider of
residential treatment for children;

(6) Two appointed by the minority leader of the Senate; one of
whom is a provider of community-based services for children with
behavioral health problems; and one of whom is a member of the
advisory council on Medicaid managed care;

(7) Four appointed by the Governor; two of whom are
representatives of general or specialty psychiatric hospitals and two of
whom are parents of children who have a behavioral health disorder
or have received child protection or juvenile justice services from the
Department of [Children and Families] Human Services;

(8) The chairpersons and ranking members of the joint standing
committees of the General Assembly having cognizance of matters
relating to human services, public health, appropriations and the
budgets of state agencies, or their designees;

(9) A member of the Community Mental Health Strategy Board,
established pursuant to section 17a-485b, as selected by said board;

[(10) The Commissioner of Mental Health and Addiction Services,
or said commissioner's designee;]

[(11)] (10) Seven nonvoting ex-officio members, one each appointed
by the Commissioners of [Social Services, Children and Families,
Mental Health and Addiction] Human Services and Education to
represent his or her department and one appointed by the State
Comptroller, the Secretary of the Office of Policy and Management and
the Office of Health Care Access to represent said offices;

[(12) (11) One or more consumers appointed by the chairpersons of
the council, to be nonvoting ex-officio members; and

[(13) (12) One representative from the administrative services
organization and from each Medicaid managed care organization, to
be nonvoting ex-officio members.

(c) All appointments to the council shall be made no later than July
1, 2005, except that the chairpersons of the council may appoint
additional consumers to the council as nonvoting ex-officio members.
Any vacancy shall be filled by the appointing authority.

(d) The chairpersons of the advisory council on Medicaid managed
care shall select the chairpersons of the Behavioral Health Partnership
Oversight Council from among the members of such oversight council.
Such chairpersons shall convene the first meeting of the council, which
shall be held not later than August 1, 2005. The council shall meet at
least monthly thereafter.

(e) The Joint Committee on Legislative Management shall provide
administrative support to the chairpersons and assistance in convening
the council's meetings.

(f) The council shall make specific recommendations on matters
related to the planning and implementation of the Behavioral Health
Partnership which shall include, but not be limited to: (1) Review of
any contract entered into by the [Departments of Children and
Families and Social Services] Department of Human Services with an
administrative services organization, to assure that the administrative
services organization's decisions are based solely on clinical
management criteria developed by the clinical management committee
established in section 17a-22k; (2) review of behavioral health services
pursuant to Title XIX and Title XXI of the Social Security Act to assure
that federal revenue is being maximized; and (3) review of periodic reports on the program activities, finances and outcomes, including reports from the director of the Behavioral Health Partnership on achievement of service delivery system goals, pursuant to section 17a-22i. The council may conduct or cause to be conducted an external, independent evaluation of the Behavioral Health Partnership.

(g) On or before March 1, 2006, and annually thereafter, the council shall submit a report to the Governor and, in accordance with section 11-4a, to the joint standing committees of the General Assembly having cognizance of matters relating to human services, public health and appropriations and the budgets of state agencies, on the council's activities and progress.

Sec. 111. Section 17a-22k of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

There is established a clinical management committee to develop clinical management guidelines to be used for the Behavioral Health Partnership. The committee shall consist of [two] five members selected by the Commissioner of [Children and Families, two members selected by the Commissioner of Social Services, one member selected by the Commissioner of Mental Health and Addiction] Human Services and two members selected by the Behavioral Health Partnership Oversight Council, established pursuant to section 17a-22j, as amended by this act. Members of the committee shall have requisite expertise or experience in behavioral health services.

Sec. 112. Section 17a-22l of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

The [Departments of Children and Families and Social Services] Department of Human Services shall develop consumer and provider appeal procedures and shall submit such procedures to the Behavioral Health Partnership Oversight Council for review and comment. Such procedures shall include, but not be limited to, procedures for a consumer or any provider acting on behalf of a consumer to appeal a
denial or determination. The [Departments of Children and Families and Social Services] Department of Human Services shall establish time frames for appealing decisions made by the administrative services organization, including an expedited review in emergency situations. Any procedure for appeals shall require that an appeal be heard not later than thirty days after such appeal is filed and shall be decided not later than forty-five days after such appeal is filed.

Sec. 113. Section 17a-22m of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

On or before October 1, 2006, and annually thereafter, the [Commissioners of Children and Families and Social Services] Commissioner of Human Services shall conduct an evaluation of the Behavioral Health Partnership and shall report, in accordance with section 11-4a, to the joint standing committees of the General Assembly having cognizance of matters relating to appropriations and the budgets of state agencies, public health and human services on the provision of behavioral health services under the Behavioral Health Partnership, including information on the status of the administrative services organization implementation, [the status of the collaboration among the Departments of Children and Families and Social Services,] the services provided, the number of persons served, program outcomes and spending by child and adult populations.

Sec. 114. Subsection (a) of section 17a-22o of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

(a) The [Departments of Children and Families and Social Services] Department of Human Services may establish provider specific inpatient, partial hospitalization, intensive outpatient and other intensive service rates. Within available appropriations, the initial rates shall not be less than each provider's blend of rates from the HUSKY Plans in effect on July 1, 2005, unless the date of implementation of the Behavioral Health Partnership is later than January 1, 2006. If such
implementation date is later than January 1, 2006, such initial rates, within available appropriations, shall not be less than each provider's blend of rates in effect sixty days prior to the implementation date of the Behavioral Health Partnership. Within available appropriations, the departments may provide grant payments, where necessary, to address provider financial impacts. The departments may establish uniform outpatient rates allowing a differential for child and adult services. In no event shall such rate increases exceed rates paid through Medicare for such services. The Behavioral Health Partnership Oversight Council shall review any such rate methodology as provided for in subsection (b) of this section. Notwithstanding the provisions of sections 17b-239 and 17b-241, rates for behavioral health services shall be established in accordance with this section.

Sec. 115. Section 17a-22p of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

(a) The [Departments of Children and Families and Social Services] Department of Human Services shall enter a [joint] contract with an administrative services organization to perform eligibility verification, utilization management, intensive care management, quality management, coordination of medical and behavioral health services, provider network development and management, recipient and provider services and reporting. The contract shall provide for the organization to commence such activities on or after October 1, 2005.

(b) Claims under the Behavioral Health Partnership shall be paid by the Department of Social Services' Medicaid management information systems vendor, except that the Department of [Children and Families] Human Services may, at its discretion, continue to use existing claims payment systems.

(c) The administrative services organization shall authorize services, based solely on guidelines established by the clinical management committee, established pursuant to section 17a-22k. The administrative services organization may make exceptions to the guidelines when
requested by a member, or the member's legal guardian or service provider, and determined by the administrative services organization to be in the best interest of the member. Decisions regarding the interpretation of such guidelines shall be made by the [Departments of Children and Families and Social Services] Department of Human Services. No administrative services organization shall have any financial incentive to approve, deny or reduce services. The administrative services organization shall ensure that service providers and persons seeking services have timely access to program information and timely responses to inquiries, including inquiries concerning the clinical guidelines for services.

(d) The administrative services organization shall provide or arrange for on-site assistance to facilitate the appropriate placement, as soon as practicable, of children with behavioral health diagnoses who the administrative services organization knows to have been in an emergency department for over forty-eight hours. The administrative services organization shall provide or arrange for on-site assistance to arrange for the discharge or appropriate placement, as soon as practicable, for children the administrative services organization knows to have remained in an inpatient hospital unit for more than five days longer than is medically necessary, as agreed by the administrative services organization and the hospital.

(e) The [Departments of Children and Families and Social Services] Department of Human Services shall develop, in consultation with the Behavioral Health Partnership, a comprehensive plan for monitoring the performance of the administrative services organization which shall include data on service authorizations, individual outcomes, appeals, outreach and accessibility, comments from program participants compiled from written surveys and face-to-face interviews.

(f) The Behavioral Health Partnership shall establish policies to coordinate benefits received under the partnership with those received through Medicaid managed care organizations for persons covered by...
both a Medicaid managed care organization and the Behavioral Health Partnership. Such policies shall specify a coordinated delivery of both physical and behavioral health care. The policies shall be submitted to the Behavioral Health Partnership Oversight Council for review and comment.

Sec. 116. Section 17a-22aa of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

The Commissioner of [Children and Families] Human Services, in consultation with [the Commissioner of Mental Health and Addiction Services and] the Community Mental Health Strategy Board, established under section 17a-485b, shall, within available appropriations, maintain the availability of flexible emergency funding for children with psychiatric disabilities who are not under the supervision of the Department of [Children and Families] Human Services.

Sec. 117. Subsection (g) of section 17a-28 of the 2010 supplement to the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

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

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

(2) Any agency in another state which is responsible for investigating or protecting against child abuse or neglect for the purpose of investigating a child abuse case;
(3) An individual, including a physician, authorized pursuant to section 17a-101f to place a child in protective custody if such individual has before him a child whom he reasonably suspects may be a victim of abuse or neglect and such individual requires the information in a record in order to determine whether to place the child in protective custody;

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

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

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

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

(8) An individual conducting bona fide research, provided no information identifying the subjects of records shall be disclosed unless (A) such information is essential to the purpose of the research; (B) each person identified in a record or his authorized representative has authorized such disclosure in writing; and (C) the department has given written approval;
(9) The Auditors of Public Accounts or their representative, provided no information identifying the subjects of the records shall be disclosed unless such information is essential to an audit conducted pursuant to section 2-90;

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

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

[(12)] (11) The superintendents, or their designees, of state-operated facilities within the department, [; and

(13) The Department of Developmental Services, to allow said department to determine eligibility, facilitate enrollment and plan for the provision of services to a child, who is a client of said department but who is not yet participating in said department's voluntary services program. Records provided pursuant to this subdivision shall be limited to a written summary of any investigation conducted by the Department of Children and Families pursuant to section 17a-101g. At the time that a parent or guardian completes an application for enrollment of a child in the Department of Developmental Services voluntary services program, said department shall notify such parent or guardian that records specified in this subdivision may be provided by the Department of Children and Families to the Department of Developmental Services without the consent of such parent or guardian.]

Sec. 118. Section 17a-52 of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

(a) There is established a Youth Suicide Advisory Board, within the Department of [Children and Families] Human Services, which shall
be a coordinating source for youth suicide prevention. The board shall consist of twenty members, which shall include one psychiatrist licensed to practice medicine in this state, one psychologist licensed in this state, one representative of a local or regional board of education, one high school teacher, one high school student, one college or university faculty member, one college or university student and one parent, all appointed by the Commissioner of [Children and Families] Human Services, one representative of the Department of [Public Health] Human Services appointed by the Commissioner of [Public Health] Human Services, one representative of the state Department of Education appointed by the Commissioner of Education and one representative of the Department of Higher Education appointed by the Commissioner of Higher Education. The balance of the board shall be comprised of persons with expertise in the mental health of children or mental health issues with a focus on suicide prevention and shall be appointed by the Commissioner of [Children and Families] Human Services. Members of the board shall serve for two-year terms, without compensation. Any member who fails to attend three consecutive meetings or fifty per cent of all meetings held during any calendar year shall be deemed to have resigned from the board. The Commissioner of [Children and Families] Human Services shall be a nonvoting, ex-officio member of the board. The board shall elect a chairman, and a vice-chairman to act in the chairman's absence.

(b) The board shall: (1) Increase public awareness of the existence of youth suicide and means of prevention; (2) make recommendations to the commissioner for the development of state-wide training in the prevention of youth suicide; (3) develop a strategic youth suicide prevention plan; (4) recommend interagency policies and procedures for the coordination of services for youths and families in the area of suicide prevention; (5) make recommendations for the establishment and implementation of suicide prevention procedures in schools and communities; (6) establish a coordinated system for the utilization of data for the prevention of youth suicide; and (7) make recommendations concerning the integration of suicide prevention and
intervention strategies into other youth-focused prevention and intervention programs.

Sec. 119. Section 17a-54a of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

The Commissioner of [Children and Families] Human Services, in collaboration with the [Commissioners] Commissioner of Economic and Community Development, [Social Services, Developmental Services and Public Health,] the Secretary of the Office of Policy and Management and the executive director of the Connecticut Housing Finance Authority, shall establish a pilot project to provide affordable housing and support services to families with children who have one or more serious, chronic medical conditions and have ongoing, significant health care service needs.

Sec. 120. Section 17a-98a of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

(a) The Department of [Children and Families, in consultation with the Departments of Social Services, Mental Health and Addiction Services and Developmental] Human Services [.] shall establish, within available appropriations, a kinship navigator program. Such program shall ensure that: (1) When the Department of [Children and Families] Human Services determines that it is in the best interest of the child to be placed with a relative for foster care, the department informs the relative regarding procedures to become licensed as a foster parent, and (2) grandparents and other relatives caring for a minor child are provided with information on the array of state services and benefits for which they may be eligible, including the subsidy program established pursuant to section 17a-126. The Commissioner of [Children and Families] Human Services shall, within available appropriations, ensure that information on the array of services available under the kinship navigator program is accessible through the 2-1-1 Infoline program.

(b) Not later than January 1, 2008, and annually thereafter, the
Commissioner of [Children and Families] Human Services shall report, in accordance with section 11-4a, on the implementation of the kinship navigator program to the joint standing committee of the General Assembly having cognizance of matters relating to human services.

Sec. 121. Subsection (b) of section 17a-101 of the 2010 supplement to the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

(b) The following persons shall be mandated reporters: Any physician or surgeon licensed under the provisions of chapter 370, any resident physician or intern in any hospital in this state, whether or not so licensed, any registered nurse, licensed practical nurse, medical examiner, dentist, dental hygienist, psychologist, coach of intramural or interscholastic athletics, school superintendent, school teacher, school principal, school guidance counselor, school paraprofessional, school coach, social worker, police officer, juvenile or adult probation officer, juvenile or adult parole officer, member of the clergy, pharmacist, physical therapist, optometrist, chiropractor, podiatrist, mental health professional or physician assistant, any person who is a licensed or certified emergency medical services provider, any person who is a licensed or certified alcohol and drug counselor, any person who is a licensed marital and family therapist, any person who is a sexual assault counselor or a battered women's counselor as defined in section 52-146k, any person who is a licensed professional counselor, any person who is a licensed foster parent, any person paid to care for a child in any public or private facility, child day care center, group day care home or family day care home licensed by the state, any employee of the Department of [Children and Families, any employee of the Department of Public Health who is responsible for the licensing of child day care centers, group day care homes, family day care homes or youth camps] Human Services, the Child Advocate and any employee of the Office of the Child Advocate.

Sec. 122. Subsection (c) of section 17a-127 of the general statutes is repealed and the following is substituted in lieu thereof (Effective...
October 1, 2010):

(c) The Commissioner of [Children and Families, in consultation with the Commissioner of Social Services,] Human Services may adopt regulations in accordance with chapter 54 for the purpose of implementing the provisions of this section.

Sec. 123. Subsection (a) of section 17a-215b of the 2010 supplement to the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

(a) The Commissioner of [Developmental Services Human Services, in consultation with [the Commissioners of Social Services and Mental Health and Addiction Services and] any other commissioner the Commissioner of [Developmental] Human Services deems appropriate, shall establish a pilot autism spectrum disorders program, to provide a coordinated system of supports and services, including case management, for persons with autism spectrum disorders who do not have mental retardation, as defined in section 1-1g, and their families. The pilot program shall serve up to seventy-five adults with autism spectrum disorders who are not eligible for services from the Department of [Developmental] Human Services under this chapter.

Sec. 124. Subsections (i) and (j) of section 17a-215c of the general statutes are repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

(i) The Commissioner of [Social Services, in consultation with the Commissioner of Developmental] Human Services [.] may seek approval of an amendment to the state Medicaid plan or a waiver from federal law, whichever is sufficient and most expeditious, to establish and implement a Medicaid-financed home and community-based program to provide community-based services and, if necessary, housing assistance, to adults with autism spectrum disorders who are not mentally retarded.

(j) On or before January 1, 2008, and annually thereafter, the
Commissioner of Social Services, in consultation with the Commissioner of Developmental Services, and] Human Services, in accordance with the provisions of section 11-4a, shall submit a report to the joint standing committee of the General Assembly having cognizance of matters relating to public health, on the status of any amendment to the state Medicaid plan or waiver from federal law as described in subsection (i) of this section and on the establishment and implementation of the program authorized pursuant to subsection (i) of this section.

Sec. 125. Subsection (a) of section 17a-218 of the 2010 supplement to the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

(a) For purposes of this section, the following terms have the following meanings: "Commissioner" means the Commissioner of [Developmental] Human Services; "department" means the Department of [Developmental] Human Services; and "emergency placement" means cases in which there has been a request for a residential accommodation for an individual for whom there is an unforeseen emergency in his current living arrangement, or cases in which the department has had no previous knowledge of a need for placement, or cases in which such a placement is needed because of actions of another state agency or department, [including, but not limited to, the Department of Mental Health and Addiction Services, the Department of Children and Families,] and any court, or cases prior to any other planned placements, because the health or safety of the individual needing such placement would be adversely affected without such placement.

Sec. 126. Section 17a-246 of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

(a) The amount of payments to be paid by the state to any organization which provides employment opportunities and day services for persons referred by any state agency shall be determined
annually by the [Commissioners of Developmental Services, Social
Services, Mental Health and Addiction Services] Commissioner of
Human Services and any other state agency which purchases
employment opportunities and day services using a uniform payment
system. Nothing contained herein shall authorize a payment by the
state in excess of the charges for comparable services to the general
public. For purposes of this section, "employment opportunities and
day services" means the following programs: Supported employment,
sheltered employment, community experience, adult day treatment
and opportunities for older adults.

(b) Notwithstanding the provisions of the general statutes or the
regulations of the Connecticut state agencies, for the fiscal year
commencing July 1, 1989, and ending June 30, 1990, the Department of
[Developmental Services, in conjunction with the Departments of
Mental Health and Addiction Services and Social] Human Services []
shall pro rate any reduction in available appropriations to any agency
funded pursuant to sections 19a-476 to 19a-482, inclusive, of the
general statutes, revision of 1958, revised to 1989. Such proration shall
not be construed to authorize a reduction in the level of services to
persons receiving services pursuant to said sections as of May 31, 1989,
except that upon a showing of hardship to the appropriate
commissioner, an agency may be granted relief. Any agency accredited
by an appropriate national accrediting body on June 30, 1989, shall
continue such accreditation through June 30, 1990.

(c) The Commissioner of [Developmental] Human Services, in
consultation with [the Commissioners of Mental Health and Addiction
Services, Social Services and] any other agency which pays for
employment opportunities and day services, shall adopt regulations,
in accordance with chapter 54, to implement the provisions of
subsection (a) of this section.

Sec. 127. Subsections (a) to (c), inclusive, of section 17a-247b of the
general statutes are repealed and the following is substituted in lieu
thereof (Effective October 1, 2010):
(a) The Department of Human Services shall establish and maintain a registry of individuals who have been terminated or separated from employment as a result of substantiated abuse or neglect. The department shall, for the purposes of maintaining the registry, be capable of responding to inquiries in accordance with subsection (c) of this section as to whether an individual has been terminated or separated from employment as a result of substantiated abuse or neglect. Such capability may include response by telephone voice mail or other automated response for initial inquiries.

(b) The registry shall include, but not be limited to, the following: (1) The names, addresses and Social Security numbers of those individuals terminated or separated from employment as a result of substantiated abuse or neglect; (2) the date of termination or separation; (3) the type of abuse or neglect; and (4) the name of any employer or authorized agency requesting information from the registry, the reason for the request and the date of the request.

(c) The department shall make information in the registry available only to: (1) Authorized agencies, for the purpose of protective service determinations; or (2) employers who employ individuals to provide services to a department client, [or (3) the Departments of Children and Families and Mental Health and Addiction Services, for the purpose of determining whether an applicant for employment appears on the registry.]

Sec. 128. Section 17a-248 of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

As used in this section and sections 17a-248b to 17a-248g, inclusive, 38a-490a and 38a-516a, unless the context otherwise requires:

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

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

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

(4) "Eligible children" means children from birth to thirty-six months of age, who are not eligible for special education and related services pursuant to sections 10-76a to 10-76h, inclusive, and who need early intervention services because such children are:

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

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

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

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

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

(8) "Parent" means the child's parent or a person in a parental relationship to the child. With respect to a child who has no parent or person in a parental relationship, "parent" means the person designated to serve in a parental relationship for the purposes of this section and sections 17a-248b to 17a-248g, inclusive, 38a-490a and 38a-516a, pursuant to regulations of the Department of [Developmental]
Human Services, adopted in accordance with chapter 54, [in consultation with the Department of Children and Families] for children in foster care.

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

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

(11) "Region" means a region within the Department of Developmental Services.

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

(13) "Primary care provider" means physicians and advanced practice registered nurses, licensed by the Department of Public Health, who are responsible for performing or directly supervising the primary care services for children enrolled in the birth-to-three program.
Sec. 129. Section 17a-277 of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

The director of any state training school, regional facility or other facility for the care and training of persons with mental retardation may place any resident with mental retardation committed or admitted to such training school, regional facility or other facility provided for the care and training of persons with mental retardation, under the provisions of sections 17a-210 to 17a-247, inclusive, and 17a-273, in a private boarding home, group home or other residential facility to be cared for in accordance with the following conditions:

1. Such resident shall, despite such transfer, remain subject to the control of the director of such training school, regional facility or other facility provided for the care and training of persons with mental retardation and the director may, at any time, order and provide for the return of any such resident to such training school, regional facility or other facility provided for the care and training of persons with mental retardation, subject to any limitations of the term of commitment contained in the order of commitment under which such resident was committed;

2. When the transfer of any such resident has been authorized or when, having been transferred to a private boarding home, group home or other residential facility for persons with mental retardation, such resident has been returned to the training school, regional facility or other facility, the director of such training school, regional facility or other facility shall forthwith so notify the Commissioner of Developmental Human Services;

3. Such private boarding home, group home or other residential facility shall be licensed by the Department of Developmental Services, the Department of Children and Families or the Department of Public Health Human Services under such regulations as the departments adopt, in accordance with chapter 54; and
(4) The Commissioner of [Developmental] Human Services shall, upon request, be given access to the complete record of any resident placed in a private boarding home, group home or other residential facility pursuant to this section.

Sec. 130. Subsection (i) of section 17a-451 of the 2010 supplement to the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

(i) The commissioner shall be responsible for the coordination of all activities in the state relating to substance use disorders and treatment, including activities of the Departments of [Children and Families,] Correction [, Public Health, Social Services] and Veterans' Affairs, the Judicial Branch and any other department or entity providing services to persons with substance use disorders.

Sec. 131. Section 17a-453b of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

The Commissioner of [Social Services and the Commissioner of Mental Health and Addiction] Human Services shall seek a waiver from federal law for the purposes of conducting community based services for rehabilitation and restoration of functions for persons eligible under the behavioral health managed care program established by section 17a-453a.

Sec. 132. Section 17a-453c of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

There shall be [an interagency collaboration] a program, to be known as "Project Safe", [between the Department of Mental Health and Addiction Services and the Department of Children and Families,] for the evaluation of and service delivery to families identified by the Department of [Children and Families] Human Services as requiring substance abuse and other behavioral health services. Such [collaboration] program shall include, but not be limited to, evaluations, service needs, service delivery, housing, medical
coverage, vocation and employment support and other related recovery support services. [The Commissioner of Mental Health and Addiction Services and the Commissioner of Children and Families shall enter into a written memorandum of understanding to carry out the interagency collaboration required under this section.] The Department of Social Services and the Labor Department may participate in such [collaboration] program as necessary on a case-by-case basis.

Sec. 133. Section 17a-453d of the 2010 supplement to the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

The Department of [Mental Health and Addiction] Human Services, in collaboration with the [Department of Children and Families and the] Department of Veterans' Affairs, shall provide behavioral health services, on a transitional basis, for the dependents and any member of any reserve component of the armed forces of the United States who has been called to active service in the armed forces of this state or the United States for Operation Enduring Freedom or Operation Iraqi Freedom. Such transitional services shall be provided when no Department of Defense coverage for such services is available or such member is not eligible for such services through the Department of Defense, until an approved application is received from the federal Department of Veterans' Affairs and coverage is available to such member and such member's dependents.

Sec. 134. Subsection (b) of section 17a-468b of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

(b) Notwithstanding the provisions of chapters 368v and 368z, community-based organizations may operate residences for adult persons with acquired brain injuries. Notwithstanding the provisions of chapter 378, medication may be administered to persons residing in such residences by trained persons pursuant to the written order of a
physician licensed under chapter 370, a dentist licensed under chapter 379, an advanced practice registered nurse licensed to prescribe in accordance with section 20-94a, or a physician assistant licensed to prescribe in accordance with section 20-12d. The Commissioner of [Public Health, in consultation with the Commissioner of Mental Health and Addiction] Human Services[,] shall develop standards for the operation of such residences and the training required of persons authorized under this section to administer medications in such residences.

Sec. 135. Section 17a-474 of the 2010 supplement to the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

Whenever any person has been committed by any court to any state hospital for persons with psychiatric disabilities, or child care facility, the Commissioner of [Mental Health and Addiction Services, the Commissioner of Children and Families, as appropriate.] Human Services or any person interested may, at any time thereafter, make application to the court making the order of commitment for a revocation or modification of such order or of the terms and conditions thereof. Such court shall thereupon order such notice of the time and place of hearing thereon as it deems advisable, shall hear and determine such application and may thereupon revoke, modify or affirm such order, and the action of the court thereon shall be subject to appeal as in other cases. Any individual receiving care in a hospital for persons with psychiatric disabilities may be transferred to any other state hospital for persons with psychiatric disabilities by order of the court making the original commitment of such individual, upon application in writing by the superintendent of the hospital from which such transfer is to be made. Such court shall transmit copies of such order forthwith to the Commissioner of [Mental Health and Addiction Services or the Commissioner of Children and Families, as appropriate.] Human Services and the hospital from which transfer is made shall pay all costs of such order and transfer. [Said commissioners] The Commissioner of Human Services may at any
time cause an individual receiving care in a state hospital for persons
with psychiatric disabilities to be removed to another state hospital for
persons with psychiatric disabilities, as the circumstances or necessities
of the case may require.

Sec. 136. Section 17a-475a of the general statutes is repealed and the
following is substituted in lieu thereof (Effective October 1, 2010):

The [Commissioners of Mental Health and Addiction Services and
Developmental Services] Commissioner of Human Services shall
provide mammographic and pelvic examinations, as needed,
according to the standards set by the American College of
Obstetricians and Gynecology, to patients being cared for in state-
operated facilities, as defined in subsection (c) of section 17a-458, or in
any institution or facility operated by the Department of

Sec. 137. Section 17a-485a of the general statutes is repealed and the
following is substituted in lieu thereof (Effective October 1, 2010):

(a) Expenditures from the Community Mental Health Strategic
Investment Fund established under section 17a-485 shall be made in
accordance with a community mental health strategic plan and
financial assistance plan adopted by the Community Mental Health
Strategy Board established under section 17a-485b on or before
January 1, 2002, and annually thereafter. Such strategic plan shall be
consistent with other applicable state plans for mental health services.

(b) The Commissioners of [Mental Health and Addiction Services,
Children and Families] Human Services, Economic and Community
Development, Education [J] and Correction, [Public Health and Social
Services,] the Secretary of the Office of Policy and Management and
the Chief Court Administrator shall provide such information,
including, but not limited to, information regarding needs
assessments, program reviews and program revenues and expenses,
and make such recommendations for expenditures from the account
established under section 17a-485, as may be requested by the board.
Sec. 138. Subsection (a) of section 17a-485b of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

(a) There is established a Community Mental Health Strategy Board. The voting members of the board shall be appointed as follows: (1) Two members by the Governor; (2) two members by the president pro tempore of the Senate; (3) two members by the speaker of the House of Representatives; (4) one member by the majority leader of the Senate; (5) one member by the majority leader of the House of Representatives; (6) two members by the minority leader of the Senate; (7) two members by the minority leader of the House of Representatives; and (8) the Commissioner of [Children and Families; and (9) the Commissioner of Mental Health and Addiction] Human Services, who shall serve as chairperson. The Secretary of the Office of Policy and Management, the Chief Court Administrator and the Commissioners of Economic and Community Development, Education [Public Health and Social Services,] or their designees, shall serve as nonvoting ex-officio members of the board. Board members shall serve without compensation but shall be reimbursed for their necessary expenses. All initial appointments to the board shall be made not later than September 1, 2001. The Commissioner of [Mental Health and Addiction] Human Services shall convene the first meeting of the board not later than September 15, 2001.

Sec. 139. Section 17a-485c of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

(a) The Commissioner of [Mental Health and Addiction] Human Services, in collaboration with the [Commissioners of Social Services, Children and Families and] Commissioner of Economic and Community Development and the Connecticut Housing Finance Authority, shall establish a Supportive Housing Initiative to provide additional units of affordable housing and support services to eligible persons. The Supportive Housing Initiative shall be implemented in two phases with the first phase to be known as the Supportive
Housing Pilots Initiative and the second phase to be known as the Next Steps Initiative.

(b) The Supportive Housing Pilots Initiative shall provide up to six hundred fifty additional units of affordable housing and support services to eligible households, as defined in section 17a-484a, and to persons with serious mental health needs who are community-supervised offenders supervised by the executive or judicial branch. Such housing shall be permanent supportive housing or transitional living programs, and the permanent supportive housing may include both individuals and families with special needs and individuals and families without such needs.

(c) The Next Steps Initiative shall provide up to one thousand additional units of affordable housing and support services to: (1) Eligible households, as defined in section 17a-484a; (2) families who are eligible under the state plan for the federal temporary assistance for needy families program; (3) adults who are eighteen to twenty-three years of age, inclusive, and who are homeless, or at risk for becoming homeless because they are transitioning from foster care or other residential programs; and (4) persons with serious mental health needs who are community-supervised offenders supervised by the executive or judicial branch. Such housing shall be permanent supportive housing and may include both individuals and families with special needs and individuals and families without such needs.

(d) The Connecticut Housing Finance Authority shall issue one or more requests for proposals by persons or entities interested in participating in such initiative with priority given to applicants that include organizations deemed qualified to provide services by the [Departments of Mental Health and Addiction Services, Social Services and Children and Families] Department of Human Services. The Connecticut Housing Finance Authority shall review and underwrite projects developed under the Supportive Housing Initiative. For purposes of this subsection, "state assistance" means a payment by the state of actual debt service, comprised of principal, interest, interest
rate swap payments, liquidity fees, letter of credit fees, trustee fees,
and other similar bond-related expenses.

Sec. 140. Section 17a-485d of the general statutes is repealed and the
following is substituted in lieu thereof (Effective October 1, 2010):

(a) The Department of [Mental Health and Addiction Services, in
consultation with the Department of Social Services.] Human Services
shall conduct a study concerning the implementation of adult
rehabilitation services under Medicaid. Not later than February 1,
2002, the departments shall jointly submit a report of their findings
and recommendations to the Governor and to the joint standing
committees of the General Assembly having cognizance of matters
relating to public health, human services and appropriations and the
budgets of state agencies, in accordance with the provisions of section
11-4a. The report shall include, but not be limited to, an
implementation plan, a cost benefit analysis and a description of the
plan's impact on existing services.

(b) The Department of [Mental Health and Addiction Services and
the Department of Social] Human Services shall conduct a study
concerning the advisability of entering into an interagency agreement
pursuant to which the Department of [Mental Health and Addiction] Human Services would provide clinical management of mental health
services, including, but not limited to, review and authorization of
services, implementation of quality assurance and improvement
initiatives and provision of case management services, for aged, blind
or disabled adults enrolled in the Medicaid program to the extent
permitted under federal law. Not later than February 1, 2002, the
departments shall jointly submit a report of their findings and
recommendations to the Governor and to the joint standing
committees of the General Assembly having cognizance of matters
relating to public health, human services and appropriations and the
budgets of state agencies, in accordance with the provisions of section
11-4a.
(c) The Commissioner of [Social] Human Services shall take such action as may be necessary to amend the Medicaid state plan to provide for coverage of optional adult rehabilitation services supplied by providers of mental health services or substance abuse rehabilitation services for adults with serious and persistent mental illness or who have alcoholism or other substance abuse conditions, that are certified by the Department of [Mental Health and Addiction] Human Services. For the fiscal years ending June 30, 2004, and June 30, 2005, up to three million dollars in each such fiscal year of any moneys received by the state as federal reimbursement for optional Medicaid adult rehabilitation services shall be credited to the Community Mental Health Restoration subaccount within the account established under section 17a-485 and shall be available for use for the purposes of the subaccount. The Commissioner of [Social] Human Services shall adopt regulations, in accordance with the provisions of chapter 54, to implement optional rehabilitation services under the Medicaid program. The commissioner shall implement policies and procedures to administer such services while in the process of adopting such policies or procedures in regulation form, provided notice of intention to adopt the regulations is printed in the Connecticut Law Journal within forty-five days of implementation, and any such policies or procedures shall be valid until the time final regulations are effective.

(d) Not later than February 1, 2006, the Commissioner of [Mental Health and Addiction Services, in consultation with the Commissioners of Children and Families and Social] Human Services shall report, in accordance with the provisions of section 11-4a, to the joint standing committees of the General Assembly having cognizance of matters relating to public health, human services and appropriations and the budgets of state agencies, on any moneys received by the state as federal Medicaid reimbursement for providing coverage of optional rehabilitation services for children and adults.

(e) The Commissioner of [Mental Health and Addiction] Human Services shall have the authority to certify providers of mental health or substance abuse rehabilitation services for adults with serious and
persistent mental illness or who have alcoholism or other substance abuse conditions for the purpose of coverage of optional rehabilitation services. The Commissioner of [Mental Health and Addiction] Human Services shall adopt regulations, in accordance with the provisions of chapter 54, for purposes of certification of such providers. The commissioner shall implement policies and procedures for purposes of such certification while in the process of adopting such policies or procedures in regulation form, provided notice of intention to adopt the regulations is printed in the Connecticut Law Journal no later than twenty days after implementation and any such policies and procedures shall be valid until the time the regulations are effective.

Sec. 141. Section 17a-487 of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

[(a) If a serious injury or unexpected death occurs involving a person being served by the Department of Mental Health and Addiction Services and the Department of Children and Families, each agency may share, in accordance with applicable federal privacy laws, information and records in its custody relating to the care and treatment of said person with the other agency without the consent of said person, provided the information shared is necessary to allow each agency to assist the other in investigating such occurrence and identifying risk factors that might prevent the occurrence of a similar serious injury or unexpected death.]

[(b)] The finding of any investigation of a serious injury or unexpected death conducted by the Department of [Mental Health and Addiction Services and the Department of Children and Families] Human Services shall not be subject to disclosure pursuant to section 1-210, nor shall such findings be subject to discovery or introduction into evidence in any civil action arising out of such serious injury or death. Nothing in this section shall be construed as restricting disclosure of confidential communications or records upon which such finding is based where such disclosure is otherwise required by law. No person who participated in an investigation conducted pursuant to
this section shall be permitted or required to testify in any civil action
as to the content of such action; except that the provisions of this
section shall not preclude (1) in any civil action (A) the use of any
writing that was created independently of such action; (B) the
testimony of any person concerning the facts that formed the basis for
the institution of such action; or (C) disclosure of the fact that staff
privileges were terminated or restricted, including the specific
restriction imposed, if any, or (2) in any health care provider
proceedings concerning the termination or restriction of staff
privileges, the use of data discussed or developed during an
investigation.

Sec. 142. Section 17a-511 of the general statutes is repealed and the
following is substituted in lieu thereof (Effective October 1, 2010):

(a) Any person who has been committed by any court to a hospital
for psychiatric disabilities may be transferred to any other hospital for
psychiatric disabilities upon agreement of the superintendents of the
respective institutions from and to which it is desired to make such
transfer, subject to the approval of the Commissioner of Mental
Health and Addiction Services, or, in the case of a person under
eighteen years of age, the approval of the Commissioner of Children
and Families. Such agreement shall be in writing, executed in triplicate and in accordance with a form prescribed by the
Attorney General, which form shall be uniform throughout the state.
One copy of such agreement shall be filed for record in the court by
which such person was committed and one copy retained in the files of
each of the institutions participating in such transfer. Any such
agreement shall have the same effect as an order of the court
committing the person named therein. The conservator, overseer or
any member of the family of any person so transferred, or his or her
next friend, may make application to the court which made the order
of commitment, for a revocation or modification of such agreement,
and thereupon such court shall order such notice of the time and place
of hearing thereon as it finds reasonable and upon such hearing may
revoke, modify or affirm such transfer.
(b) Any person who has been voluntarily admitted to a hospital for psychiatric disabilities pursuant to section 17a-506 may, with the informed consent of such person, be transferred to any other hospital for psychiatric disabilities. If that person is subject to the jurisdiction of the Commissioner of [Mental Health and Addiction] Human Services, the transfer shall require the agreement of the superintendents of the respective institutions from and to which it is desired to make the transfer and the approval of the Commissioner of [Mental Health and Addiction] Human Services. If that person is under eighteen years of age and subject to the jurisdiction of the Commissioner of Children and Families, the transfer shall require the agreement of the superintendents of the respective institutions from and to which it is desired to make the transfer and the approval of the Commissioner of Children and Families. An agreement to transfer under this subsection shall be in writing, executed in triplicate and in accordance with a form prescribed by the Attorney General, which form shall be uniform throughout the state. One copy of the agreement shall be retained in the files of each of the institutions participating in the transfer and one copy shall be provided to the person who has been voluntarily admitted or to that person's authorized representative. A transfer under this subsection shall not affect the person's rights under the voluntary admission.

Sec. 143. Section 17a-560 of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

As used in sections 17a-560 to 17a-576, inclusive, unless specifically provided otherwise, "division", means the Whiting Forensic Division, including the diagnostic unit established under the provisions of section 17a-562, or any other facility of the Department of [Mental Health and Addiction] Human Services which the commissioner may designate as appropriate. The words "institute" or "diagnostic unit", as used in sections 17a-566, 17a-567, 17a-570 and 17a-576 when applied to children or youths under the age of eighteen, mean any facility of the Department of [Children and Families] Human Services designated by the Commissioner of [Children and Families] Human Services. "Board"
means the advisory and review board appointed under the provisions of section 17a-565. "Commissioner" means the Commissioner of [Mental Health and Addiction Services or in the case of children, the Commissioner of Children and Families] Human Services.

Sec. 144. Subsection (a) of section 17a-582 of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

(a) When any person charged with an offense is found not guilty by reason of mental disease or defect pursuant to section 53a-13, the court shall order such acquittee committed to the custody of the Commissioner of [Mental Health and Addiction] Human Services [who shall cause such acquittee] to be confined, pending an order of the court pursuant to subsection (e) of this section, in any of the state hospitals for psychiatric disabilities or [to the custody of the Commissioner of Developmental Services,] for an examination to determine his mental condition.

Sec. 145. Subsection (b) of section 17a-667 of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

(b) The council shall consist of the following members: (1) The Secretary of the Office of Policy and Management, or the secretary's designee; (2) the Commissioners of [Children and Families,] Consumer Protection, Correction, Education, Higher Education, [Mental Health and Addiction Services] Human Services, Motor Vehicles, [Public Health,] Public Safety [Social Services] and Transportation and the Insurance Commissioner, or their designees; (3) the Chief Court Administrator, or the Chief Court Administrator's designee; (4) the chairperson of the Board of Pardons and Paroles, or the chairperson's designee; (5) the Chief State's Attorney, or the Chief State's Attorney's designee; (6) the Chief Public Defender, or the Chief Public Defender's designee; and (7) the cochairpersons and ranking members of the joint standing committees of the General Assembly having cognizance of
matters relating to public health, criminal justice and appropriations, or their designees. The Commissioner of [Mental Health and Addiction Services and the Commissioner of Children and Families] Human Services shall be [cochairpersons] chairperson of the council. The Office of Policy and Management shall, within available appropriations, provide staff for the council.

Sec. 146. Subsection (c) of section 17b-4 of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

(c) The Department of [Social Services, in conjunction with the Department of Public Health,] Human Services may adopt regulations in accordance with the provisions of chapter 54 to establish requirements with respect to the submission of reports concerning financial solvency and quality of care by nursing homes for the purpose of determining the financial viability of such homes, identifying homes that appear to be experiencing financial distress and examining the underlying reasons for such distress. Such reports shall be submitted to the Nursing Home Financial Advisory Committee established under section 17b-339.

Sec. 147. Subsection (b) of section 17b-6 of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

(b) The [Commissioners of Social Services and Public Health,] Commissioner of Human Services and the Secretary of the Office of Policy and Management, on behalf of other state agencies, shall ensure that the following intra-agency and interagency goals are addressed and met: (1) The establishment by the Office of Policy and Management pursuant to section 16a-4a of not more than six uniform regional service delivery areas to be developed in consideration of (A) geographical size; (B) general population distribution; (C) agency target population and caseload; (D) location of department facilities; (E) the accessibility of transportation for clients to service delivery
offices and for workers to clients and (F) any federal requirements; (2) the coordination by the Office of Policy and Management pursuant to section 16a-4a of the regional service delivery areas of other state agencies which provide services closely linked with health and human services programs with the regional service delivery areas developed pursuant to subdivision (1) of this subsection; (3) the decentralization of the service delivery operations of each agency to provide as much autonomy as possible to each regional office enabling the office to respond effectively to the particular service needs of the region; (4) coordinated control and direction for programs to ensure consistency and uniformity among the regions in the development and provision of services; (5) the development of a strategic planning unit in the office of each commissioner to centralize policy development and planning within the agency and promote interagency coordination of health and human services planning and policy development; (6) development of a common intake process for entry into the health and human services system for information and referral, screening, eligibility determinations and service delivery; (7) the creation of a single application form for client intake and eligibility determinations with a common client identifier; (8) development of a commonly-linked computerized management information system with the capacity to track clients and determine eligibility across programs; (9) the coordination of current advisory boards and councils to provide input and expertise from consumers, advocates and other interested parties to the commissioners; and (10) the encouragement of collaborations that will foster the development and maintain the client-focused structure of the health and human services system, as well as involve partnerships between clients and their service providers.

Sec. 148. Subsection (a) of section 17b-28 of the 2010 supplement to the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

(a) There is established a council which shall advise the Commissioner of [Social] Human Services on the planning and implementation of a system of Medicaid managed care and shall
monitor such planning and implementation and shall advise the Waiver Application Development Council, established pursuant to section 17b-28a, on matters including, but not limited to, eligibility standards, benefits, access and quality assurance. The council shall be composed of the chairpersons and ranking members of the joint standing committees of the General Assembly having cognizance of matters relating to human services, public health and appropriations and the budgets of state agencies, or their designees; two members of the General Assembly, one to be appointed by the president pro tempore of the Senate and one to be appointed by the speaker of the House of Representatives; the director of the Commission on Aging, or a designee; the director of the Commission on Children, or a designee; a representative of each organization that has been selected by the state to provide managed care and a representative of a primary care case management provider, to be appointed by the president pro tempore of the Senate; two representatives of the insurance industry, to be appointed by the speaker of the House of Representatives; two advocates for persons receiving Medicaid, one to be appointed by the majority leader of the Senate and one to be appointed by the minority leader of the Senate; one advocate for persons with substance use disorders, to be appointed by the majority leader of the House of Representatives; one advocate for persons with psychiatric disabilities, to be appointed by the minority leader of the House of Representatives; two advocates for the Department of Children and Families foster families, one to be appointed by the president pro tempore of the Senate and one to be appointed by the speaker of the House of Representatives; two members of the public who are currently recipients of Medicaid, one to be appointed by the majority leader of the House of Representatives and one to be appointed by the minority leader of the House of Representatives; two representatives of the Department of Social Services, to be appointed by the Commissioner of Social Services; two representatives of the Department of Public Health, to be appointed by the Commissioner of Public Health; two representatives of the Department of Mental Health and Addiction Services, to be appointed by the Commissioner of
Mental Health and Addiction Services; two representatives of the Department of Children and Families, to be appointed by the Commissioner of Children and Families; two representatives of the Department of Human Services, to be appointed by the Commissioner of Human Services; two representatives of the Office of Policy and Management, to be appointed by the Secretary of the Office of Policy and Management; one representative of the office of the State Comptroller, to be appointed by the State Comptroller and the members of the Health Care Access Board who shall be ex-officio members and who may not designate persons to serve in their place.

The council shall choose a chair from among its members. The Joint Committee on Legislative Management shall provide administrative support to such chair. The council shall convene its first meeting no later than June 1, 1994.

Sec. 149. Section 17b-28a of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

(a) There is established a Waiver Application Development Council that shall be composed of the following members: The chairpersons and ranking members of the joint standing committee of the General Assembly having cognizance of matters relating to appropriations, or their designees; the chairpersons and ranking members of the joint standing committee of the General Assembly having cognizance of matters relating to human services, or their designees; the chairpersons and ranking members of the joint standing committee of the General Assembly having cognizance of matters relating to public health, or their designees; [the Commissioner of Social Services, or his designee; the Commissioner of Public Health, or his designee; the Commissioner of Mental Health and Addiction Services, or his designee; the Commissioner of Developmental Services, or his designee;] the Commissioner of Human Services, or the commissioner's designee; the Secretary of the Office of Policy and Management, or [his] the commissioner's designee; the State Comptroller, or [his] the Comptroller's designee; a representative of advocacy for mental retardation to be appointed by the president pro tempore of the Senate;
a representative of advocacy for the elderly to be appointed by the majority leader of the Senate; a representative of the nursing home industry to be appointed by the minority leader of the Senate; a representative of the home health care industry, independent of the nursing home industry, to be appointed by the speaker of the House of Representatives; a representative of the mental health profession to be appointed by the majority leader of the House of Representatives; a representative of the substance abuse profession to be appointed by the minority leader of the House of Representatives; a health care provider to be appointed by the president pro tempore of the Senate; two elderly consumers of Medicaid services who are also eligible for Medicare, to be appointed by the speaker of the House of Representatives; a representative of the managed care industry, to be appointed by the president pro tempore of the Senate; a social services care provider, to be appointed by the majority leader of the House of Representatives; a family support care provider, to be appointed by the majority leader of the Senate; two persons with disabilities who are consumers of Medicaid services, one to be appointed by the president pro tempore of the Senate and one to be appointed by the minority leader of the House of Representatives; a representative of legal advocacy for Medicaid clients, to be appointed by the minority leader of the Senate; and six members of the General Assembly, one member appointed by the president pro tempore of the Senate; one member appointed by the majority leader of the Senate; one member appointed by the minority leader of the Senate; one member appointed by the speaker of the House of Representatives; one member appointed by the majority leader of the House of Representatives; and one member appointed by the minority leader of the House of Representatives. The council shall be responsible for advising the Department of [Social] Human Services, which shall be the lead agency in the development of a Medicaid Research and Demonstration Waiver under Section 1115 of the Social Security Act for application to the Office of State Health Reform of the United States Department of Health and Human Services by May 1, 1996. The council shall advise the department with respect to specific provisions within the waiver application, including
but not limited to, the identification of populations to be included in a managed care program, a timetable for inclusion of distinct populations, expansion of access to care, quality assurance and grievance procedures for consumers and providers. The council shall also advise the department with respect to the goals of the waiver, including but not limited to, the expansion of access and coverage, making state health spending more efficient and to the reduction of uncompensated care.

(b) There is established a Medicaid waiver unit within the Department of [Social] Human Services for the purposes of developing the waiver under subsection (a) of this section. The Medicaid waiver unit's responsibilities shall include but not be limited to the following:

1. Administering the Medicaid managed care program, established pursuant to section 17b-28;
2. Contracting with and evaluating prepaid health plans providing Medicaid services, including negotiation and establishment of capitated rates;
3. Assessing quality assurance information compiled by the federally required independent quality assurance contractor;
4. Monitoring contractual compliance;
5. Evaluating enrollment broker performance;
6. Providing assistance to the Insurance Department for the regulation of Medicaid managed care health plans; and
7. Developing a system to compare performance levels among prepaid health plans providing Medicaid services.

Sec. 150. Section 17b-32 of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

(a) The Department of Social Services shall, within available appropriations, and in consultation with the Department of Public Health, establish a pilot training program for nurse practitioners seeking to specialize in family practice to receive one year of formal training at a community-based health center located in an area designated by the federal Health Resources and Services Administration as a health professional shortage area, a medically underserved area or an area with medically underserved populations.
(b) The Commissioner of Social Services, in consultation with the Commissioner of Public Health, shall establish eligibility requirements for participation in the program.

(c) The pilot program shall commence on or before October 1, 2008, and shall terminate not later than October 1, 2010.

(d) The Commissioner of Human Services shall report, in accordance with section 11-4a, to the joint standing committees of the General Assembly having cognizance of matters relating to human services and public health not later than January 1, 2011, concerning any increase in access to care at community-based health centers as a result of such pilot program.

Sec. 151. Section 17b-33 of the 2010 supplement to the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

The Department of Human Services shall establish, within available appropriations, a fall prevention program. Within such program, the department shall:

(1) Promote and support research to: (A) Improve the identification, diagnosis, treatment and rehabilitation of older adults and others who have a high risk of falling; (B) improve data collection and analysis to identify risk factors for falls and factors that reduce the likelihood of falls; (C) design, implement and evaluate the most effective fall prevention interventions; (D) improve intervention strategies that have been proven effective in reducing falls by tailoring such strategies to specific populations of older adults; (E) maximize the dissemination of proven, effective fall prevention interventions; (F) assess the risk of falls occurring in various settings; (G) identify barriers to the adoption of proven interventions with respect to the prevention of falls among older adults; (H) develop, implement and evaluate the most effective approaches to reducing falls among high-risk older adults living in communities and long-term care and assisted living facilities; and (I) evaluate the effectiveness of community programs designed to prevent
(2) Establish [], in consultation with the Commissioner of Public Health, a professional education program in fall prevention, evaluation and management for physicians, allied health professionals and other health care providers who provide services for the elderly in this state. The Commissioner of [Social Services] Human Services may contract for the establishment of such program through (A) a request for proposal process, (B) a competitive grant program, or (C) cooperative agreements with qualified organizations, institutions or consortia of qualified organizations and institutions;

(3) Oversee and support demonstration and research projects to be carried out by organizations, institutions or consortia of organizations and institutions deemed qualified by the Commissioner of [Social] Human Services. Such demonstration and research projects may be in the following areas:

(A) Targeted fall risk screening and referral programs;

(B) Programs designed for community-dwelling older adults that use fall intervention approaches, including physical activity, medication assessment and reduction of medication when possible, vision enhancement and home-modification strategies;

(C) Programs that target new fall victims who are at a high risk for second falls and that are designed to maximize independence and quality of life for older adults, particularly those older adults with functional limitations;

(D) Private sector and public-private partnerships to develop technologies to prevent falls among older adults and prevent or reduce injuries when falls occur; and

(4) Award grants to, or enter into contracts or cooperative agreements with, organizations, institutions or consortia of organizations and institutions deemed qualified by the Commissioner
of [Social] Human Services to design, implement and evaluate fall prevention programs using proven intervention strategies in residential and institutional settings.

Sec. 152. Section 17b-90 of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

(a) The commissioner shall adopt regulations, in accordance with chapter 54, necessary to enable him to carry out the programs the Department of [Social] Human Services is designated to administer pursuant to section 17b-2, including any regulations necessary for receiving grants from the federal government to this state if the absence of any such regulation would result in the loss of such grants and regulations governing the custody and use of the records, papers, files and communications concerning persons applying for or receiving assistance under said sections. When names and addresses of recipients of such assistance are required by law to be furnished to or held by any other government agency, such agency shall adopt regulations to prevent the publication of lists thereof or their use for purposes not directly connected with the administration of said programs.

(b) No person shall, except for purposes directly connected with the administration of programs of the Department of [Social] Human Services and in accordance with the regulations of the commissioner, solicit, disclose, receive or make use of, or authorize, knowingly permit, participate in or acquiesce in the use of, any list of the names of, or any information concerning, persons applying for or receiving assistance from the Department of [Social] Human Services or persons participating in a program administered by said department, directly or indirectly derived from the records, papers, files or communications of the state or its subdivisions or agencies, or acquired in the course of the performance of official duties. The Commissioner of [Social] Human Services shall disclose (1) to any authorized representative of the Labor Commissioner such information directly related to unemployment compensation, administered pursuant to chapter 567
or information necessary for implementation of sections 17b-688b, 17b-
688c and 17b-688h and section 122 of public act 97-2 of the June 18
special session, (2) to any authorized representative of the
Commissioner of Mental Health and Addiction Services any
information necessary for the implementation and operation of the
basic needs supplement program or for the management of and
payment for behavioral health services for applicants for and
recipients of state-administered general assistance, (3)] to any
authorized representative of the Commissioner of Administrative
Services, or the Commissioner of Public Safety such information as the
state Commissioner of [Social] Human Services determines is directly
related to and necessary for the Department of Administrative Services
or the Department of Public Safety for purposes of performing their
functions of collecting social services recoveries and overpayments or
amounts due as support in social services cases, investigating social
services fraud or locating absent parents of public assistance recipients,
[(4) to any authorized representative of the Commissioner of Children
and Families necessary information concerning a child or the
immediate family of a child receiving services from the Department of
Social Services, including safety net services, if the Commissioner of
Children and Families or the Commissioner of Social Services has
determined that imminent danger to such child's health, safety or
welfare exists to target the services of the family services programs
administered by the Department of Children and Families, (5)] (3) to a
town official or other contractor or authorized representative of the
Labor Commissioner such information concerning an applicant for or a
recipient of financial or medical assistance under state-administered
general assistance deemed necessary by said commissioners to carry
out their respective responsibilities to serve such persons under the
programs administered by the Labor Department that are designed to
serve applicants for or recipients of state-administered general
assistance, [(6) to any authorized representative of the Commissioner
of Mental Health and Addiction Services for the purposes of the
behavioral health managed care program established by section 17a-
453, (7) to any authorized representative of the Commissioner of Public

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Health to carry out his or her respective responsibilities under programs that regulate child day care services or youth camps, or (8) or (4) to a health insurance provider, in IV-D support cases, as defined in section 46b-231, information concerning a child and the custodial parent of such child that is necessary to enroll such child in a health insurance plan available through such provider when the noncustodial parent of such child is under court order to provide health insurance coverage but is unable to provide such information, provided the Commissioner of [Social] Human Services determines, after providing prior notice of the disclosure to such custodial parent and an opportunity for such parent to object, that such disclosure is in the best interests of the child. No such representative shall disclose any information obtained pursuant to this section, except as specified in this section. Any applicant for assistance provided through said department shall be notified that, if and when such applicant receives benefits, the department will be providing law enforcement officials with the address of such applicant upon the request of any such official pursuant to section 17b-16a.

(c) In IV-D support cases, as defined in subdivision (13) of subsection (b) of section 46b-231, in addition to the prohibitions of subsection (b) of this section, no information shall be released concerning the whereabouts of one party to another party (1) against whom a protective order, a restraining order or a standing criminal restraining order with respect to the former party is in effect, or (2) if the department has reason to believe that the release of the information may result in physical or emotional harm to the former party.

[(d) The Commissioner of Social Services shall provide written notice to a person applying for or receiving assistance from the Department of Social Services or a person participating in a program administered by said department that such person's address and telephone number may be provided to the Department of Children and Families pursuant to subdivision (2) of subsection (b) of this section.]
[(e)] (d) Penalties prescribed by subsection (b) of section 17b-97 shall apply to violations of this section.

Sec. 153. Section 17b-195 of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

Notwithstanding any provision of the general statutes, when a person who is ineligible for financial assistance due to his employability status is currently in or enters a residential substance abuse treatment facility, the town shall pay his room and board while at such facility as an expense reimbursable under the general assistance program by the Department of [Social Services or the Department of Mental Health and Addiction] Human Services, provided the person is eligible to receive medical assistance. The town shall be responsible for these costs until the date upon which the administration of the general assistance program is assumed by the state or is officially delegated to a town by the Commissioner of [Social] Human Services, at which time the Department of [Social Services or the Department of Mental Health and Addiction] Human Services shall assume these costs. Such assistance shall be paid directly to the treatment facility at a rate established or negotiated by the Department of [Social Services or negotiated by the Department of Mental Health and Addiction] Human Services.

Sec. 154. Section 17b-222 of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

As used in this section and sections 17b-223, 17b-228, 17b-229 and 17b-745, "state humane institution" or "humane institution" means state mental hospitals, community mental health centers, treatment facilities for children and adolescents, or any other facility or program administered by the [Departments of Mental Health and Addiction Services, Developmental Services, or Children and Families] Department of Human Services. The person in charge of each state humane institution shall furnish the Commissioner of Administrative Services with a daily report of changes in the patient roster and the
date of formal commitment of each patient.

Sec. 155. Section 17b-225 of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

(a) The Department of Public Safety [the Department of Social Services] and the United States Department of Health and Human Services shall be entitled to receive only such information concerning patients in institutions, hospitals and facilities of the [Departments of Public Health, Developmental Services and Mental Health and Addiction Services] Department of Human Services as is required to obtain support and payments for the care of such patients, including submissions of such information to probate courts, agencies and corporations dispensing benefits, or only such information concerning such patients as is required for the purpose of claiming federal reimbursement, or only such information concerning such patients as is required for the review and audit of federally funded programs. Any such information received by said Department of Public Safety [the Department of Social Services] and United States Department of Health and Human Services shall be confidential and shall be used for the purposes of obtaining support and payments for the care of said patients or for the purpose of claiming federal reimbursement or for the review and audit of federally funded programs.

(b) The Department of Administrative Services shall be entitled to receive only such information concerning patients in institutions, hospitals and facilities of the [Departments of Public Health, Mental Health and Addiction Services and Developmental Services] Department of Human Services and state humane institutions, as defined in section 17b-222, as is required to obtain support and payments for the care of such patients, including submissions of such information to probate courts, agencies and corporations dispensing benefits. Any such information received by said Department of Administrative Services shall be confidential and shall be used only for the purposes specified in this subsection.
Sec. 156. Section 17b-234 of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

The Department of [Social] Human Services shall notify the Newington Children's Hospital of each referral for whom said department can apply for federal matching grants. Newington Children's Hospital shall charge the Department of Social Services for said eligible referrals only and shall retain all such payments received from the department. Such payments by the state shall be in lieu of all other payments to said hospital by the state or any town in this state except payments by the Department of [Social] Human Services as provided in this section [,] or the State Board of Education, [or the Department of Public Health.] Such payments shall not prevent payments to said hospital from private sources for the care and support of any child in said hospital or for the balance of such operating expense. The Office of Health Care Access, in establishing rates to be charged by the Newington Children's Hospital, shall not include the grant made to said hospital pursuant to this section. In order to be eligible for the grant authorized by this section, the Newington Children's Hospital shall cooperate with The University of Connecticut Health Center in order to provide consolidated and coordinated pediatric services.

Sec. 157. Subsection (a) of section 17b-256 of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

(a) The Commissioner of [Social] Human Services may administer, within available appropriations, a program providing payment for the cost of drugs prescribed by a physician for the treatment of acquired immunodeficiency syndrome or human immunodeficiency virus. The commissioner [, in consultation with the Commissioner of Public Health,] shall determine specific drugs to be covered and may implement a pharmacy lock-in procedure for the program. The Commissioner of [Social] Human Services shall adopt regulations, in accordance with the provisions of chapter 54, to carry out the purposes
of this section. The commissioner may implement the program while in the process of adopting regulations, provided notice of intent to adopt the regulations is published in the Connecticut Law Journal within twenty days of implementation. The regulations may include eligibility for all persons with acquired immunodeficiency syndrome or human immunodeficiency virus whose income is below four hundred per cent of the federal poverty level. Subject to federal approval, the commissioner may, within available federal resources, maintain existing insurance policies for eligible clients, including, but not limited to, coverage of costs associated with such policies, that provide a full range of human immunodeficiency virus treatments and access to comprehensive primary care services as determined by the commissioner and as provided by federal law, and may provide payment, determined by the commissioner, for (1) drugs and nutritional supplements prescribed by a physician that prevent or treat opportunistic diseases and conditions associated with acquired immunodeficiency syndrome or human immunodeficiency virus; (2) ancillary supplies related to the administration of such drugs; and (3) laboratory tests ordered by a physician. On and after May 26, 2006, persons who previously received insurance assistance under the program established pursuant to section 17b-255 of the general statutes, revision of 1958, revised to 2005, shall continue to receive such assistance until the expiration of the insurance coverage, provided such person continues to meet program eligibility requirements established in accordance with this subsection. On or before March 1, 2007, and annually thereafter, the Commissioner of Human Services shall report, in accordance with section 11-4a, to the joint standing committees of the General Assembly having cognizance of matters relating to human services, public health and appropriations and the budgets of state agencies on the projected availability of funds for the program established pursuant to this section.

Sec. 158. Section 17b-257c of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

(a) The Commissioner of Human Services, after consultation
with the [Commissioner of Mental Health and Addiction Services and
the] Secretary of the Office of Policy and Management, may provide,
within available appropriations, payments to long-term care facilities
for the care of certain illegal immigrants. Payments may be made to
cover the costs of care, as well as other incidentals as determined by
the Commissioner of [Social] Human Services, for illegal immigrants
who have been admitted to an acute care or psychiatric hospital and
for whom services available in a long-term care facility are an
appropriate and cost-effective alternative. Such individuals must be
otherwise eligible for Medicaid, have resided in this state for at least
five years and be unable to return to their country of origin due to
medical illness or regulations barring reentry of persons who are ill or
disabled or based upon a decision by the Immigration and
Naturalization Service not to proceed with deportation.

(b) The Commissioner of [Social] Human Services shall implement
the policies and procedures necessary to carry out the provisions of
subsection (a) of this section while in the process of adopting such
policies and procedures in regulation form, provided notice of intent to
adopt the regulations is published in the Connecticut Law Journal
within twenty days after implementation. Such policies and
procedures shall be valid until the time final regulations are effective.

Sec. 159. Subsection (h) of section 17b-261 of the 2010 supplement to
the general statutes is repealed and the following is substituted in lieu
thereof (Effective October 1, 2010):

(h) Medical assistance shall be provided, in accordance with the
provisions of subsection (e) of section 17a-6, to any child under the
supervision of the Commissioner of [Children and Families] Human
Services who is not receiving Medicaid benefits, has not yet qualified
for Medicaid benefits or is otherwise ineligible for such benefits.
Medical assistance shall also be provided to any child in the voluntary
services program operated by the Department of [Developmental]
Human Services who is not receiving Medicaid benefits, has not yet
qualified for Medicaid benefits or is otherwise ineligible for benefits.
To the extent practicable, the Commissioner of [Children and Families and the Commissioner of Developmental] Human Services shall apply for, or assist such child in qualifying for, the Medicaid program.

Sec. 160. Section 17b-263a of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

[(a)] On or before December 31, 2006, the Commissioner of [Social] Human Services, in consultation with the [Commissioner of Mental Health and Addiction Services and the] Community Mental Health Strategy Board, established under section 17a-485b, shall take such action as is necessary to amend the Medicaid state plan to include assertive community treatment teams and community support services within the definition of optional adult rehabilitation services. Such community treatment teams shall provide intensive, integrated, multidisciplinary services to adults with severe psychiatric disabilities, including, but not limited to, persons who are homeless, persons diverted or discharged from in-patient programs or nursing homes and persons diverted or released from correctional facilities, or who are at risk of incarceration, and such teams shall provide intensive community care management through case managers, nurses and physicians and shall include, but not be limited to, vocational, peer and substance abuse specialists. The Commissioner of [Social] Human Services shall adopt regulations, in accordance with the provisions of chapter 54, for purposes of establishing the services specified in this subsection. The Commissioner of [Social] Human Services may implement policies and procedures for purposes of establishing such services while in the process of adopting such policies or procedures in regulation form, provided notice of intention to adopt the regulations is printed in the Connecticut Law Journal no later than twenty days after implementation and any such policies and procedures shall be valid until the time the regulations are effective.

[(b) For purposes of this section, the Commissioner of Social Services shall enter into a memorandum of understanding with the Department of Mental Health and Addiction Services that delegates
responsibility to the Commissioner of Mental Health and Addiction Services for the clinical management of adult rehabilitation services provided to adults eighteen years of age or older who are otherwise receiving mental health services from said department. For purposes of this section, the term "clinical management" describes the process of evaluating and determining the appropriateness of the utilization of behavioral health services, providing assistance to clinicians or beneficiaries to ensure appropriate use of resources and may include, but is not limited to, authorization, concurrent and retrospective review, discharge review, quality management, provider certification and provider performance enhancement. The Commissioner of Social Services and the Commissioner of Mental Health and Addiction Services shall jointly develop clinical management policies and procedures for purposes of this section. The Commissioner of Social Services may implement policies and procedures necessary to carry out the purposes of this section, including any necessary changes to existing behavioral health policies and procedures concerning utilization management, while in the process of adopting such policies and procedures in regulation form, in accordance with the provisions of chapter 54, provided the commissioner publishes notice of intention to adopt the regulations in the Connecticut Law Journal not later than twenty days after implementing such policies and procedures. Policies and procedures implemented pursuant to this subsection shall be valid until the earlier of the time such regulations are effective, or December 1, 2006.]

Sec. 161. Subsection (a) of section 17b-276 of the 2010 supplement to the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

(a) The Commissioner of [Social] Human Services shall identify geographic areas of the state where competitive bidding for nonemergency transportation services provided to medical assistance recipients to access covered medical services would result in cost savings to the state. For the identified areas, the Commissioner of [Social] Human Services, in consultation with the Commissioner of
Transportation [the Commissioner of Public Health] and the Secretary of the Office of Policy and Management, shall purchase such nonemergency transportation services through a competitive bidding process. Any transportation providers awarded a contract or subcontract for the direct provision of such services shall meet state licensure or certification requirements and the nonemergency transportation requirements established by the Department of [Social] Human Services, and shall provide the most cost effective transportation service, provided any contractor awarded a contract solely for coordinating such transportation services shall not be required to meet such licensure or certification requirements and provided the first such contracts for the purchase of such services shall not exceed one year. Prior to awarding a contract pursuant to this section, the Commissioner of [Social] Human Services shall consider the effect of the contract on the emergency ambulance primary service areas and volunteer ambulance services affected by the contract. The commissioner may limit the geographic areas to be served by a contractor and may limit the amount of services to be performed by a contractor. The commissioner may operate one or more pilot programs prior to state-wide operation of a competitive bidding program for nonemergency transportation services. By enrolling in the Medicaid program or participating in the competitively bid contract for nonemergency transportation services, providers of nonemergency transportation services agree to offer to recipients of medical assistance all types or levels of transportation services for which they are licensed or certified. Effective October 1, 1991, payment for such services shall be made only for services provided to an eligible recipient who is actually transported. A contract entered into pursuant to this section may include services provided by another state agency. Notwithstanding any provision of the general statutes, a contract entered into pursuant to this section shall establish the rates to be paid for the transportation services provided under the contract. A contract entered into pursuant to this section may include services provided by another state agency and shall supersede any conflicting provisions of the regulations of Connecticut state agencies pertaining to medical
transportation services. Any contractor awarded a contract for coordinating nonemergency transportation services for medical assistance recipients, who also coordinates transportation services for nonmedical assistance recipients, shall disclose to any transportation provider, with whom it subcontracts to provide nonemergency transportation services under this section, the source of payment at the time the service is requested.

Sec. 162. Subsections (a) to (c), inclusive, of section 17b-294 of the general statutes are repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

(a) The commissioner shall, within available appropriations, establish two supplemental health insurance programs, to be known as HUSKY Plus programs, for enrollees of the subsidized portion of the HUSKY Plan, Part B with family incomes which do not exceed three hundred per cent of the federal poverty level, whose medical needs cannot be accommodated within the basic benefit package offered enrollees. One program shall supplement coverage for those medically eligible enrollees with intensive physical health needs and one shall supplement coverage for those medically eligible enrollees with intensive behavioral health needs.

(b) Within available appropriations, the commissioner shall contract with entities to administer and operate the HUSKY Plus program for medically eligible enrollees with intensive physical health needs. Such entities shall be the same entities that the Department of [Public Health] Human Services contracts with to administer and operate the program under Title V of the Social Security Act. The advisory committee established by the Department of [Public Health] Human Services for Title V of the Social Security Act shall be the steering committee for such program, [except that such committee shall include representatives of the Departments of Social Services and Children and Families.]

(c) Within available appropriations, the commissioner shall contract
with one or more entities to operate the HUSKY Plus program for medically eligible enrollees with intensive behavioral health needs. The steering committee for such program shall be established by the commissioner, in consultation with the Commissioner of Children and Families. The steering committee shall include representatives of the Departments of Social Services and Children and Families Department of Human Services.

Sec. 163. Subsection (a) of section 17b-297 of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

(a) The commissioner, in consultation with the Children's Health Council, the Medicaid Managed Care Council and the 2-1-1 Infoline program, shall develop mechanisms to increase outreach and maximize enrollment of eligible children and adults in the HUSKY Plan, Part A or Part B, including, but not limited to, development of mail-in applications and appropriate outreach materials through the Department of [Revenue Services, the Labor Department, the Department of Social Services, the Department of Public Health, the Department of Children and Families] Human Services and the Office of Protection and Advocacy for Persons with Disabilities. Such mechanisms shall seek to maximize federal funds where appropriate for such outreach activities.

Sec. 164. Subsection (a) of section 17b-306 of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

(a) The Commissioner of [Social Services, in consultation with the Commissioner of Public Health,] Human Services shall develop and within available appropriations implement a plan for a system of preventive health services for children under the HUSKY Plan, Part A and Part B. The goal of the system shall be to improve health outcomes for all children enrolled in the HUSKY Plan and to reduce racial and ethnic health disparities among children. Such system shall ensure that
services under the federal Early and Periodic Screening, Diagnosis and
Treatment Program are provided to children enrolled in the HUSKY
Plan, Part A.

Sec. 165. Subsection (c) of section 17b-337 of the 2010 supplement to
the general statutes is repealed and the following is substituted in lieu
thereof (Effective October 1, 2010):

(c) The Long-Term Care Planning Committee shall consist of: (1)
The chairpersons and ranking members of the joint standing and select
committees of the General Assembly having cognizance of matters
relating to human services, public health, elderly services and
long-term care; (2) the Commissioner of [Social] Human Services, or
the commissioner's designee; (3) one member of the Office of Policy
and Management appointed by the Secretary of the Office of Policy
and Management; (4) one member from the Department of [Social]
Human Services appointed by the Commissioner of [Social] Human
Services; (5) [two members from the Department of Public Health
appointed by the Commissioner of Public Health, one of whom is from
the Office of Health Care Access division of the department; (6)] one
member from the Department of Economic and Community
Development appointed by the Commissioner of Economic and
Community Development; [(7) one member from the Department of
Developmental Services appointed by the Commissioner of
Developmental Services; (8) one member from the Department of
Mental Health and Addiction Services appointed by the Commissioner
of Mental Health and Addiction Services; (9)] (6) one member from the
Department of Transportation appointed by the Commissioner of
Transportation; [(10) one member from the Department of Children
and Families appointed by the Commissioner of Children and
Families; and (11)] and (7) the executive director of the Office of
Protection and Advocacy for Persons with Disabilities or the executive
director's designee. The committee shall convene no later than ninety
days after June 4, 1998. Any vacancy shall be filled by the appointing
authority. The chairperson shall be elected from among the members
of the committee. The committee shall seek the advice and
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Sec. 166. Subsections (a) and (b) of section 17b-339 of the 2010 supplement to the general statutes are repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

(a) There is established a Nursing Home Financial Advisory Committee to examine the financial solvency of nursing homes on an ongoing basis and to support the [Departments of Social Services and Public Health] Department of Human Services in [their] its mission to provide oversight to the nursing home industry on issues concerning the financial solvency of and quality of care provided by nursing homes. The committee shall consist of the Commissioner of [Social Services, or his designee] Human Services, or the commissioner's designee; [the Commissioner of Public Health, or his designee;] the Secretary of the Office of Policy and Management, or [his] the commissioner's designee; the executive director of the Connecticut Health and Education Facilities Authority, or [his] the executive director's designee; and the executive director of the Connecticut Association of Not-for-Profit Providers for the Aging, or the executive director's designee; and the executive director of the Connecticut Association of Health Care Facilities, or the executive director's designee. The Commissioner of [Social Services and the Commissioner of Public Health] Human Services shall be the [chairpersons] chairperson of the committee.

(b) The committee, upon receipt of a report relative to the financial solvency of and quality of care provided by nursing homes in the state, shall recommend appropriate action for improving the financial condition of any nursing home that is in financial distress to the Commissioner of [Social Services and the Commissioner of Public Health] Human Services. The Commissioner of [Social] Human Services shall submit quarterly reports to the committee concerning pending nursing home requests for interim rate increases. Such reports shall, without identifying any requesting facility by name, list the participation of any person, organization or state or federal agency it deems necessary to carry out the provisions of this section.
amount of each increase requested, the reason for the request and the rate that will result if the request is granted.

Sec. 167. Subsection (a) of section 17b-340 of the 2010 supplement to the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

(a) The rates to be paid by or for persons aided or cared for by the state or any town in this state to licensed chronic and convalescent nursing homes, to chronic disease hospitals associated with chronic and convalescent nursing homes, to rest homes with nursing supervision, to licensed residential care homes, as defined by section 19a-490, and to residential facilities for the mentally retarded which are licensed pursuant to section 17a-227 and certified to participate in the Title XIX Medicaid program as intermediate care facilities for the mentally retarded, for room, board and services specified in licensing regulations issued by the licensing agency shall be determined annually, except as otherwise provided in this subsection, after a public hearing, by the Commissioner of Social Services, to be effective July first of each year except as otherwise provided in this subsection. Such rates shall be determined on a basis of a reasonable payment for such necessary services, which basis shall take into account as a factor the costs of such services. Cost of such services shall include reasonable costs mandated by collective bargaining agreements with certified collective bargaining agents or other agreements between the employer and employees, provided "employees" shall not include persons employed as managers or chief administrators or required to be licensed as nursing home administrators, and compensation for services rendered by proprietors at prevailing wage rates, as determined by application of principles of accounting as prescribed by said commissioner. Cost of such services shall not include amounts paid by the facilities to employees as salary, or to attorneys or consultants as fees, where the responsibility of the employees, attorneys, or consultants is to persuade or seek to persuade the other employees of the facility to support or oppose unionization. Nothing in this subsection shall prohibit inclusion of amounts paid for legal
counsel related to the negotiation of collective bargaining agreements, the settlement of grievances or normal administration of labor relations. The commissioner may, in his discretion, allow the inclusion of extraordinary and unanticipated costs of providing services which were incurred to avoid an immediate negative impact on the health and safety of patients. The commissioner may, in his discretion, based upon review of a facility's costs, direct care staff to patient ratio and any other related information, revise a facility's rate for any increases or decreases to total licensed capacity of more than ten beds or changes to its number of licensed rest home with nursing supervision beds and chronic and convalescent nursing home beds. The commissioner may so revise a facility's rate established for the fiscal year ending June 30, 1993, and thereafter for any bed increases, decreases or changes in licensure effective after October 1, 1989. Effective July 1, 1991, in facilities which have both a chronic and convalescent nursing home and a rest home with nursing supervision, the rate for the rest home with nursing supervision shall not exceed such facility's rate for its chronic and convalescent nursing home. All such facilities for which rates are determined under this subsection shall report on a fiscal year basis ending on the thirtieth day of September. Such report shall be submitted to the commissioner by the thirty-first day of December. The commissioner may reduce the rate in effect for a facility which fails to report on or before such date by an amount not to exceed ten per cent of such rate. The commissioner shall annually, on or before the fifteenth day of February, report the data contained in the reports of such facilities to the joint standing committee of the General Assembly having cognizance of matters relating to appropriations. For the cost reporting year commencing October 1, 1985, and for subsequent cost reporting years, facilities shall report the cost of using the services of any nursing pool employee by separating said cost into two categories, the portion of the cost equal to the salary of the employee for whom the nursing pool employee is substituting shall be considered a nursing cost and any cost in excess of such salary shall be further divided so that seventy-five per cent of the excess cost shall be considered an administrative or general cost and twenty-five per cent
of the excess cost shall be considered a nursing cost, provided if the total nursing pool costs of a facility for any cost year are equal to or exceed fifteen per cent of the total nursing expenditures of the facility for such cost year, no portion of nursing pool costs in excess of fifteen per cent shall be classified as administrative or general costs. The commissioner, in determining such rates, shall also take into account the classification of patients or boarders according to special care requirements or classification of the facility according to such factors as facilities and services and such other factors as he deems reasonable, including anticipated fluctuations in the cost of providing such services. The commissioner may establish a separate rate for a facility or a portion of a facility for traumatic brain injury patients who require extensive care but not acute general hospital care. Such separate rate shall reflect the special care requirements of such patients. If changes in federal or state laws, regulations or standards adopted subsequent to June 30, 1985, result in increased costs or expenditures in an amount exceeding one-half of one per cent of allowable costs for the most recent cost reporting year, the commissioner shall adjust rates and provide payment for any such increased reasonable costs or expenditures within a reasonable period of time retroactive to the date of enforcement. [Nothing in this section shall be construed to require the Department of Social Services to adjust rates and provide payment for any increases in costs resulting from an inspection of a facility by the Department of Public Health.] Such assistance as the commissioner requires from other state agencies or departments in determining rates shall be made available to him at his request. Payment of the rates established hereunder shall be conditioned on the establishment by such facilities of admissions procedures which conform with this section, section 19a-533 and all other applicable provisions of the law and the provision of equality of treatment to all persons in such facilities. The established rates shall be the maximum amount chargeable by such facilities for care of such beneficiaries, and the acceptance by or on behalf of any such facility of any additional compensation for care of any such beneficiary from any other person or source shall constitute the offense of aiding a beneficiary to obtain
aid to which he is not entitled and shall be punishable in the same
manner as is provided in subsection (b) of section 17b-97. For the fiscal
year ending June 30, 1992, rates for licensed residential care homes and
intermediate care facilities for the mentally retarded may receive an
increase not to exceed the most recent annual increase in the Regional
Data Resources Incorporated McGraw-Hill Health Care Costs:
Consumer Price Index (all urban)-All Items. Rates for newly certified
intermediate care facilities for the mentally retarded shall not exceed
one hundred fifty per cent of the median rate of rates in effect on
January 31, 1991, for intermediate care facilities for the mentally
retarded certified prior to February 1, 1991. Notwithstanding any
provision of this section, the Commissioner of Social Services may,
within available appropriations, provide an interim rate increase for a
licensed chronic and convalescent nursing home or a rest home with
nursing supervision for rate periods no earlier than April 1, 2004, only
if the commissioner determines that the increase is necessary to avoid
the filing of a petition for relief under Title 11 of the United States
Code; imposition of receivership pursuant to sections 19a-541 to 19a-
549, inclusive; or substantial deterioration of the facility's financial
condition that may be expected to adversely affect resident care and
the continued operation of the facility, and the commissioner
determines that the continued operation of the facility is in the best
interest of the state. The commissioner shall consider any requests for
interim rate increases on file with the department from March 30, 2004,
and those submitted subsequently for rate periods no earlier than
April 1, 2004. When reviewing a rate increase request the
commissioner shall, at a minimum, consider: (1) Existing chronic and
convalescent nursing home or rest home with nursing supervision
utilization in the area and projected bed need; (2) physical plant long-
term viability and the ability of the owner or purchaser to implement
any necessary property improvements; (3) licensure and certification
compliance history; (4) reasonableness of actual and projected
expenses; and (5) the ability of the facility to meet wage and benefit
costs. No rate shall be increased pursuant to this subsection in excess
of one hundred fifteen per cent of the median rate for the facility's peer
grouping, established pursuant to subdivision (2) of subsection (f) of this section, unless recommended by the commissioner and approved by the Secretary of the Office of Policy and Management after consultation with the commissioner. Such median rates shall be published by the Department of Social Services not later than April first of each year. In the event that a facility granted an interim rate increase pursuant to this section is sold or otherwise conveyed for value to an unrelated entity less than five years after the effective date of such rate increase, the rate increase shall be deemed rescinded and the department shall recover an amount equal to the difference between payments made for all affected rate periods and payments that would have been made if the interim rate increase was not granted. The commissioner may seek recovery from payments made to any facility with common ownership. With the approval of the Secretary of the Office of Policy and Management, the commissioner may waive recovery and rescission of the interim rate for good cause shown that is not inconsistent with this section, including, but not limited to, transfers to family members that were made for no value. The commissioner shall provide written quarterly reports to the joint standing committees of the General Assembly having cognizance of matters relating to human services and appropriations and the budgets of state agencies and to the select committee of the General Assembly having cognizance of matters relating to aging, that identify each facility requesting an interim rate increase, the amount of the requested rate increase for each facility, the action taken by the commissioner and the secretary pursuant to this subsection, and estimates of the additional cost to the state for each approved interim rate increase. Nothing in this subsection shall prohibit the commissioner from increasing the rate of a licensed chronic and convalescent nursing home or a rest home with nursing supervision for allowable costs associated with facility capital improvements or increasing the rate in case of a sale of a licensed chronic and convalescent nursing home or a rest home with nursing supervision, pursuant to subdivision (16) of subsection (f) of this section, if receivership has been imposed on such home.
Sec. 168. Subsection (g) of section 17b-340 of the 2010 supplement to the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

(g) For the fiscal year ending June 30, 1993, any intermediate care facility for the mentally retarded with an operating cost component of its rate in excess of one hundred forty per cent of the median of operating cost components of rates in effect January 1, 1992, shall not receive an operating cost component increase. For the fiscal year ending June 30, 1993, any intermediate care facility for the mentally retarded with an operating cost component of its rate that is less than one hundred forty per cent of the median of operating cost components of rates in effect January 1, 1992, shall have an allowance for real wage growth equal to thirty per cent of the increase determined in accordance with subsection (q) of section 17-311-52 of the regulations of Connecticut state agencies, provided such operating cost component shall not exceed one hundred forty per cent of the median of operating cost components in effect January 1, 1992. Any facility with real property other than land placed in service prior to October 1, 1991, shall, for the fiscal year ending June 30, 1995, receive a rate of return on real property equal to the average of the rates of return applied to real property other than land placed in service for the five years preceding October 1, 1993. For the fiscal year ending June 30, 1996, and any succeeding fiscal year, the rate of return on real property for property items shall be revised every five years. The commissioner shall, upon submission of a request, allow actual debt service, comprised of principal and interest, in excess of property costs allowed pursuant to section 17-311-52 of the regulations of Connecticut state agencies, provided such debt service terms and amounts are reasonable in relation to the useful life and the base value of the property. For the fiscal year ending June 30, 1995, and any succeeding fiscal year, the inflation adjustment made in accordance with subsection (p) of section 17-311-52 of the regulations of Connecticut state agencies shall not be applied to real property costs. For the fiscal year ending June 30, 1996, and any succeeding fiscal year, the
allowance for real wage growth, as determined in accordance with subsection (q) of section 17-311-52 of the regulations of Connecticut state agencies, shall not be applied. For the fiscal year ending June 30, 1996, and any succeeding fiscal year, no rate shall exceed three hundred seventy-five dollars per day unless the commissioner, in consultation with the Commissioner of Developmental Services, determines after a review of program and management costs, that a rate in excess of this amount is necessary for care and treatment of facility residents. For the fiscal year ending June 30, 2002, rate period, the commissioner shall increase the inflation adjustment for rates made in accordance with subsection (p) of section 17-311-52 of the regulations of Connecticut state agencies to update allowable fiscal year 2001 costs to include a one and one-half per cent inflation factor, except that such increase shall be effective November 1, 2002, and such facility rate in effect for the fiscal year ending June 30, 2002, shall be paid for services provided until October 31, 2002, except any facility that would have been issued a lower rate effective July 1, 2002, than for the fiscal year ending June 30, 2002, due to interim rate status or agreement with the department shall be issued such lower rate effective July 1, 2002, and have such rate updated effective November 1, 2002, in accordance with applicable statutes and regulations. For the fiscal year ending June 30, 2004, rates in effect for the period ending June 30, 2003, shall remain in effect, except any facility that would have been issued a lower rate effective July 1, 2003, than for the fiscal year ending June 30, 2003, due to interim rate status or agreement with the department shall be issued such lower rate effective July 1, 2003. For the fiscal year ending June 30, 2005, rates in effect for the period ending June 30, 2004, shall remain in effect until September 30, 2004. Effective October 1, 2004, each facility shall receive a rate that is five per cent greater than the rate in effect September 30, 2004. Effective
upon receipt of all the necessary federal approvals to secure federal financial participation matching funds associated with the rate increase provided in subdivision (4) of subsection (f) of this section, but in no event earlier than October 1, 2005, and provided the user fee imposed under section 17b-320 is required to be collected, each facility shall receive a rate that is four per cent more than the rate the facility received in the prior fiscal year, except any facility that would have been issued a lower rate effective October 1, 2005, than for the fiscal year ending June 30, 2005, due to interim rate status or agreement with the department, shall be issued such lower rate effective October 1, 2005. Such rate increase shall remain in effect unless: (A) The federal financial participation matching funds associated with the rate increase are no longer available; or (B) the user fee created pursuant to section 17b-320 is not in effect. For the fiscal year ending June 30, 2007, rates in effect for the period ending June 30, 2006, except any facility that would have been issued a lower rate effective July 1, 2006, than for the fiscal year ending June 30, 2006, due to interim rate status or agreement with the department, shall be issued such lower rate effective July 1, 2006. Effective October 1, 2006, no facility shall receive a rate that is more than three per cent greater than the rate in effect for the facility on September 30, 2006, except any facility that would have been issued a lower rate effective October 1, 2006, due to interim rate status or agreement with the department, shall be issued such lower rate effective October 1, 2006. For the fiscal year ending June 30, 2008, each facility shall receive a rate that is two and nine-tenths per cent greater than the rate in effect for the period ending June 30, 2007, except any facility that would have been issued a lower rate effective July 1, 2007, than for the rate period ending June 30, 2007, due to interim rate status, or agreement with the department, shall be issued such lower rate effective July 1, 2007. For the fiscal year ending June 30, 2009, rates in effect for the period ending June 30, 2008, shall remain in effect until June 30, 2009, except any facility that would have been issued a lower rate for the fiscal year ending June 30, 2009, due to interim rate status or agreement with the department, shall be issued such lower rate. For the fiscal years ending
June 30, 2010, and June 30, 2011, rates in effect for the period ending June 30, 2009, shall remain in effect until June 30, 2011, except any facility that would have been issued a lower rate for the fiscal year ending June 30, 2010, or the fiscal year ending June 30, 2011, due to interim rate status or agreement with the department, shall be issued such lower rate.

Sec. 169. Subsection (a) of section 17b-341 of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

(a) (1) As used in this section, "self-pay patient" means a patient who is not receiving state or municipal assistance to pay for the cost of care.

(2) The Commissioner of [Social] Human Services shall determine annually, after a public hearing, the rates to be charged to self-pay patients in any of the following licensed facilities if the facility does not have a provider agreement with the state to provide services to recipients of benefits obtained through Title XIX of the Social Security Amendments of 1965, except a facility that did not have a provider agreement in effect as of January 1, 1991, or had entered into a limited provider agreement before January 1, 1991: Chronic and convalescent nursing homes, chronic disease hospitals associated with chronic and convalescent nursing homes and rest homes with nursing supervision. Each such facility that does have such a provider agreement, each such facility that did not have a provider agreement in effect as of January 1, 1991, or had entered into a limited provider agreement before January 1, 1991, and each residential care home shall determine its own self-pay rates. Rates determined pursuant to this section shall be effective July 1, 1991, and on July first of each year thereafter through June 30, 1993, and shall be determined for each facility individually, on the basis of payment for the reasonable costs of providing all services. All self-pay patients shall be given notice of a rate increase at least thirty days prior to the effective date of such rate increase. In determining rates to be charged to self-pay patients the commissioner shall: (1) Consider the quality of care provided by each facility, based on
information [which the Department of Public Health shall provide to
the commissioner,] known to the Department of Human Services and
any testimony or information received from other interested parties;
and (2) take into account the relevant cost considerations set forth in
section 17b-340 and in the regulations adopted in accordance with
subsection (a) of section 17b-238. Such regulations shall include but not
be limited to the establishment of a formula for allowing profit or an
operating surplus, and a fair rate of return on invested capital or
equity. Nothing in this section shall authorize the commissioner to set
a rate lower than the rate set under section 17b-340 for comparable
services. Each facility determining its own self-pay rates shall report
such rates to the commissioner upon determination and upon any
modification. The commissioner shall document each rate so reported
and each rate determined for a facility by the commissioner pursuant
to this section. Each facility shall charge any self-pay patient who is
insured under a long-term care insurance policy which is precertified
pursuant to section 38a-475 a rate which is at least five per cent less
than the rate charged other self-pay patients. On and after April 1,
2008, each facility shall charge self-pay patients a per diem rate and not
a monthly rate.

Sec. 170. Section 17b-350 of the general statutes is repealed and the
following is substituted in lieu thereof (Effective October 1, 2010):

The Commissioner of [Social Services, in consultation with the
Commissioner of Public Health,] Human Services shall establish a
demonstration program for respite care in nursing homes for self-pay
patients. The program shall offer a financial incentive for a nursing
home to reserve beds for respite care.

Sec. 171. Subsection (a) of section 17b-353 of the 2010 supplement to
the general statutes is repealed and the following is substituted in lieu
thereof (Effective October 1, 2010):

(a) Any facility, as defined in subsection (a) of section 17b-352,
which proposes (1) a capital expenditure exceeding one million
dollars, which increases facility square footage by more than five thousand square feet or five per cent of the existing square footage, whichever is greater, (2) a capital expenditure exceeding two million dollars, or (3) the acquisition of major medical equipment requiring a capital expenditure in excess of four hundred thousand dollars, including the leasing of equipment or space, shall submit a request for approval of such expenditure, with such information as the department requires, to the Department of Social Services. Any such facility which proposes to acquire imaging equipment requiring a capital expenditure in excess of four hundred thousand dollars, including the leasing of such equipment, shall obtain the approval of the Office of Health Care Access in accordance with section 19a-639, subsequent to obtaining the approval of the Commissioner of Social Services. [Prior to the facility's obtaining the imaging equipment, the Commissioner of Public Health, after consultation with the Commissioner of Social Services, may elect to perform a joint or simultaneous review with the Department of Social Services.]

Sec. 172. Section 17b-357 of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

(a) For purposes of this section and sections 17b-358 to 17b-360, inclusive, a "nursing facility" means a chronic and convalescent home or a rest home with nursing supervision as defined in section 19a-521, which participates in the Medicaid program through a provider agreement with the Department of Social Services.

(b) If the Department of [Public Health] Human Services finds, through the results of a survey, that a nursing facility is not in compliance with one or more of the requirements of Subsections (b), (c) and (d) of 42 USC 1396r and that such noncompliance poses an immediate and serious threat to patient health or safety, the Department of [Public Health] Human Services shall issue a statement of charges and a summary order to the facility. [and shall file a copy of the charges with the Department of Social Services with a request for a summary order from the Department of Social Services.] The summary
order which the Department of [Social] Human Services may issue shall include termination of the facility's participation in Medicaid or appointment of a temporary manager to oversee the operation of the facility and may include transfer of patients to other participating facilities; denial of payment under Medicaid for new admissions; imposition of a directed plan of correction of the facility's deficiencies; imposition of civil monetary penalties; or imposition of other remedies authorized by regulations adopted by the Department of [Social Services] Human Services in accordance with chapter 54.

(c) If the Department of [Public Health] Human Services finds, through the results of a survey, that a nursing facility is not in compliance with one or more of the requirements of Subsections (b), (c) and (d) of 42 USC 1396r but that such noncompliance does not pose an immediate and obvious threat to patient health or safety, the Department of [Public Health] Human Services shall issue a statement of charges to the facility. [and shall file a copy of the charges with the Department of Social Services with a request for an order imposing one or more alternative remedies under this subsection.] If the Department of [Social] Human Services finds, based on a statement of charges filed by the Department of Public Health, that a nursing facility is not in compliance with one or more of the requirements of Subsections (b), (c) and (d) of 42 USC 1396r, but does not issue a summary order, it may impose one or more of the following alternative remedies: Termination of the facility's participation in Medicaid; appointment of a temporary manager to oversee the operation of the facility; transfer of patients to other participating facilities; denial of payment under Medicaid for new admissions; imposition of a directed plan of correction of the facility's deficiencies; imposition of civil monetary penalties; or imposition of other remedies authorized by regulations adopted by the Department of [Social] Human Services in accordance with chapter 54. The civil monetary penalties imposed may be in the range of three thousand two hundred fifty dollars to ten thousand dollars per day for each day the facility is found to be out of compliance with one or more requirements of
Subsections (b), (c) and (d) of 42 USC 1396r if the failure to comply with such requirements is found to constitute an immediate and serious threat to resident health or safety, or in the range of two hundred dollars to three thousand dollars per day for each day the facility is found to be out of compliance with a requirement of Subsections (b), (c) and (d) of 42 USC 1396r that is found not to constitute an immediate and serious threat to resident health or safety. The exact civil monetary penalty will be set depending on such factors as the existence of repeat deficiencies or uncorrected deficiencies and the overall compliance history of the provider. The remedies available to the Department of [Social] Human Services for violations of the requirements of Subsections (b), (c) and (d) of 42 USC 1396r are cumulative and are in addition to the remedies available to the Department of [Public Health] Human Services under chapter 368v for violations of state licensure requirements. Any penalties collected by the Department of [Social] Human Services pursuant to this section shall be deposited in a special fund under the control of the Department of [Social] Human Services, which fund shall be utilized, in the discretion of the department, for the protection of the health or property of residents of nursing facilities found to be deficient, including payment for the costs of relocating residents, payment for the maintenance of operation of a facility pending correction of deficiencies or closure, and reimbursement of residents for personal funds lost. The deficient nursing facility shall be obligated to reimburse the Department of [Social] Human Services for any moneys expended by the department at the facility from the fund established pursuant to this section.

(d) The facility may request a hearing in accordance with the provisions of chapter 54 from the Department of [Social] Human Services within ten days of the issuance of the statement of charges or the summary order, as the case may be. If the facility does not request a hearing within ten days and no summary order has been issued, the Department of [Social] Human Services shall automatically adopt [the Department of Public Health’s] its findings and shall issue an order.
incorporating one or more of the remedies authorized by subsection (c) of this section. If the facility timely requests a hearing or the Department of [Social] Human Services issues a summary order, the Department of [Social] Human Services shall issue a notice of hearing. At such hearing the facility shall be given the opportunity to present evidence and cross-examine witnesses. The Department of [Social] Human Services shall issue a decision based on the administrative record and may, if it finds the facility not in compliance with one or more of the requirements of Subsections (b), (c) and (d) of 42 USC 1396r, order any of the remedies specified in this section. The Department of [Social] Human Services may impose any of the alternative remedies, except for a civil monetary penalty, during the pendency of any proceedings conducted pursuant to this subsection. In such cases, the Department of [Social] Human Services must provide the facility the opportunity to discuss the Department of [Public Health's] Human Service's findings at an informal conference prior to the imposition of any remedy. The requirement of an informal conference does not apply to summary order proceedings.

Sec. 173. Section 17b-359 of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

(a) For purposes of this section, the terms "mentally ill" and "specialized services" shall be as defined in Subsections (e)(7)(G)(i) and (iii) of Section 1919 of the Social Security Act and federal regulations.

(b) No nursing facility shall admit any person, irrespective of source of payment, who has not undergone a preadmission screening process by which the Department of [Mental Health and Addiction] Human Services determines, based upon an independent physical and mental evaluation, [performed by or under the auspices of the Department of Social Services,] whether the person is mentally ill and, if so, whether such person requires the level of services provided by a nursing facility and, if such person is mentally ill and does require such level of services, whether the person requires specialized services. A person who is determined to be mentally ill and not to require nursing facility
level services shall not be admitted to a nursing facility. In order to implement the preadmission review requirements of this section and to identify applicants for admission who may be mentally ill and subject to the requirements of this section, nursing facilities may not admit any person, irrespective of source of payment, unless an identification screen developed, or in the case of out-of-state residents approved, by the Department of [Social] Human Services has been completed and filed in accordance with federal law.

(c) No payment from any source shall be due to any nursing facility that admits a resident in violation of the preadmission screening requirements of this section.

(d) A nursing facility shall notify the Department of [Mental Health and Addiction] Human Services when a resident who is mentally ill undergoes a significant change in condition or when a resident who has not previously been diagnosed as mentally ill undergoes a change in condition which may require specialized services. Upon such notifications, the Department of [Mental Health and Addiction Services, under the auspices of the Department of Social Services] Human Services shall perform an evaluation to determine whether the resident requires the level of services provided by a nursing facility or requires specialized services for mental illness.

(e) The Department of [Mental Health and Addiction] Human Services [; in consultation with the Department of Social Services,] may no less than annually review, within available appropriations, the status of each resident in a nursing facility who is mentally ill to determine whether the resident requires (1) the level of services provided by a nursing facility, or (2) specialized services for mental illness. Nursing facilities shall grant to the Department of [Mental Health and Addiction Services and the Department of Social] Human Services access to nursing facility residents and their medical records for the purposes of this section.

(f) In the case of a mentally ill resident who is determined under
subsection (b), (d) or (e) of this section not to require the level of services provided by a nursing facility but to require specialized services for mental illness and who has continuously resided in a nursing facility for at least thirty months before the date of the determination, the resident may elect to remain in the facility or to receive services covered by Medicaid in an alternative appropriate institutional or noninstitutional setting in accordance with the alternative disposition plan submitted by the Department of Social Human Services to the Secretary of the United States Department of Health and Human Services, and consistent with the Department of Mental Health and Addiction Human Services requirements for the provision of specialized services.

(g) In the case of a mentally ill resident who is determined under subsection (b), (d) or (e) of this section not to require the level of services provided by a nursing facility but to require specialized services for mental illness and who has not continuously resided in a nursing facility for at least thirty months before the date of the determination, the nursing facility in consultation with the Department of Mental Health and Addiction Human Services shall arrange for the safe and orderly discharge of the resident from the facility. If the department determines that the provision of specialized services requires an alternate residential placement, the discharge and transfer of the resident shall be made in accordance with the alternative disposition plan submitted by the Department of Social Human Services and approved by the Secretary of the United States Department of Health and Human Services, except if an alternate residential placement is not available, the resident shall not be transferred.

(h) In the case of a resident who is determined under subsection (b), (d) or (e) of this section not to require the level of services provided by a nursing facility and not to require specialized services, the nursing facility shall arrange for the safe and orderly discharge of the resident from the facility.
(i) Any person seeking admittance to a nursing facility or any resident of a nursing facility who is adversely affected by a determination of the Department of [Mental Health and Addiction] Human Services under this section may appeal such determination to the Department of [Social] Human Services within fifteen days of the receipt of the notice of a determination by the [Department of Mental Health and Addiction Services] department. If an appeal is taken [to the Department of Social Services] the determination of the Department of [Mental Health and Addiction] Human Services shall be stayed pending determination [by the Department of Social Services] of the appeal.

Sec. 174. Section 17b-360 of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

(a) For purposes of this section, the terms "mental retardation", "a condition related to mental retardation" and "specialized services" shall be as defined in Subsection (e)(7)(G)(ii) of Section 1919 of the Social Security Act and federal regulations.

(b) No nursing facility may admit any new resident irrespective of source of payment, who has mental retardation or has a condition related to mental retardation unless the Department of [Developmental] Human Services has determined prior to admission based upon an independent physical and mental evaluation performed by [or under the auspices of the Department of Social Services] the department that because of the physical and mental condition of the individual, the individual requires the level of services provided by a nursing facility. If the individual requires such level of services, the Department of [Developmental] Human Services shall also determine whether the individual requires specialized services for such condition. An individual who is determined by the Department of [Developmental] Human Services to have mental retardation or to have a related condition and is determined not to require nursing facility level of services shall not be admitted to a nursing facility. In order to implement the preadmission review requirements of this
section, and to identify applicants for admission who may have mental
retardation or have conditions related to mental retardation and
subject to the requirements of this section, nursing facilities may not
admit any individual irrespective of source of payment, unless an
identification screen developed, or in the case of out-of-state residents
approved, by the Department of [Social] Human Services has been
completed for the applicant and filed in accordance with federal law.

(c) No payment from any source shall be due to a nursing facility
that admits a resident in violation of the preadmission screening
requirements of this section.

(d) A nursing facility shall notify the Department of
[Developmental] Human Services when a resident who has mental
retardation undergoes a change in condition or when a resident who
has not previously been diagnosed as having mental retardation
undergoes a significant change in condition which may require
specialized services. Upon such notification, the Department of
[Developmental Services, under the auspices of the Department of
Social Services.] Human Services shall perform an evaluation to
determine whether the resident requires the level of services provided
by a nursing facility or requires specialized services for mental
retardation.

(e) In the case of a resident who is determined under subsection (d)
of this section not to require the level of services provided by a nursing
facility but to require specialized services for mental retardation or a
condition related to mental retardation and who has continually
resided in a nursing facility for at least thirty months before the date of
the determination, the resident may elect to remain in the facility or to
receive services covered by Medicaid in an alternative appropriate
institutional or noninstitutional setting in accordance with the terms of
the alternative disposition plan submitted by the Department of
[Social] Human Services and approved by the Secretary of the United
States Department of Health and Human Services.
(f) In the case of a resident with mental retardation or a related condition who is determined under subsection (d) of this section not to require the level of services provided by a nursing facility but to require specialized services for mental retardation or a related condition and who has not continuously resided in a nursing facility for at least thirty months before the date of the determination, the nursing facility, in consultation with the Department of [Developmental] Human Services, shall arrange for the safe and orderly discharge of the resident from the facility. If the department determines that the provision of specialized services requires an alternative residential placement, the discharge and transfer of the patient shall be in accordance with the alternative disposition plan submitted by the Department of [Social] Human Services and approved by the Secretary of the United States Department of Health and Human Services, except if an alternative residential facility is not available, the resident shall not be transferred.

(g) In the case of a resident who is determined under subsection (d) of this section not to require the level of services provided by a nursing facility and not to require specialized services, the nursing facility shall arrange for the safe and orderly discharge of the resident from the facility.

(h) The Department of [Developmental] Human Services shall be the agency responsible for making the determinations required by this section on behalf of individuals who have mental retardation and on behalf of individuals with conditions related to mental retardation and may provide services to such individuals to the extent required by federal law.

(i) Any person seeking admittance to a nursing facility or any resident of a nursing facility who is adversely affected by a determination of the Department of [Developmental] Human Services under this section may appeal such determination to the Department of [Social] Human Services within fifteen days of the receipt of the notice of a determination by the Department of [Developmental]
Human Services. If an appeal is taken, [to the Department of Social Services,] the determination of the Department of [Developmental] Human Services shall be stayed pending determination [by the Department of Social Services] of the appeal.

Sec. 175. Section 17b-602a of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

(a) The Department of [Social] Human Services, in consultation with the [Department of Mental Health and Addiction Services and the] Community Mental Health Strategy Board established under section 17a-485b, may seek approval of an amendment to the state Medicaid plan or a waiver from federal law, whichever is sufficient and most expeditious, to establish and implement a Medicaid-financed home and community-based program to provide community-based services and, if necessary, housing assistance, to adults with severe and persistent psychiatric disabilities being discharged or diverted from nursing home residential care.

(b) On or before January 1, 2007, and annually thereafter, the Commissioner of [Social Services, in consultation with the Commissioner of Mental Health and Addiction Services,] Human Services shall submit a report to the joint standing committee of the General Assembly having cognizance of matters relating to public health, in accordance with the provisions of section 11-4a, on the status of any amendment to the state Medicaid plan or waiver from federal law pursuant to subsection (a) of this section and on the establishment and implementation of the program authorized under said subsection (a).

Sec. 176. Subsection (c) of section 17b-417 of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

(c) Not later than June 30, 2005, the Long-Term Care Ombudsman shall submit a report on the pilot program to the [Commissioners of Social Services and Public Health] Commissioner of Human Services,
to the joint standing committees of the General Assembly having
cognizance of matters relating to human services, public health and
appropriations, and to the select committee of the General Assembly
having cognizance of matters relating to aging. The report shall be
submitted in accordance with section 11-4a.

Sec. 177. Subsection (a) of section 17b-611 of the general statutes is
repealed and the following is substituted in lieu thereof (Effective
October 1, 2010):

(a) The Commissioner of [Social Services, after consultation with the
Commissioner of Public Health,] Human Services may contract with
an insurer, within available appropriations, to provide a subsidized
nongroup health insurance product for disabled persons who would
be eligible to receive supplemental security income benefits except for
income and who have incomes above the eligibility limit for Medicaid
and under two hundred per cent of the federal poverty level. The
contract shall include a sliding fee schedule based on income for
premiums and shall provide for the setting of premiums at a level to
cover twenty per cent of program costs. The contract shall provide for
the use of mechanisms to control costs.

Sec. 178. Subsection (a) of section 17b-666 of the general statutes is
repealed and the following is substituted in lieu thereof (Effective
October 1, 2010):

(a) The Bureau of Rehabilitation Services of the Department of
[Social] Human Services may receive state and federal funds to
administer, within available appropriations, an employment
opportunities program to serve individuals with the most significant
disabilities who do not meet the eligibility requirements of supported
employment programs administered by the [Departments of
Developmental Services and Mental Health and Addiction Services]
Department of Human Services. For the purposes of this section,
"individuals with the most significant disabilities" means those
individuals who (1) have serious employment limitations in a total of
three or more functional areas including, but not limited to, mobility, communication, self-care, interpersonal skills, work tolerance or work skills, or (2) will require significant ongoing disability-related services on the job in order to maintain employment.

Sec. 179. Subsection (a) of section 17b-694 of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

(a) The Labor Commissioner, in consultation with the Commissioners of Social Services and Mental Health Commissioner of Human Services, shall administer a grant program, within available appropriations, to fund employment placement projects for recipients of state-administered general assistance, cash assistance or medical assistance or recipients of Medicaid who are eighteen to twenty years of age. A grant may be awarded to (1) a municipality or group of towns which form a region based on a project plan providing education, training or other assistance in securing employment, (2) a private substance abuse or mental health services provider based on a project plan incorporating job placement in the treatment process, or (3) a nonprofit organization providing employment services when no municipality or group of towns elect to apply for such a grant for a given geographic area. A plan may include cash incentives as a supplement to wages for recipients who work.

Sec. 180. Section 17b-732 of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

Uniform forms of commitment papers or mittimus shall be used by all authorities throughout the state in the commitment by them of minors to the Commissioner of Social Services, the Commissioner of Children and Families Human Services or humane or reformatory institutions. Such forms shall be prepared by the Attorney General, printed at the expense of the state and furnished by the Commissioner of [Social] Human Services or his designee. In such forms there shall be stated the following particulars in regard to the minor committed
thereby: Name, age or date of birth as exactly as can be determined, and the town or city and state in which born; name, nationality and religious preference of the parents so far as known. The age thus ascertained shall be taken as the true age of such minor with reference to the term of commitment. The authority committing any minor to the Commissioner of Social Services, the Commissioner of Children and Families Human Services or the Southbury Training School shall forthwith send a notice of such commitment to the Commissioner of Social Human Services or his designee in a form approved by him. The provisions of this section shall not apply to commitment papers made pursuant to sections 18-65a or 18-73, which shall be prepared by the Judicial Department.

Sec. 181. Section 17b-733 of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

The Department of Social Human Services shall be the lead agency for child day care services in Connecticut. The department shall: (1) Identify, annually, existing child day care services and maintain an inventory of all available services; (2) provide technical assistance to corporations and private agencies in the development and expansion of child day care services for families at all income levels, including families of their employees and clients; (3) study and identify funding sources available for child day care including federal funds and tax benefits; (4) study the cost and availability of liability insurance for child day care providers; (5) provide, in conjunction with the Departments of Education and Higher Education, ongoing training for child day care providers including preparing videotaped workshops and distributing them to cable stations for broadcast on public access stations, and seek private donations to fund such training; (6) encourage child day care services to obtain accreditation; (7) develop a range of financing options for child care services, including the use of a tax-exempt bond program, a loan guarantee program and establishing a direct revolving loan program; (8) promote the colocation of child day care and school readiness programs pursuant to section 4b-31; (9) establish a performance-based evaluation system; (10) develop for...
recommendation to the Governor and the General Assembly measures
to provide incentives for the private sector to develop and support
expanded child day care services; (11) provide, within available funds
and in conjunction with the temporary family assistance program as
defined in section 17b-680, child day care to public assistance
recipients; (12) develop and implement, with the assistance of the
Child Day Care Council and the Departments of [Public Health, Social
Services,] Education, Higher Education, [Children and Families,]
Economic and Community Development and Consumer Protection, a
state-wide coordinated child day care and early childhood education
training system (A) for child day care centers, group day care homes
and family day care homes that provide child day care services, and
(B) that makes available to such providers and their staff, within
available appropriations, scholarship assistance, career counseling and
training, advancement in career ladders, as defined in section 4-124bb,
through seamless articulation of levels of training, program
accreditation support and other initiatives recommended by the
Departments of [Social] Human Services, Education and Higher
Education; (13) plan and implement a unit cost reimbursement system
for state-funded child day care services such that, on and after January
1, 2008, any increase in reimbursement shall be based on a requirement
that such centers meet the staff qualifications, as defined in subsection
(b) of section 10-16p; (14) develop, within available funds, initiatives to
increase compensation paid to child day care providers for educational
opportunities, including, but not limited to, (A) incentives for
educational advancement paid to persons employed by child day care
centers receiving state or federal funds, and (B) support for the
establishment and implementation by the Labor Commissioner of
apprenticeship programs for child day care workers pursuant to
sections 31-22m to 31-22q, inclusive, which programs shall be jointly
administered by labor and management trustees; (15) evaluate the
effectiveness of any initiatives developed pursuant to subdivision (14)
of this section in improving staff retention rates and the quality of
education and care provided to children; and (16) report annually to
the Governor and the General Assembly on the status of child day care
in Connecticut. Such report shall include (A) an itemization of the
allocation of state and federal funds for child care programs; (B) the
number of children served under each program so funded; (C) the
number and type of such programs, providers and support personnel;
(D) state activities to encourage partnership between the public and
private sectors; (E) average payments issued by the state for both part-
time and full-time child care; (F) range of family income and
percentages served within each range by such programs; and (G) age
range of children served.

Sec. 182. Section 17b-748 of the general statutes is repealed and the
following is substituted in lieu thereof (Effective October 1, 2010):

There is established a Child Day Care Council consisting of the
Commissioner of [Public Health, the Commissioner of Social Services,
the Commissioner of Children and Families] Human Services, the
Commissioner of Education and the Commissioner of Economic and
Community Development or a representative of each designated by
him in writing to serve as such representative, and sixteen other
persons appointed by the Governor. Said council shall be within the
Department of [Social] Human Services for administrative purposes
only. Of the persons appointed by the Governor, one shall be from
among those recommended by the Connecticut Association for
Education of Young Children; one shall be a member of a community
council; one shall be a member of a community action program; one
shall be a member of a child development or early childhood
education department of a Connecticut college or university; four shall
be providers of child day care services, two of whom shall be family
day care providers, and two shall be child day care center providers;
one shall be from among those recommended by the Permanent
Commission on the Status of Women; one shall be from among those
recommended by the Connecticut Commission on Children; one shall
be from among those recommended by the American Academy of
Pediatrics; one shall be a member of an advocacy group concerned
with young children and their families; one shall be from among those
recommended by the AFL-CIO Labor Council who is a member of
organized labor; one shall be a member of the Connecticut Business
and Industry Association; and two shall be parents, each of whom
shall have a child enrolled in a child day care service. The members of
the council shall serve without compensation but shall be reimbursed
for necessary expenses incurred in the course of their duties. The
chairperson and the vice-chairperson of the council shall be elected by
the full membership of the council from among the persons appointed
by the Governor and shall serve for a term of one year. The council
shall meet at least ten times per year. Any appointed member who fails
to attend three consecutive meetings or fails to attend fifty per cent of
all meetings held during any calendar year shall be deemed to have
resigned. The council shall recommend to the Commissioner of [Public
Health] Human Services regulations which shall effectuate the
purposes of this section and sections 17b-733, 19a-77, 19a-79, 19a-80,
19a-82 to 19a-87, inclusive, and 19a-87b to 19a-87e, inclusive, including
regulations relating to licensing, operation, program and professional
qualifications of the staff of child day care centers, group day care
homes and family day care homes and shall make recommendations to
the Commissioner of [Public Health] Human Services on the
administration of said sections. The Child Day Care Council shall also
make recommendations to the Department of [Social] Human Services
as the lead agency for day care on grants management and the
planning and development of child day care services. In addition, the
council shall provide guidelines for drop-in supplementary child care
operations. Before making such recommendations, the council shall
hold public hearings and invite suggestions from parents of children
utilizing child day care services, as defined in section 19a-77, and from
providers of such services and other interested parties. The Child Day
Care Council shall study issues affecting child day care and make
recommendations to the General Assembly. The council shall serve as
an advisory committee to the Department of [Social] Human Services
in the development of the state child care plan required pursuant to
the Child Care Development and Improvement Act of 1990 and shall
conduct biennial public hearings on such state plan.
Sec. 183. Subsections (a) and (b) of section 17b-749 of the 2010 supplement to the general statutes are repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

(a) The Commissioner of [Social] Human Services shall establish and operate a child care subsidy program to increase the availability, affordability and quality of child care services for families with a parent or caretaker who is working, attending high school or who receives cash assistance under the temporary family assistance program from the Department of [Social] Human Services and is participating in an approved education, training, or other job preparation activity. Services available under the child care program shall include the provision of child care subsidies for children under the age of thirteen or children under the age of nineteen with special needs. The department shall open and maintain enrollment for the child care subsidy program and shall administer such program within the existing budgetary resources available.

(b) The commissioner shall establish income standards for applicants and recipients at a level to include a family with gross income up to fifty per cent of the state-wide median income, except the commissioner (1) may increase the income level to up to seventy-five per cent of the state-wide median income, (2) [upon the request of the Commissioner of Children and Families,] may waive the income standards for adoptive families so that children adopted on or after October 1, 1999, from the Department of [Children and Families] Human Services are eligible for the child care subsidy program, and (3) on and after March 1, 2003, shall reduce the income eligibility level to up to fifty-five per cent of the state-wide median income for applicants and recipients who qualify based on their loss of eligibility for temporary family assistance. The commissioner may adopt regulations in accordance with chapter 54 to establish income criteria and durational requirements for such waiver of income standards.

Sec. 184. Subsection (b) of section 17b-751 of the 2010 supplement to the general statutes is repealed and the following is substituted in lieu
thereof (Effective October 1, 2010):

(b) There shall be established, within existing resources, a Children's Trust Fund Council which shall be within the Department of Social Services. The council shall be composed of sixteen members as follows:

(1) The Commissioners of Social Services and Education, [Children and Families and Public Health,] or their designees; (2) a representative of the business community with experience in fund-raising, appointed by the president pro tempore of the Senate; (3) a representative of the business community with experience in fund-raising, appointed by the speaker of the House of Representatives; (4) a representative of the business community with experience in fund-raising, appointed by the minority leader of the House of Representatives; (5) a representative of the business community with experience in fund-raising, appointed by the minority leader of the Senate; (6) a parent, appointed by the majority leader of the House of Representatives; (7) a parent, appointed by the majority leader of the Senate; (8) a parent, appointed by the president pro tempore of the Senate; (9) a person with expertise in child abuse prevention, appointed by the speaker of the House of Representatives; (10) a person with expertise in child abuse prevention, appointed by the minority leader of the House of Representatives; (11) a staff member of a child abuse prevention program, appointed by the majority leader of the Senate; (12) a staff member of a child abuse prevention program, appointed by the majority leader of the House of Representatives; and (13) a pediatrician, appointed by the majority leader of the Senate. The council shall solicit and accept funds, on behalf of the Children's Trust Fund, to be used for the prevention of child abuse and neglect and family resource programs, or on behalf of the Parent Trust Fund, to be used for parent community involvement to improve the health, safety and education of children, and shall make grants to programs pursuant to subsections (a) and (c) of this section.

Sec. 185. Subsection (a) of section 17b-751c of the 2010 supplement to the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):
(a) There is established a Nurturing Families Network Advisory Commission to monitor the state-wide system for the Nurturing Families Network developed pursuant to section 17b-751b. The commission shall consist of: (1) One member appointed by the speaker of the House of Representatives and one member appointed by the president pro tempore of the Senate, who shall be members of the General Assembly; (2) one member appointed by the minority leader of the House of Representatives and one member appointed by the minority leader of the Senate, who shall be members of the General Assembly; (3) a representative of the Governor; (4) [the Commissioner of Children and Families, or his designee; (5) the Commissioner of Social Services, or his designee; (6) the Commissioner of Public Health, or his designee; (7)] the Commissioner of Human Services, or the commissioner's designee; (5) the Commissioner of Education, or [his] the commissioner's designee; [(8)] (6) the Secretary of the Office of Policy and Management, or [his] the commissioner's designee; [(9)] (7) the executive director of the Commission on Children, or [his] the executive director's designee; [(10)] (8) a representative of the Child Advocate's Office, who shall be appointed by the minority leader of the House of Representatives; and [(11)] (9) a representative of the Connecticut Chapter of the National Committee to Prevent Child Abuse who shall be appointed by the majority leader of the Senate.

Sec. 186. Subsection (b) of section 17b-803 of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

(b) The Commissioner of [Social Services, in consultation with the Commissioner of Public Health,] Human Services shall adopt regulations in accordance with the provisions of chapter 54 to carry out the purposes of this section.

Sec. 187. Section 17b-851a of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

The Department of [Social] Human Services shall develop, within
existing appropriations, a comprehensive plan, in consultation with
the [Department of Public Health, the] Department of Education, [and
the Department of Children and Families,] for the reduction in the
number of teenage pregnancies.

Sec. 188. Subsection (c) of section 18-96a of the general statutes is
repealed and the following is substituted in lieu thereof (Effective
October 1, 2010):

(c) Before the planned release of any inmate diagnosed with a
mental illness as provided in subsection (a) of this section from a
correctional facility, the Department of Correction shall collaborate
with the Judicial Department [, the Department of Social Services] and
the Department of [Mental Health and Addiction] Human Services, as
deemed necessary and within available appropriations, to assist such
inmate in obtaining housing, mental health treatment services, any
public benefits for which the inmate is eligible and employment
counseling upon the inmate's release.

Sec. 189. Section 19a-6d of the general statutes is repealed and the
following is substituted in lieu thereof (Effective October 1, 2010):

The Commissioner of [Public Health and the Commissioner of
Mental Health and Addiction] Human Services shall, within available
appropriations, develop a tobacco abuse reduction and health plan and
shall submit such plan to the joint standing committees of the General
Assembly having cognizance of matters relating to public health and
appropriations and the budgets of state agencies, not later than April 1,
2001. The plan shall consider and recommend actions to (1) reduce
tobacco and substance abuse, and (2) address the unmet physical and
mental health needs of the state, taking into account the most recent
version of the state health plan prepared by the Department of [Public
Health] Human Services pursuant to section 19a-7.

Sec. 190. Subsection (a) of section 19a-7b of the 2010 supplement to
the general statutes is repealed and the following is substituted in lieu
thereof (Effective October 1, 2010):
(a) There is established a Health Care Access Commission, within the legislative department, which shall be comprised of: (1) The Commissioner of Public Health; (2) the Commissioner of Social Services; (3) the Insurance Commissioner; (4) three members appointed by the president pro tempore of the Senate, one of whom shall be a member of the joint standing committee of the General Assembly having cognizance of matters relating to public health, one of whom shall represent community health centers and one of whom shall represent mental health services; (5) two members appointed by the majority leader of the Senate, one of whom shall represent commercial insurance companies and one of whom shall represent the disabled; (6) three members appointed by the minority leader of the Senate, one of whom shall be a member of the joint standing committee of the General Assembly having cognizance of matters relating to appropriations and the budgets of state agencies, one of whom shall represent Blue Cross and Blue Shield of Connecticut, Inc. and one of whom shall represent small business; (7) three members appointed by the speaker of the House of Representatives, one of whom shall be a member of the joint standing committee of the General Assembly having cognizance of matters relating to human services, one of whom shall represent consumers and one of whom shall represent labor; (8) two members appointed by the majority leader of the House of Representatives, one of whom shall represent large business and one of whom shall represent children; and (9) three members appointed by the minority leader of the House of Representatives, one of whom shall be a member of the joint standing committee of the General Assembly having cognizance of matters relating to insurance, one of whom shall represent hospitals and one of whom shall be a pediatric primary care physician. All members of the commission may be represented by designees.

Sec. 191. Subsection (a) of section 19a-7c of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):
(a) The Commissioner of [Public Health, in consultation with the Department of Social Services.] Human Services may contract, within available appropriations, to provide a subsidized nongroup health insurance product for pregnant women who are not eligible for Medicaid and have incomes under two hundred fifty per cent of the federal poverty level. The product shall be available to such pregnant women (1) for whom employer-based insurance is not available, or (2) who have employer-based insurance (A) to cover the cost of the premiums, copayments and deductibles of the employer-based plan provided the cost of the employer-based plan is less than the nongroup product, and (B) to provide coverage for benefits not covered by the employer-based plan which are covered under the subsidized nongroup product. The Department of [Public Health] Human Services may make such product available to limited populations, as pilot programs, initially to test the impact of program design and administration. The Department of [Social] Human Services shall assist in the administration of the programs. The contract may include, but not be limited to, provisions for coinsurance and copayment and a sliding scale based on income for premiums and shall provide for the use of mechanisms to control costs.

Sec. 192. Section 19a-7e of the 2010 supplement to the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

The Department of [Public Health, in consultation with the Department of Social Services.] Human Services shall establish a three-year demonstration program to improve access to health care for uninsured pregnant women under two hundred fifty per cent of the poverty level. Services to be covered by the program shall include, but not be limited to, the professional services of obstetricians, dental care providers, physician assistants or midwives on the staff of the sponsoring hospital and community-based providers; services of pediatricians for purposes of assistance in delivery and postnatal care; dietary counseling; dental care; substance abuse counseling, and other ancillary services which may include substance abuse treatment and
mental health services, as required by the patient's condition, history
or circumstances; necessary pharmaceutical and other durable medical
equipment during the prenatal period; and postnatal care, as well as
preventative and primary care for children up to age six in families in
the eligible income level. The program shall encourage the acquisition,
sponsorship and extension of existing outreach activities and the
activities of mobile, satellite and other outreach units. The
Commissioner of [Public Health] Human Services shall issue a request
for proposals to Connecticut hospitals. Such request shall require: (1)
An interactive relationship between the hospital, community health
centers, community-based providers and the healthy start program; (2)
provisions for case management; (3) provisions for financial eligibility
screening, referrals and enrollment assistance where appropriate to the
medical assistance program, the healthy start program or private
insurance; and (4) provisions for a formal liaison function between
hospitals, community health centers and other health care providers.
The Office of Health Care Access is authorized, through the hospital
rate setting process, to fund specific additions to fiscal years 1992 to
1994, inclusive, budgets for hospitals chosen for participation in the
program. In requesting additions to their budgets, each hospital shall
address specific program elements including adjustments to the
hospital's expense base, as well as adjustments to its revenues, in a
manner which will produce income sufficient to offset the adjustment
in expenses. The office shall insure that the network of hospital
providers will serve the greatest number of people, while not
exceeding a state-wide cost increase of three million dollars per year.
Hospitals participating in the program shall report monthly to the
[Departments of Public Health and Social Services] Department of
Human Services or [their designees] its designee and annually to the
joint standing committees of the General Assembly having cognizance
of matters relating to public health and human services such
information as the departments and the committees deem necessary.

Sec. 193. Subsection (a) of section 19a-12b of the general statutes is
repealed and the following is substituted in lieu thereof (Effective
October 1, 2010):

(a) The Department of [Public Health] Human Services shall establish a Professional Assistance Oversight Committee for the assistance program. Such committee's duties shall include, but not be limited to, overseeing quality assurance. The oversight committee shall consist of the following members: (1) [Three] Four members selected by the department, who are health care professionals with training and experience in mental health or addiction services, and (2) three members selected by the assistance program, who are not employees, board or committee members of the assistance program and who are health care professionals with training and experience in mental health or addiction services, [3] and (3) one member selected by the Department of Mental Health and Addiction Services who is a health care professional.]

Sec. 194. Section 19a-24 of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

(a) Any claim for damages in excess of seven thousand five hundred dollars on account of any official act or omission of the Commissioner of [Public Health or the Commissioner of Developmental] Human Services or any member of [their staffs] the commissioner's staff, any member of the Council on Tuberculosis Control, Hospital Care and Rehabilitation, the Council on Developmental Services or either of the boards of trustees of the state training schools or any member of any regional advisory and planning council or any superintendent, director, employee or staff member of any chronic disease hospital or state training school or state developmental services region shall be brought as a civil action against the [commissioners] commissioner in [their official capacities] the commissioner's official capacity and said [commissioners] commissioner shall be represented therein by the Attorney General in the manner provided in chapter 35. Damages recovered in such action shall be a proper charge against the General Fund of the state and shall be paid in the manner provided in section 3-117. Any such claim for damages not in excess of seven thousand
five hundred dollars shall be presented to the Claims Commissioner in
accordance with chapter 53 if such claim is otherwise cognizable by the
Claims Commissioner.

(b) Neither the Commissioner of [Public Health nor the
Commissioner of Developmental] Human Services nor any member of
[their staffs,] the commissioner's staff shall be held personally liable in
any civil action for damages on account of any official act or omission
of any superintendent, director, employee or staff member of any
chronic disease hospital or state training school or state developmental
services region nor on account of any official act or omission of such
[commissioners] commissioner or member of [their staffs] the
commissioner's staff or any member of the councils or boards of
trustees created by sections 17a-270 and 17a-271.

(c) No employee or staff member of said [commissioners]
commissioner or any superintendent, director, employee or staff
member of any chronic disease hospital or state training school or state
developmental services region shall be held personally liable in any
civil action for damages on account of any official act or omission not
wanton or wilful of such superintendent, director, employee or staff
member.

(d) The state of Connecticut shall indemnify and save harmless each
member of the councils or boards of trustees established by sections
17a-270, 17a-271 and 17a-273 from all claims and demands that may
accrue or be asserted by reason of any act of such councils or boards of
trustees or any failure to act by such councils or boards of trustees
where no malice, fraud or conflict of interest is found to exist. The
provisions of this section shall be deemed to apply individually to each
member of such councils or boards of trustees.

(e) Any person to whom the provisions of subsection (b), (c) or (d)
hereof are applicable and against whom any action shall be brought on
account of any act alleged to be an official act or omission as aforesaid
or any other act as to which protection is afforded by the provisions of
this section shall be represented therein by the Attorney General in the
manner provided in chapter 35.

Sec. 195. Section 19a-25e of the 2010 supplement to the general
statutes is repealed and the following is substituted in lieu thereof
(Effective October 1, 2010):

(a) The Department of [Public Health] Human Services and The
University of Connecticut Health Center may, within available
appropriations, develop a Connecticut Health Information Network
plan to securely integrate state health and social services data,
consistent with state and federal privacy laws, within and across The
University of Connecticut Health Center and the [Departments of
Public Health, Developmental Services and Children and Families]
Department of Human Services. Data from other state agencies may be
integrated into the network as funding permits and as permissible
under federal law.

(b) The Department of [Public Health] Human Services and The
Center for Public Health and Health Policy at The University of
Connecticut Health Center shall collaborate with the [Departments]
Department of Information Technology [, Developmental Services, and
Children and Families] to develop the Connecticut Health Information
Network plan.

(c) The plan shall: (1) Include research in and describe existing
health and human services data; (2) inventory the various health and
human services data aggregation initiatives currently underway; (3)
include a framework and options for the implementation of a
Connecticut Health Information Network, including query
functionality to obtain aggregate data on key health indicators within
the state; (4) identify and comply with confidentiality, security and
privacy standards; and (5) include a detailed cost estimate for
implementation and potential sources of funding.

Sec. 196. Subsection (a) of section 19a-25h of the 2010 supplement to
the general statutes is repealed and the following is substituted in lieu
thereof (Effective October 1, 2010):

(a) There is established a health information technology and exchange advisory committee. The committee shall consist of twelve members as follows: The Lieutenant Governor; three appointed by the Governor, one of whom shall be a representative of a medical research organization, one of whom shall be an insurer or representative of a health plan, and one of whom shall be an attorney with background and experience in the field of privacy, health data security or patient rights; two appointed by the president pro tempore of the Senate, one of whom shall have background and experience with a private sector health information exchange or health information technology entity, and one of whom shall have expertise in public health; two appointed by the speaker of the House of Representatives, one of whom shall be a representative of hospitals, an integrated delivery network or a hospital association, and one of whom who shall have expertise with federally qualified health centers; one appointed by the majority leader of the Senate, who shall be a primary care physician whose practice utilizes electronic health records; one appointed by the majority leader of the House of Representatives, who shall be a consumer or consumer advocate; one appointed by the minority leader of the Senate, who shall have background and experience as a pharmacist or other health care provider that utilizes electronic health information exchange; and one appointed by the minority leader of the House of Representatives, who shall be a large employer or a representative of a business group. The Commissioners of [Public Health, Social] Human Services, Consumer Protection and the Office of Health Care Access, the Chief Information Officer, the Secretary of the Office of Policy and Management and the Healthcare Advocate, or their designees, shall be ex-officio, nonvoting members of the committee.

Sec. 197. Section 19a-36b of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

(a) Any person who serves meals to individuals at registered congregate meal sites funded under Title III of the Older Americans
Act of 1965, as amended, which were prepared under the supervision of a qualified food operator, shall be exempt from the examination requirement for qualified food operators.

(b) Any volunteer who serves meals for a nonprofit organization shall be exempt from the examination requirement for qualified food operators.

(c) The Commissioner of [Public Health, in conjunction with the Commissioner of Social Services,] Human Services shall adopt regulations in accordance with the provisions of chapter 54 to establish training procedures for persons exempt from the examination requirement for qualified food operators under the provisions of subsections (a) and (b) of this section.

Sec. 198. Subsection (a) of section 19a-59b of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

(a) The Commissioner of [Public Health] Human Services shall establish a maternal and child health protection program. He shall contract, for purposes of the program, annually, within available appropriations, with local providers of health services to provide outpatient maternal health services and labor and delivery services to needy pregnant women and child health services to children under six years of age. Eligibility shall be limited to families who have an income equal to or less than one hundred eighty-five per cent of the poverty level, according to the federal Office of Management and Budget poverty guidelines for nonfarm families, lack private, third party health insurance to cover such services. Such local providers shall determine eligibility for services under the program. The contracts shall include criteria for making such determination in accordance with this section. Outpatient services provided under the program shall include at least the outpatient services provided to Medicaid recipients. The commissioner shall conduct an outreach program designed to educate the public with regard to the program and to
encourage providers to participate in the program. The commissioner
[ in consultation with the Commissioner of Social Services] shall seek
any federal matching funds available for the program.

Sec. 199. Section 19a-59e of the general statutes is repealed and the
following is substituted in lieu thereof (Effective October 1, 2010):

(a) The Department of [Public Health, in consultation with the
Department of Social Services,] Human Services shall create a joint
program between public and private organizations to design and
establish a three-year media campaign entitled "Campaign For Our
Children" for the purpose of reducing adolescent pregnancy in the
state.

(b) Said media campaign shall have as its central focus the reduction
of teen pregnancy and shall include the following strategies: (1)
Delaying sexual intercourse among adolescents; (2) promoting
pregnancy prevention among adolescents; (3) educating male
adolescents about sexual and parenting responsibilities including child
support; (4) promoting communication skills to parents of adolescents
to assist such parents in educating their children about sexual and
parenting responsibilities; (5) promoting community involvement by
adolescents for the purpose of building self-esteem and individual
skills; and (6) educating the community about the offenses of sexual
assault of a minor, pursuant to sections 53a-70, 53a-71 and 53a-73a.

(c) Notwithstanding the provisions of sections 4-212 to 4-219,
inclusive, the Department of [Public Health, in consultation with the
Department of Social Services,] Human Services shall solicit bids from
private organizations for the design and operation of said media
campaign. Such bids shall be solicited by sending notice to prospective
organizations and by posting notice on public bulletin boards within
said departments. Each bid shall be opened publicly at the time stated
in the notice soliciting such bid. Acceptance of a bid by said
departments shall be based on standard specifications adopted by said
departments. The department may accept gifts, donations, bequests,
(d) On October 1, 1997, and annually thereafter, the Commissioner of Public Health shall submit a report to the joint standing committees of the General Assembly having cognizance of matters relating to appropriations and budgets of state agencies and public health. The report shall describe the status of the program established by this section and shall include, but not be limited to, the manner in which funds have been or will be spent in meeting the mandates of subdivisions (1) to (6), inclusive, of subsection (b) of this section.

Sec. 200. Section 19a-60a of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

The Commissioner of Public Health, the Commissioner of Social Services, Human Services and the chief executive officer of The University of Connecticut Health Center shall establish a pilot program for the delivery of dental services to children of low-income families in two regions of the state. Such program shall provide for the design and implementation of a model integrated system of children's dental care in such regions, including dental disease prevention and service intervention components, and shall provide for measurable outcomes.

Sec. 201. Subsection (a) of section 19a-62a of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

(a) (1) Within available appropriations, the Commissioner of Public Health, in consultation with the Commissioner of Social Services, Human Services shall establish a pilot program for the early identification and treatment of pediatric asthma. The Commissioner of [Public Health] Human Services shall make grants-in-aid under the pilot program for projects to be established in two municipalities to identify, screen and refer children with asthma for treatment. Such projects shall work cooperatively with providers of maternal and child...
health, including, but not limited to, local health departments, community health centers, Healthy Start and the Nurturing Families Network established pursuant to section 17b-751b, to target children who were born prematurely, premature infants or pregnant women at risk of premature delivery for early identification of asthma. Such projects may utilize private resources through public-private partnerships to establish a public awareness program and innovative outreach initiatives targeting urban areas to encourage early screening of children at risk of asthma.

(2) The Commissioner of [Public Health] Human Services shall evaluate the pilot program established under this subsection and shall submit a report of the commissioner's findings and recommendations to the joint standing committees of the General Assembly having cognizance of matters relating to public health, human services and appropriations and the budgets of state agencies, not later than October 1, 2001, in accordance with the provisions of section 11-4a.

Sec. 202. Subsection (c) of section 19a-80 of the 2010 supplement to the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

(c) The Commissioner of [Public Health] Human Services, within available appropriations, shall require each prospective employee of a child day care center or group day care home in a position requiring the provision of care to a child to submit to state and national criminal history records checks. The criminal history records checks required pursuant to this subsection shall be conducted in accordance with section 29-17a. The commissioner shall also request a check of the state child abuse registry established pursuant to section 17a-101k. [Pursuant to the interagency agreement provided for in section 10-16s, the Department of Social Services may agree to transfer funds appropriated for criminal history records checks to the Department of Public Health.] The commissioner shall notify each licensee of the provisions of this subsection.
Sec. 203. Section 19a-80f of the 2010 supplement to the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

(a) As used in this section, "facility" means a child day care center, a group day care home and a family day care home, as defined in section 19a-77, and a youth camp, as defined in section 19a-420.

[(b) Notwithstanding any provision of the general statutes, the Commissioner of Children and Families, or the commissioner's designee, shall provide to the Department of Public Health all records concerning reports and investigations of suspected child abuse or neglect, including records of any administrative hearing held pursuant to section 17a-101k: (1) Occurring at any facility, and (2) by any staff member or licensee of any facility and by any household member of any family day care home, as defined in section 19a-77, irrespective of where the abuse or neglect occurred.]

[(c) The Department of Children and Families and the Department of Public Health Human Services shall jointly investigate reports of abuse or neglect occurring at any facility. [All information, records and reports concerning such investigation shall be shared between agencies as part of the investigative process.]]

[(d) The Commissioner of Public Health Human Services shall compile a listing of allegations of violations that have been substantiated by the Department of Public Health Human Services concerning a facility during the prior three-year period. The Commissioner of Public Health Human Services shall disclose information contained in the listing to any person who requests it, provided the information does not identify children or family members of those children.]

[(e) Notwithstanding any provision of the general statutes, when the Commissioner of Children and Families has made a finding substantiating abuse or neglect: (1) That occurred at a facility, or (2) by any staff member or licensee of any facility, or by any household]
member of any family day care home and such finding is included on
the state child abuse or neglect registry, maintained by the Department
of Children and Families pursuant to section 17a-101k, such finding
may be included in the listing compiled by the Department of Public
Health pursuant to subsection (d) of this section and may be disclosed
to the public by the Department of Public Health.

(f) Notwithstanding any provision of the general statutes, when the
Commissioner of Children and Families, pursuant to section 17a-101j,
has notified the Department of Public Health of suspected child abuse
or neglect at a facility and if such child abuse or neglect resulted in or
involves (1) the death of a child; (2) the risk of serious physical injury
or emotional harm of a child; (3) the serious physical harm of a child;
(4) the arrest of a person due to abuse or neglect of a child; (5) a
petition filed by the Commissioner of Children and Families pursuant
to section 17a-112 or 46b-129; or (6) sexual abuse of a child, the
Commissioner of Public Health may include a finding of child abuse or
neglect in the listing under subsection (d) of this section and may
disclose such finding to the public. If the Commissioner of Children
and Families, or the commissioner's designee, notifies the
Commissioner of Public Health that such child abuse or neglect was
not substantiated after investigation or reversed after appeal, the
Commissioner of Public Health shall immediately remove such
information from the listing and shall not further disclose any such
information to the public.]

[(g)] (d) Notwithstanding any provision of the general statutes, all
records [provided by the Commissioner of Children and Families, or
the commissioner's designee, to] of the Department of [Public Health]
Human Services regarding child abuse or neglect occurring at any
facility, may be utilized in an administrative proceeding or court
proceeding relative to facility licensing. In any such proceeding, such
records shall be confidential, except as provided by the provisions of
section 4-177c, and such records shall not be subject to disclosure
pursuant to section 1-210.
Sec. 204. Section 19a-82 of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

The Commissioner of [Public Health] Human Services shall utilize consultative services and assistance from the [Departments] Department of Education [, Mental Health and Addiction Services and Social Services] and from municipal building, fire and health departments. The commissioner shall make periodic inspections of licensed day care centers, group day care homes and family day care homes and shall provide technical assistance to licensees and applicants for licenses to assist them to attain and maintain the standards established in regulations adopted under sections 19a-77 to 19a-80, inclusive, 19a-82 to 19a-87, inclusive, and 19a-87b.

Sec. 205. Section 19a-127l of the 2010 supplement to the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

(a) There is established a quality of care program within the Department of [Public Health] Human Services. The department shall develop for the purposes of said program (1) a standardized data set to measure the clinical performance of health care facilities, as defined in section 19a-630, and require such data to be collected and reported periodically to the department, including, but not limited to, data for the measurement of comparable patient satisfaction, and (2) methods to provide public accountability for health care delivery systems by such facilities. The department shall develop such set and methods for hospitals during the fiscal year ending June 30, 2003, and the committee established pursuant to subsection (c) of this section shall consider and may recommend to the joint standing committee of the General Assembly having cognizance of matters relating to public health the inclusion of other health care facilities in each subsequent year.

(b) In carrying out its responsibilities under subsection (a) of this section, the department shall develop the following for the quality of
care program:

(1) Comparable performance measures to be reported;

(2) Selection of patient satisfaction survey measures and instruments;

(3) Methods and format of standardized data collection;

(4) Format for a public quality performance measurement report;

(5) Human resources and quality measurements;

(6) Medical error reduction methods;

(7) Systems for sharing and implementing universally accepted best practices;

(8) Systems for reporting outcome data;

(9) Systems for continuum of care;

(10) Recommendations concerning the use of an ISO 9000 quality auditing program;

(11) Recommendations concerning the types of statutory protection needed prior to collecting any data or information under this section and sections 19a-127m and 19a-127n; and

(12) Any other issues that the department deems appropriate.

(c) (1) There is established a Quality of Care Advisory Committee which shall advise the Department of [Public Health] Human Services on the issues set forth in subdivisions (1) to (12), inclusive, of subsection (b) of this section. The advisory committee shall meet at least semiannually.

(2) Said committee shall create a standing subcommittee on best practices. The subcommittee shall (A) advise the department on effective methods for sharing with providers the quality improvement
information learned from the department's review of reports and corrective action plans, including quality improvement practices, patient safety issues and preventative strategies, (B) not later than January 1, 2006, review and make recommendations concerning best practices with respect to when breast cancer screening should be conducted using comprehensive ultrasound screening or mammogram examinations, and (C) not later than January 1, 2008, study and make recommendations to the department concerning best practices with respect to communications between a patient's primary care provider and other providers involved in a patient's care, including hospitalists and specialists. The department shall, at least quarterly, disseminate information regarding quality improvement practices, patient safety issues and preventative strategies to the subcommittee and hospitals.

(d) The advisory committee shall consist of (1) four members who represent and shall be appointed by the Connecticut Hospital Association, including three members who represent three separate hospitals that are not affiliated of which one such hospital is an academic medical center; (2) one member who represents and shall be appointed by the Connecticut Nursing Association; (3) two members who represent and shall be appointed by the Connecticut Medical Society, including one member who is an active medical care provider; (4) two members who represent and shall be appointed by the Connecticut Business and Industry Association, including one member who represents a large business and one member who represents a small business; (5) one member who represents and shall be appointed by the Home Health Care Association; (6) one member who represents and shall be appointed by the Connecticut Association of Health Care Facilities; (7) one member who represents and shall be appointed by the Connecticut Association of Not-For-Profit Providers for the Aging; (8) two members who represent and shall be appointed by the AFL-CIO; (9) one member who represents consumers of health care services and who shall be appointed by the Commissioner of [Public Health] Human Services; (10) one member who represents a school of public health and who shall be appointed by the Commissioner of [Public
Health] Human Services; (11) the Commissioner of [Public Health] Human Services or said commissioner's designee; (12) [the Commissioner of Social Services or said commissioner's designee; (13)] the Secretary of the Office of Policy and Management or said secretary's designee; [[(14)] (13) two members who represent licensed health plans and shall be appointed by the Connecticut Association of Health Care Plans; [(15)] (14) one member who represents and shall be appointed by the federally designated state peer review organization; and [(16)] (15) one member who represents and shall be appointed by the Connecticut Pharmaceutical Association. The chairperson of the advisory committee shall be the Commissioner of [Public Health] Human Services or said commissioner's designee. The chairperson of the committee, with a vote of the majority of the members present, may appoint ex-officio nonvoting members in specialties not represented among voting members. Vacancies shall be filled by the person who makes the appointment under this subsection.

(e) The chairperson of the advisory committee may designate one or more working groups to address specific issues and shall appoint the members of each working group. Each working group shall report its findings and recommendations to the full advisory committee.

(f) The Commissioner of [Public Health] Human Services shall report on the quality of care program on or before June 30, 2003, and annually thereafter, in accordance with section 11-4a, to the joint standing committee of the General Assembly having cognizance of matters relating to public health and to the Governor. Each report on said program shall include activities of the program during the prior year and a plan of activities for the following year.

(g) On or before April 1, 2004, the Commissioner of [Public Health] Human Services shall prepare a report, available to the public, that compares all licensed hospitals in the state based on the quality performance measures developed under the quality of care program.

(h) (1) The advisory committee shall examine and evaluate (A)
possible approaches that would aid in the utilization of an existing
data collection system for cardiac outcomes, and (B) the potential for
state-wide use of a data collection system for cardiac outcomes, for the
purpose of continuing the delivery of quality cardiac care services in
the state.

(2) On or before December 1, 2007, the advisory committee shall
submit, in accordance with the provisions of section 11-4a, the results
of the examination authorized by this subsection, along with any
recommendations, to the Governor and the joint standing committee of
the General Assembly having cognizance of matters relating to public
health.

(i) The Department of [Public Health] Human Services may seek out
funding for the purpose of implementing the provisions of this section.
Said provisions shall be implemented upon receipt of said funding.

Sec. 206. Subsection (b) of section 19a-411 of the general statutes is
repealed and the following is substituted in lieu thereof (Effective
October 1, 2010):

(b) The report of examinations conducted by the Chief Medical
Examiner, Deputy Chief Medical Examiner, an associate medical
examiner or an authorized assistant medical examiner, and of the
autopsy and other scientific findings may be made available to the
public only through the Office of the Chief Medical Examiner and in
accordance with this section, section 1-210 and the regulations of the
commission. Any person may obtain copies of such records upon such
conditions and payment of such fees as may be prescribed by the
commission, except that no person with a legitimate interest in the
records shall be denied access to such records, and no person may be
denied access to records concerning a person in the custody of the state
at the time of death. As used in this section, a "person in the custody of
the state" is a person committed to the custody of (1) the Commissioner
of Correction for confinement in a correctional institution or facility or
a community residence, or (2) the Commissioner of [Children and
Families, or (3) the Commissioner of Developmental Human Services.

Sec. 207. Subsection (a) of section 19a-487 of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

(a) There is established a board of directors to advise the Department of [Public Health] Human Services on the operations of the mobile field hospital. The board shall consist of the following members: The Commissioners of [Public Health] Human Services, Emergency Management and Homeland Security [and Public Safety,] and Social Services[,] or their designees, the Secretary of the Office of Policy and Management, or the secretary's designee, the Adjutant General, or the Adjutant General's designee, one representative of a hospital in this state with more than five hundred licensed beds and one representative of a hospital in this state with five hundred or fewer licensed beds, both appointed by the Commissioner of [Public Health] Human Services. The Commissioner of [Public Health] Human Services shall be the chairperson of the board. The board shall adopt bylaws and shall meet at such times as specified in such bylaws and at such other times as the Commissioner of [Public Health] Human Services deems necessary.

Sec. 208. Subsection (c) of section 19a-490h of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

(c) The Department of [Mental Health and Addiction Services, after consultation with the Department of Public Health,] Human Services shall assist each hospital required to conduct alcohol and substance abuse screening pursuant to subsections (a) and (b) of this section with the development and implementation of alcohol and substance abuse screening protocols.

Sec. 209. Subsection (b) of section 19a-495 of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):
(b) The Department of [Public Health, with the advice of the Department of Mental Health and Addiction Services,] Human Services shall include in the regulations adopted pursuant to subsection (a) of this section, additional standards for community residences, as defined in section 19a-507a, which shall include, but not be limited to, standards for: (1) Safety, maintenance and administration; (2) protection of human rights; (3) staffing requirements; (4) administration of medication; (5) program goals and objectives; (6) services to be offered; and (7) population to be served.

Sec. 210. Section 19a-498 of the 2010 supplement to the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

(a) Subject to the provisions of section 19a-493, the Department of [Public Health] Human Services shall make or cause to be made a biennial licensure inspection of all institutions and such other inspections and investigations of institutions and examination of their records as the department deems necessary.

(b) The commissioner, or an agent authorized by the commissioner to conduct any inquiry, investigation or hearing under the provisions of this chapter, shall have power to inspect the premises of an institution, administer oaths and take testimony under oath relative to the matter of inquiry or investigation. At any hearing ordered by the department, the commissioner or such agent may subpoena witnesses and require the production of records, papers and documents pertinent to such inquiry. If any person disobeys such subpoena or, having appeared in obedience thereto, refuses to answer any pertinent question put to such person by the commissioner or such agent or to produce any records and papers pursuant to the subpoena, the commissioner or such agent may apply to the superior court for the judicial district of Hartford or for the judicial district wherein the person resides or wherein the business has been conducted, setting forth such disobedience or refusal, and said court shall cite such person to appear before said court to answer such question or to
produce such records and papers.

(c) The Department of [Mental Health and Addiction] Human Services, with respect to any mental health facility or alcohol or drug treatment facility, shall be authorized [, either upon the request of the Commissioner of Public Health or at such other times as they deem necessary,] to enter such facility for the purpose of inspecting programs conducted at such facility. A written report of the findings of any such inspection shall be [forwarded to the Commissioner of Public Health and a copy shall be] maintained in such facility's licensure file.

(d) In addition, when the Commissioner of [Social] Human Services deems it necessary, said commissioner, or a designated representative of said commissioner, may examine and audit the financial records of any nursing home facility, as defined in section 19a-521. Each such nursing home facility shall retain all financial information, data and records relating to the operation of the nursing home facility for a period of not less than ten years, and all financial information, data and records relating to any real estate transactions affecting such operation, for a period of not less than twenty-five years, which financial information, data and records shall be made available, upon request, to the Commissioner of [Social] Human Services or such designated representative at all reasonable times.

Sec. 211. Section 19a-507c of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

A community residence shall be evaluated twice a year by the Department of [Mental Health and Addiction Services]. Evaluations by said department shall include a review of individual client records and shall be sent to the Department of Public Health upon its request]

Human Services.

Sec. 212. Subsection (a) of section 19a-523 of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):
(a) If, from the results of an inspection and investigation in accordance with section 19a-498, or upon receipt of a report or complaint [from the Commissioner of Social Services,] pursuant to section 17b-408, and upon such review and further investigation, as the Commissioner of [Public Health] Human Services deems necessary, the Commissioner of [Public Health] Human Services determines that such nursing home facility has violated any provision of the Public Health Code relating to the operation or maintenance of a nursing home facility, the Commissioner of [Public Health] Human Services may, notwithstanding the provisions of chapter 54, request the Attorney General to seek a temporary or permanent injunction and such other relief as may be appropriate to enjoin such nursing home facility from continuing such violation or violations. If the court determines such violation or violations exist, it may grant such injunctive relief and such other relief as justice may require and may set a time period within which such nursing home facility shall comply with any such order.

Sec. 213. Subsection (b) of section 19a-526 of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

(b) Civil penalties imposed pursuant to this section shall be paid not later than fifteen days after the final date by which an appeal may be taken as provided in section 19a-529 or, if an appeal is taken, not later than fifteen days after the final judgment on such appeal. In the event such fines are not paid, the Commissioner of [Public Health shall notify the Commissioner of Social] Human Services [who] is authorized to immediately withhold from the nursing home's next medical assistance payment, an amount equal to the amount of the civil penalty.

Sec. 214. Section 19a-531 of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

Any employee of the Department of [Public Health or the
Department of Social] Human Services or any regional ombudsman who gives or causes to be given any advance notice to any nursing home facility, directly or indirectly, that an investigation or inspection is under consideration or is impending or gives any information regarding any complaint submitted pursuant to section 17b-408, or 19a-523 prior to an on-the-scene investigation or inspection of such facility, unless specifically mandated by federal or state regulations to give advance notice, shall be guilty of a class B misdemeanor and may be subject to dismissal, suspension or demotion in accordance with chapter 67.

Sec. 215. Subsection (b) of section 19a-533 of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

(b) A nursing home which receives payment from the state for rendering care to indigent persons shall:

(1) Be prohibited from discriminating against indigent persons who apply for admission to such facility on the basis of source of payment. Except as otherwise provided by law, all applicants for admission to such facility shall be admitted in the order in which such applicants apply for admission. Each nursing home shall (A) provide a receipt to each applicant for admission to its facility who requests placement on a waiting list stating the date and time of such request, and (B) maintain a dated list of such applications which shall be available at all times to any applicant, his bona fide representative, authorized personnel from the [Departments of Public Health and Social Services] Department of Human Services and such other state agencies or other bodies established by state statute whose statutory duties necessitate access to such lists. If a nursing home desires to remove the name of an applicant who is unresponsive to facility telephone calls and letters from its waiting list, the nursing home may, no sooner than ninety days after initial placement of the person's name on the waiting list, inquire by letter to such applicant and any one person if designated by such applicant whether the applicant desires continuation of his name
on the waiting list. If the applicant does not respond and an additional thirty days pass, the facility may remove such applicant's name from its waiting list. A nursing home may annually send a waiting list placement continuation letter to all persons on the waiting list for at least ninety days to inquire as to whether such person desires continuation of his name on the waiting list, provided such letter shall also be sent to any one person if designated by such applicant. If such person does not respond and at least thirty days pass, the facility may remove the person's name from its waiting list. Indigent persons shall be placed on any waiting list for admission to a facility and shall be admitted to the facility as vacancies become available, in the same manner as self-pay applicants, except as provided in subsections (f) and (g) of this section;

(2) Post in a conspicuous place a notice informing applicants for admission that the facility is prohibited by statute from discriminating against indigent applicants for admission on the basis of source of payment. Such notice shall advise applicants for admission of the remedies available under this section and shall list the name, address and telephone number of the ombudsman who serves the region in which the facility is located;

(3) Be prohibited from requiring that an indigent person pay any sum of money or furnish any other consideration, including but not limited to the furnishing of an agreement by the relative, conservator or other responsible party of an indigent person which obligates such party to pay for care rendered to an indigent person as a condition for admission of such indigent person;

(4) Record in the patient roster, maintained pursuant to the Public Health Code, or in a separate roster maintained for this purpose, the number of patients who are Medicare, Medicaid and private pay patients on each day. Such numbers shall be recorded daily and made available, upon request, to the state or regional ombudsman.

Sec. 216. Subsection (a) of section 19a-542 of the general statues is
repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

(a) An application to appoint a receiver for a nursing home facility may be filed in the Superior Court by the Commissioner of [Social] Human Services [the Commissioner of Public Health] or the director of the Office of Protection and Advocacy for Persons with Disabilities. A resident of a facility or such resident's legally liable relative, conservator or guardian may file a written complaint with the Commissioner of [Public Health] Human Services specifying conditions at the facility which warrant an application to appoint a receiver. If the Commissioner of [Public Health] Human Services fails to resolve such complaint within forty-five days of its receipt or, in the case of a facility which intends to close, within seven days of its receipt, the person who filed the complaint may file an application in the Superior Court for the appointment of a receiver for such facility. Said court shall immediately notify the Attorney General of such application. The court shall hold a hearing not later than ten days after the date the application is filed. Notice of such hearing shall be given to the owner of such facility or such owner's agent for service of process not less than five days prior to such hearing. Such notice shall be posted by the court in a conspicuous place inside such facility for not less than three days prior to such hearing.

Sec. 217. Subsection (a) of section 19a-547 of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

(a) The court may appoint any responsible individual whose name is proposed by the Commissioner of [Public Health and the Commissioner of Social] Human Services to act as a receiver. Such individual shall be a nursing home administrator licensed in the state of Connecticut with substantial experience in operating Connecticut nursing homes. On or before July 1, 2004, the Commissioner of [Social] Human Services shall adopt regulations governing qualifications for proposed receivers consistent with this subsection. No state employee
or owner, administrator or other person with a financial interest in the facility may serve as a receiver for that facility. No person appointed to act as a receiver shall be permitted to have a current financial interest in the facility; nor shall such person appointed as a receiver be permitted to have a financial interest in the facility for a period of five years from the date the receivership ceases.

Sec. 218. Subsection (b) of section 19a-550 of the 2010 supplement to the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

(b) There is established a patients' bill of rights for any person admitted as a patient to any nursing home facility or chronic disease hospital. The patients' bill of rights shall be implemented in accordance with the provisions of Sections 1919(b), 1919(c), 1919(c)(2), 1919(c)(2)(D) and 1919(c)(2)(E) of the Social Security Act. The patients' bill of rights shall provide that each such patient: (1) is fully informed, as evidenced by the patient's written acknowledgment, prior to or at the time of admission and during the patient's stay, of the rights set forth in this section and of all rules and regulations governing patient conduct and responsibilities; (2) is fully informed, prior to or at the time of admission and during the patient's stay, of services available in the facility, and of related charges including any charges for services not covered under Titles XVIII or XIX of the Social Security Act, or not covered by basic per diem rate; (3) is entitled to choose the patient's own physician and is fully informed, by a physician, of the patient's medical condition unless medically contraindicated, as documented by the physician in the patient's medical record, and is afforded the opportunity to participate in the planning of the patient's medical treatment and to refuse to participate in experimental research; (4) in a residential care home or a chronic disease hospital is transferred from one room to another within the facility only for medical reasons, or for the patient's welfare or that of other patients, as documented in the patient's medical record and such record shall include documentation of action taken to minimize any disruptive effects of such transfer, except a patient who is a Medicaid recipient may be transferred from a
private room to a nonprivate room, provided no patient may be involuntarily transferred from one room to another within the facility if (A) it is medically established that the move will subject the patient to a reasonable likelihood of serious physical injury or harm, or (B) the patient has a prior established medical history of psychiatric problems and there is psychiatric testimony that as a consequence of the proposed move there will be exacerbation of the psychiatric problem which would last over a significant period of time and require psychiatric intervention; and in the case of an involuntary transfer from one room to another within the facility, the patient and, if known, the patient's legally liable relative, guardian or conservator or a person designated by the patient in accordance with section 1-56r, is given at least thirty days' and no more than sixty days' written notice to ensure orderly transfer from one room to another within the facility, except where the health, safety or welfare of other patients is endangered or where immediate transfer from one room to another within the facility is necessitated by urgent medical need of the patient or where a patient has resided in the facility for less than thirty days, in which case notice shall be given as many days before the transfer as practicable; (5) is encouraged and assisted, throughout the patient's period of stay, to exercise the patient's rights as a patient and as a citizen, and to this end, has the right to be fully informed about patients' rights by state or federally funded patient advocacy programs, and may voice grievances and recommend changes in policies and services to facility staff or to outside representatives of the patient's choice, free from restraint, interference, coercion, discrimination or reprisal; (6) shall have prompt efforts made by the facility to resolve grievances the patient may have, including those with respect to the behavior of other patients; (7) may manage the patient's personal financial affairs, and is given a quarterly accounting of financial transactions made on the patient's behalf; (8) is free from mental and physical abuse, corporal punishment, involuntary seclusion and any physical or chemical restraints imposed for purposes of discipline or convenience and not required to treat the patient's medical symptoms. Physical or chemical restraints may be imposed only to ensure the physical safety of the
patient or other patients and only upon the written order of a physician that specifies the type of restraint and the duration and circumstances under which the restraints are to be used, except in emergencies until a specific order can be obtained; (9) is assured confidential treatment of the patient's personal and medical records, and may approve or refuse their release to any individual outside the facility, except in case of the patient's transfer to another health care institution or as required by law or third-party payment contract; (10) receives quality care and services with reasonable accommodation of individual needs and preferences, except where the health or safety of the individual would be endangered, and is treated with consideration, respect, and full recognition of the patient's dignity and individuality, including privacy in treatment and in care for the patient's personal needs; (11) is not required to perform services for the facility that are not included for therapeutic purposes in the patient's plan of care; (12) may associate and communicate privately with persons of the patient's choice, including other patients, send and receive the patient's personal mail unopened and make and receive telephone calls privately, unless medically contraindicated, as documented by the patient's physician in the patient's medical record, and receives adequate notice before the patient's room or roommate in the facility is changed; (13) is entitled to organize and participate in patient groups in the facility and to participate in social, religious and community activities that do not interfere with the rights of other patients, unless medically contraindicated, as documented by the patient's physician in the patient's medical records; (14) may retain and use the patient's personal clothing and possessions unless to do so would infringe upon rights of other patients or unless medically contraindicated, as documented by the patient's physician in the patient's medical record; (15) is assured privacy for visits by the patient's spouse or a person designated by the patient in accordance with section 1-56r and, if the patient is married and both the patient and the patient's spouse are inpatients in the facility, they are permitted to share a room, unless medically contraindicated, as documented by the attending physician in the medical record; (16) is
fully informed of the availability of and may examine all current state, local and federal inspection reports and plans of correction; (17) may organize, maintain and participate in a patient-run resident council, as a means of fostering communication among residents and between residents and staff, encouraging resident independence and addressing the basic rights of nursing home and chronic disease hospital patients and residents, free from administrative interference or reprisal; (18) is entitled to the opinion of two physicians concerning the need for surgery, except in an emergency situation, prior to such surgery being performed; (19) is entitled to have the patient's family or a person designated by the patient in accordance with section 1-56r meet in the facility with the families of other patients in the facility to the extent the facility has existing meeting space available which meets applicable building and fire codes; (20) is entitled to file a complaint with the Department of [Social Services and the Department of Public Health] Human Services regarding patient abuse, neglect or misappropriation of patient property; (21) is entitled to have psychopharmacologic drugs administered only on orders of a physician and only as part of a written plan of care developed in accordance with Section 1919(b)(2) of the Social Security Act and designed to eliminate or modify the symptoms for which the drugs are prescribed and only if, at least annually, an independent external consultant reviews the appropriateness of the drug plan; (22) is entitled to be transferred or discharged from the facility only pursuant to section 19a-535 or section 19a-535b, as applicable; (23) is entitled to be treated equally with other patients with regard to transfer, discharge and the provision of all services regardless of the source of payment; (24) shall not be required to waive any rights to benefits under Medicare or Medicaid or to give oral or written assurance that the patient is not eligible for, or will not apply for benefits under Medicare or Medicaid; (25) is entitled to be provided information by the facility as to how to apply for Medicare or Medicaid benefits and how to receive refunds for previous payments covered by such benefits; (26) on or after October 1, 1990, shall not be required to give a third-party guarantee of payment to the facility as a condition of
admission to, or continued stay in, the facility; (27) is entitled to have the facility not charge, solicit, accept or receive any gift, money, donation, third-party guarantee or other consideration as a precondition of admission or expediting the admission of the individual to the facility or as a requirement for the individual's continued stay in the facility; and (28) shall not be required to deposit the patient's personal funds in the facility.

Sec. 219. Section 19a-551 of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

Each nursing home facility shall: (1) On or before the admission of each patient provide such patient or such patient's legally liable relative, guardian or conservator with a written statement explaining such patient's rights regarding the patient's personal funds and listing the charges which may be deducted from such funds. Such statement shall explain that the nursing home facility shall on and after October 1, 1992, pay interest at a rate not less than four per cent per annum and on and after October 1, 1994, pay interest at a rate not less than five and one-half per cent per annum on any security deposit or other advance payment required of such patient prior to admission to the nursing home. In the case of patients receiving benefits under Title XVIII or XIX of the federal Social Security Act the statement shall include a list of charges not covered by said titles and not covered by the basic per diem rate provided by said titles. Upon delivery of such statement the person in charge of the nursing home facility shall obtain a signed receipt acknowledging such delivery; (2) upon written consent or request of the patient or the patient's legally liable relative, guardian or conservator, manage such patient's personal funds, provided such consent by a patient shall not be effective unless cosigned by the patient's legally liable relative or guardian if such patient has been determined by a physician to be mentally incapable of understanding and no conservator has been appointed. As manager of such personal funds the nursing home facility shall: (A) Either maintain separate accounts for each patient or maintain an aggregate trust account for patients' funds to prevent commingling the personal
funds of patients with the funds of the facility. The facility shall notify
in writing each patient receiving Medicaid assistance or such patient's
legally liable relative, guardian or conservator when the amount in the
patient's account reaches two hundred dollars less than the dollar
amount determined under the Medicaid program as the maximum for
eligibility under the program and advise the patient or such patient's
legally liable relative, guardian or conservator that if the amount in the
account plus the value of the patient's other nonexempt resources
reaches the maximum the patient may lose his or her Medicaid
eligibility; (B) obtain signed receipts for each expenditure from each
patient's personal funds; (C) maintain an individual itemized record of
income and expenditures for each patient, including quarterly
accountings; and (D) permit the patient or the patient's legally liable
relative, guardian or conservator, and the regional long-term care
ombudsman, and representatives from the [Departments of Social
Services and Public Health] Department of Human Services, access to
such record; and (3) (A) refund any overpayment or deposit from a
former patient or such patient's legally liable relative, guardian or
conservator within thirty days of the patient's discharge; and (B)
refund any deposit from an individual planning to be admitted to the
facility within thirty days of receipt of written notification that the
individual is no longer planning to be admitted. A refund issued after
thirty days shall include interest at a rate of ten per cent per annum.
For the purposes of this section "deposit" shall include liquidated
damages under any contract for pending admission.

Sec. 220. Section 19a-617b of the general statutes is repealed and the
following is substituted in lieu thereof (Effective October 1, 2010):

(a) For purposes of this section:

(1) "Chronic disease hospital" means a nonprofit facility licensed as
a chronic disease hospital by the Department of [Public Health]
Human Services on or before January 1, 2003; and

(2) "Satellite facility" means a long-term acute care facility operated
as part of a long-term acute care hospital under the provisions of Title XVIII of the Social Security Act.

(b) The Office of Health Care Access, in consultation with the [Departments of Public Health and Social Services] Department of Human Services, may authorize up to four demonstration projects allowing chronic disease hospitals to establish and operate new long-term acute care hospitals or satellite facilities. The purpose of such demonstration projects is to study the quality of service, patient outcomes and cost-effectiveness resulting from the use of such hospitals or facilities. Such hospitals or facilities operated pursuant to such demonstration projects shall serve patients who require long-term hospitalization in an acute care setting, need twenty-four-hour on-site physician availability and are not suitable for placement in a skilled nursing facility. New long-term acute care hospitals and satellite facilities may be eligible for operation as such projects if they are (1) located within a licensed short-term acute care general or children's hospital, (2) under the common ownership and control of a chronic disease hospital, and (3) currently are, or become certified for, Medicare participation as a long-term acute care hospital under Title XVIII of the Social Security Act.

(c) In connection with the demonstration projects authorized under this section, the Commissioner of [Public Health] Human Services may, in the commissioner's discretion, waive licensure and other regulatory requirements otherwise applicable to chronic disease hospitals for new long-term acute care hospitals or satellite facilities. It shall not be necessary for the Department of [Public Health] Human Services to adopt or amend regulations for purposes of the demonstration projects authorized by this section.

(d) Not later than January 1, 2005, a chronic disease hospital may apply to the office for a certificate of need to conduct a demonstration project. Each demonstration project authorized by the office pursuant to this section shall collect and report on data concerning the demonstration project's impact on the quality of service and patient
outcomes and cost-effectiveness. Such data shall be reported in the manner prescribed by said commissioner, and shall include (1) length of stay, (2) number of intensive care days per patient, (3) cost of stay, (4) type of discharge, and (5) any other data requested by the Commissioner of Health Care Access.

(e) Not later than January 1, 2007, the Office of Health Care Access, in consultation with the Department of Public Health and Social Services, shall report, in accordance with section 11-4a, to the joint standing committees of the General Assembly having cognizance of matters relating to public health and human services concerning findings and recommendations regarding the demonstration projects authorized pursuant to this section.

Sec. 221. Subdivision (1) of subsection (b) of section 19a-639 of the 2010 supplement to the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

(b) (1) [The commissioner, or the commissioner's designee, shall notify the Commissioner of Social Services of any certificate of need request that may impact expenditures under the state medical assistance program.] The office shall consider such a certificate of need request in relation to the community or regional need for such capital program or purchase of land, the possible effect on the operating costs of the health care facility or institution and such other relevant factors as the office deems necessary. In approving or modifying such request, the commissioner, or the commissioner's designee, may not prescribe any condition, such as but not limited to, any condition or limitation on the indebtedness of the facility or institution in connection with a bond issue, the principal amount of any bond issue or any other details or particulars related to the financing of such capital expenditure, not directly related to the scope of such capital program and within control of the facility or institution.

Sec. 222. Section 19a-902 of the 2010 supplement to the general statutes is repealed and the following is substituted in lieu thereof:
On or before January 1, 2011, the Department of [Public Health, in consultation with the Department of Mental Health and Addiction Services,] Human Services shall amend the department's substance abuse treatment regulations and shall implement a dual licensure program for behavioral health care providers who provide both mental health services and substance abuse services.

Sec. 223. Section 20-14i of the 2010 supplement to the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

Any provisions to the contrary notwithstanding, chapter 378 shall not prohibit the administration of medication to persons (1) attending day programs, residing in residential facilities or receiving individual and family support, under the jurisdiction of the Departments of [Children and Families,] Human Services and Correction, [Developmental Services and Mental Health and Addiction Services,] (2) being detained in juvenile detention centers or residing in residential facilities dually licensed by the Department of [Children and Families and the Department of Public Health] Human Services, or (3) residing in substance abuse treatment facilities licensed by the Department of [Children and Families] Human Services pursuant to section 17a-145 when such medication is administered by trained persons, pursuant to the written order of a physician licensed under this chapter, a dentist licensed under chapter 379, an advanced practice registered nurse licensed to prescribe in accordance with section 20-94a or a physician assistant licensed to prescribe in accordance with section 20-12d, authorized to prescribe such medication. The provisions of this section shall not apply to institutions, facilities or programs licensed pursuant to chapter 368v.

Sec. 224. Subsection (a) of section 20-14j of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):
(a) The commissioners of the departments which license the
residential facilities, day programs or individual and family support
services in which the administration of medication in accordance with
section 20-14i is appropriate shall adopt regulations, in accordance
with the provisions of chapter 54, to carry out the provisions of
sections 20-14h and 20-14i. If licensing is not required, the regulations
shall be adopted by the commissioners of the departments having
authority over the persons served in such facilities or programs, or
receiving individual and family support. Such regulations shall be
adopted by each affected department in consultation with an advisory
task force which shall include the Commissioner of [Public Health, the
Commissioner of Mental Health and Addiction Services, the
Commissioner of Developmental Services,] Human Services and the
Commissioner of Correction, [and the Commissioner of Children and
Families,] or their designees. The task force shall submit a report to the
joint standing committee of the General Assembly having cognizance
of matters relating to public health by November 1, 1988.

Sec. 225. Section 20-74s of the 2010 supplement to the general
statutes is repealed and the following is substituted in lieu thereof
(Effective October 1, 2010):

(a) For purposes of this section and subdivision (18) of subsection (c)
of section 19a-14:

(1) "Commissioner" means the Commissioner of [Public Health]
Human Services;

(2) "Licensed alcohol and drug counselor" means a person licensed
under the provisions of this section;

(3) "Certified alcohol and drug counselor" means a person certified
under the provisions of this section;

(4) "Practice of alcohol and drug counseling" means the professional
application of methods that assist an individual or group to develop an
understanding of alcohol and drug dependency problems, define
goals, and plan action reflecting the individual's or group's interest, abilities and needs as affected by alcohol and drug dependency problems;

(5) "Private practice of alcohol and drug counseling" means the independent practice of alcohol and drug counseling by a licensed or certified alcohol and drug counselor who is self-employed on a full-time or part-time basis and who is responsible for that independent practice;

(6) "Self-help group" means a voluntary group of persons who offer peer support to each other in recovering from an addiction; and

(7) "Supervision" means the regular on-site observation of the functions and activities of an alcohol and drug counselor in the performance of his or her duties and responsibilities to include a review of the records, reports, treatment plans or recommendations with respect to an individual or group.

(b) Except as provided in subsections [(s) to (x)] [(r) to (w)], inclusive, of this section, no person shall engage in the practice of alcohol and drug counseling unless licensed as a licensed alcohol and drug counselor pursuant to subsection (d) of this section or certified as a certified alcohol and drug counselor pursuant to subsection (e) of this section.

(c) Except as provided in subsections [(s) to (x)] [(r) to (w)], inclusive, of this section, no person shall engage in the private practice of alcohol and drug counseling unless (1) licensed as a licensed alcohol and drug counselor pursuant to subsection (d) of this section, or (2) certified as a certified alcohol and drug counselor pursuant to subsection (e) of this section and practicing under the supervision of a licensed alcohol and drug counselor.

(d) To be eligible for licensure as a licensed alcohol and drug counselor, an applicant shall (1) have attained a master's degree from an accredited institution of higher education with a minimum of
eighteen graduate semester hours in counseling or counseling-related subjects, except that applicants holding certified clinical supervisor status by the Connecticut Certification Board, Inc. as of October 1, 1998, may substitute such certification in lieu of the master's degree requirement, and (2) be certified or have met all the requirements for certification as a certified alcohol and drug counselor.

(e) To be eligible for certification by the Department of [Public Health] Human Services as a certified alcohol and drug counselor, an applicant shall have (1) completed three hundred hours of supervised practical training in alcohol and drug counseling that the commissioner deems acceptable; (2) completed three years of supervised paid work experience or unpaid internship that the commissioner deems acceptable that entailed working directly with alcohol and drug clients, except that a master's degree may be substituted for one year of such experience; (3) completed three hundred sixty hours of commissioner-approved education, at least two hundred forty hours of which relates to the knowledge and skill base associated with the practice of alcohol and drug counseling; and (4) successfully completed a department prescribed examination.

(f) For individuals applying for certification as an alcohol and drug counselor by the Department of Public Health prior to October 1, 1998, current certification by the Department of Mental Health and Addiction Services may be substituted for the certification requirements of subsection (e) of this section.

(g) The commissioner shall grant a license as an alcohol and drug counselor to any applicant who furnishes satisfactory evidence that he has met the requirements of subsection (d) or (n) of this section. The commissioner shall develop and provide application forms. The application fee shall be one hundred ninety dollars.

(h) A license as an alcohol and drug counselor shall be renewed in accordance with the provisions of section 19a-88 for a fee of one
hundred ninety dollars.  

[(i)] (h) The commissioner shall grant certification as a certified alcohol and drug counselor to any applicant who furnishes satisfactory evidence that he has met the requirements of [subsections (e) or [(o)] (n) of this section. The commissioner shall develop and provide application forms. The application fee shall be one hundred ninety dollars.

[(j)] (i) A certificate as an alcohol and drug counselor may be renewed in accordance with the provisions of section 19a-88 for a fee of one hundred ninety dollars.

[(k)] (j) The commissioner may contract with a qualified private organization for services that include (1) providing verification that applicants for licensure or certification have met the education, training and work experience requirements under this section; and (2) any other services that the commissioner may deem necessary.

[(l)] (k) Any person who has attained a master's level degree and is certified by the Connecticut Certification Board as a substance abuse counselor on or before July 1, 2000, shall be deemed a licensed alcohol and drug counselor. Any person so deemed shall renew his license pursuant to section 19a-88 for a fee of one hundred ninety dollars.

[(m)] (l) Any person who has not attained a master's level degree and is certified by the Connecticut Certification Board as a substance abuse counselor on or before July 1, 2000, shall be deemed a certified alcohol and drug counselor. Any person so deemed shall renew his certification pursuant to section 19a-88 for a fee of one hundred ninety dollars.

[(n)] (m) Any person who is not certified by the Connecticut Certification Board as a substance abuse counselor on or before July 1, 2000, who (1) documents to the department that he has a minimum of five years full-time or eight years part-time paid work experience, under supervision, as an alcohol and drug counselor, and (2)
successfully passes a commissioner-approved examination no later than July 1, 2000, shall be deemed a certified alcohol and drug counselor. Any person so deemed shall renew his certification pursuant to section 19a-88 for a fee of one hundred ninety dollars.

[(o)] (n) The commissioner may license or certify without examination any applicant who, at the time of application, is licensed or certified by a governmental agency or private organization located in another state, territory or jurisdiction whose standards, in the opinion of the commissioner, are substantially similar to, or higher than, those of this state.

[(p)] (o) No person shall assume, represent himself as, or use the title or designation "alcoholism counselor", "alcohol counselor", "alcohol and drug counselor", "alcoholism and drug counselor", "licensed clinical alcohol and drug counselor", "licensed alcohol and drug counselor", "licensed associate alcohol and drug counselor", "certified alcohol and drug counselor", "chemical dependency counselor", "chemical dependency supervisor" or any of the abbreviations for such titles, unless licensed or certified under subsections [(g) to (n)] [(f) to (m), inclusive, of this section and unless the title or designation corresponds to the license or certification held.

[(q)] (p) The commissioner shall adopt regulations, in accordance with chapter 54, to implement provisions of this section.

[(r)] (q) The commissioner may suspend, revoke or refuse to issue a license in circumstances that have endangered or are likely to endanger the health, welfare or safety of the public.

[(s)] (r) Nothing in this section shall be construed to apply to the activities and services of a rabbi, priest, minister, Christian Science practitioner or clergyman of any religious denomination or sect, when engaging in activities that are within the scope of the performance of the person's regular or specialized ministerial duties and for which no separate charge is made, or when these activities are performed, with or without charge, for or under the auspices or sponsorship,
individually or in conjunction with others, of an established and
legally cognizable church, denomination or sect, and when the person
rendering services remains accountable to the established authority
thereof.

[(t)] (s) Nothing in this section shall be construed to apply to the
activities and services of a person licensed in this state to practice
medicine and surgery, psychology, marital and family therapy, clinical
social work, professional counseling, advanced practice registered
nursing or registered nursing, when such person is acting within the
scope of the person's license and doing work of a nature consistent
with that person's license, provided the person does not hold himself
or herself out to the public as possessing a license or certification
issued pursuant to this section.

[(u)] (t) Nothing in this section shall be construed to apply to the
activities and services of a student intern or trainee in alcohol and drug
counseling who is pursuing a course of study in an accredited
institution of higher education or training course, provided these
activities are performed under supervision and constitute a part of an
accredited course of study, and provided further the person is
designated as an intern or trainee or other such title indicating the
training status appropriate to his level of training.

[(v)] (u) Nothing in this section shall be construed to apply to any
alcohol and drug counselor or substance abuse counselor employed by
the state, except that this section shall apply to alcohol and drug
counselors employed by the Department of Correction pursuant to
subsection [(x)] (w) of this section.

[(w)] (v) Nothing in this section shall be construed to apply to the
activities and services of paid alcohol and drug counselors who are
working under supervision or uncompensated alcohol and drug abuse
self-help groups, including, but not limited to, Alcoholics Anonymous
and Narcotics Anonymous.

[(x)] (w) The provisions of this section shall apply to employees of
the Department of Correction, other than trainees or student interns covered under subsection (u) of this section and persons completing supervised paid work experience in order to satisfy mandated clinical supervision requirements for certification under subsection (e) of this section, as follows: (1) Any person hired by the Department of Correction on or after October 1, 2002, for a position as a substance abuse counselor or supervisor of substance abuse counselors shall be a licensed or certified alcohol and drug counselor; (2) any person employed by the Department of Correction prior to October 1, 2002, as a substance abuse counselor or supervisor of substance abuse counselors shall become licensed or certified as an alcohol and drug counselor by October 1, 2007; and (3) any person employed by the Department of Correction on or after October 1, 2007, as a substance abuse counselor or supervisor of substance abuse counselors shall be a licensed or certified alcohol and drug counselor.

Sec. 226. Section 20-138c of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

Wherever a committee, council or other body is appointed to serve in an advisory capacity in matters pertaining to vision for the Department of [Public Health] Human Services, the State Board of Education [J or the Department of Motor Vehicles, [or the Department of Social Services,] the appointing authority shall include, as a member of such committee, council or body, a person licensed under the provisions of this chapter.

Sec. 227. Subdivision (2) of section 20-571 of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

(2) "Care-giving institution" means an institution that provides medical services and is licensed, operated, certified or approved by the Commissioner of [Public Health, the Commissioner of Developmental Services or the Commissioner of Mental Health and Addiction] Human Services;
Sec. 228. Subdivision (24) of section 21a-240 of the 2010 supplement to the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

(24) "Hospital", as used in sections 21a-243 to 21a-283, inclusive, means an institution for the care and treatment of the sick and injured, approved by the Department of [Public Health or the Department of Mental Health and Addiction Services] Human Services as proper to be entrusted with the custody of controlled drugs and substances and professional use of controlled drugs and substances under the direction of a licensed practitioner;

Sec. 229. Section 22-456 of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

(a) There is established the Connecticut Food Policy Council which shall be within the Department of Agriculture.

(b) The council shall consist of the following members: (1) One appointed by the majority leader of the Senate who shall be involved in agriculture or in an agriculture organization; (2) one appointed by the president pro tempore of the Senate who shall be involved in an antihunger organization; (3) one appointed by the minority leader of the Senate, who shall represent the Cooperative Extension Service; (4) one appointed by the minority leader of the House of Representatives who shall be a food retailer; (5) one appointed by the speaker of the House of Representatives who shall be a produce wholesaler; (6) one appointed by the majority leader of the House of Representatives who shall be a produce wholesaler; (7) the Commissioner of Agriculture, or [his] the commissioner's designee; (8) the Commissioner of Administrative Services, or [his] the commissioner's designee; (9) the Commissioner of Education, or [his] the commissioner's designee; (10) the Commissioner of Transportation, or [his] the commissioner's designee; (11) the Commissioner of [Public Health, or his designee; (12) the Commissioner of Social Services, or his] Human Services, or the commissioner's designee; [(13)] (12) the
head of each state department, as defined in section 4-5, who is not one
of the commissioners designated in subdivisions (7) to (12), inclusive,
of this subsection who shall be members ex officio without the right to
vote; and [(14)] [(13)] the chairman of the joint standing committee of the
General Assembly having cognizance of matters relating to the
environment who shall be a member ex officio without the right to
vote. The council shall elect a chairperson and a vice-chairperson from
among its members. Any person absent from (A) three consecutive
meetings of the commission; or (B) fifty per cent of such meetings
during any calendar year shall be deemed to have resigned from the
council, effective immediately. Vacancies on the council shall be filled
by the appointing authority. Members of the council serve without
compensation but shall, within the limits of available funds, be
reimbursed for expenses necessarily incurred in the performance of
their duties. The council shall meet as often as deemed necessary by
the chairperson or a majority of the council.

(c) The council shall: (1) Develop, coordinate and implement a food
system policy linking local economic development, environmental
protection and preservation with farming and urban issues; (2) review
and comment on any proposed state legislation and regulations that
would affect the food policy system of the state; (3) advise and provide
information to the Governor on the state's food policy; and (4) prepare
and submit to the joint standing committee of the General Assembly
having cognizance of matters relating to the environment an annual
report concerning its activities with any appropriate recommendations
concerning food policy.

(d) The council may use such funds as may be available from
federal, state or other sources and may enter into contracts to carry out
the purposes of this section.

(e) The council may, subject to the provisions of chapter 67, employ
any necessary staff within available appropriations.

Sec. 230. Subdivision (5) of section 28-1 of the general statutes is
(5) "Civil preparedness forces" means any organized personnel engaged in carrying out civil preparedness functions in accordance with the provisions of this chapter or any regulation or order adopted pursuant to this chapter. All the police and fire forces of the state or any political subdivision of the state, or any part of any political subdivision, including all the auxiliaries of these forces and emergency medical service personnel licensed or certified pursuant to section 19a-179, shall be construed to be a part of the civil preparedness forces. The Connecticut Disaster Medical Assistance Team and the Medical Reserve Corps, under the auspices of the Department of [Public Health] Human Services, the Connecticut Urban Search and Rescue Team, under the auspices of the Department of Emergency Management and Homeland Security, and the Connecticut behavioral health regional crisis response teams, under the auspices of the Department of [Mental Health and Addiction Services and the Department of Children and Families] Human Services, and their members, shall be construed to be a part of the civil preparedness forces while engaging in authorized civil preparedness duty or while assisting or engaging in authorized training for the purpose of eligibility for immunity from liability as provided in section 28-13 and for death, disability and injury benefits as provided in section 28-14. Any member of the civil preparedness forces who is called upon either by civil preparedness personnel or state or municipal police personnel to assist in any emergency shall be deemed to be engaging in civil preparedness duty while assisting in such emergency or while engaging in training under the auspices of the Department of Emergency Management and Homeland Security, the Department of Public Safety, the Division of State Police within the Department of Public Safety or a municipal police department, for the purpose of eligibility for death, disability and injury benefits as provided in section 28-14.

Sec. 231. Subsections (a) and (b) of section 28-1b of the general
(a) There is established a state-wide Emergency Management and Homeland Security Coordinating Council to advise the Department of Public Safety, the Office of Emergency Management and, on and after January 1, 2005, the Department of Emergency Management and Homeland Security with respect to: (1) Application and distribution of federal or state funds for emergency management and homeland security; (2) planning, design, implementation and coordination of state-wide emergency response systems; (3) assessing the state's overall emergency management and homeland security preparedness, policies and communications; (4) the recommendation of strategies to improve emergency response and incident management including, but not limited to, training and exercises, volunteer management, communications and use of technology, intelligence gathering, compilation and dissemination, the development, coordination and implementation of state and federally required emergency response plans, and the assessment of the state's use of regional management structures; and (5) strengthening consultation, planning, cooperation and communication among federal, state and local governments, the Connecticut National Guard, police, fire, emergency medical and other first responders, emergency managers, public health officials, private industry and community organizations. The council shall advise the Governor and the General Assembly on its findings and efforts to secure the state from all disasters and emergencies and to enhance the protection of the citizens of the state.

(b) The council shall consist of: (1) The Commissioner of Emergency Management and Homeland Security; the Secretary of the Office of Policy and Management; the Commissioner of Public Safety; the Commissioner of [Public Health; the Commissioner of Mental Health and Addiction] Human Services; the Commissioner of Environmental Protection; the Commissioner of Public Works; the Commissioner of Transportation; the Adjutant General of the Military Department; the chairperson of the Department of Public Utility Control; the Chief
Information Officer, as defined in section 4d-1; the State Fire Administrator; or their designees; and (2) the following members appointed as follows: Two municipal police chiefs, one appointed by the speaker of the House of Representatives and one appointed by the Governor; two municipal fire chiefs, one appointed by the president pro tempore of the Senate and one appointed by the Governor; one volunteer fire chief appointed by the minority leader of the Senate; one representative of the Connecticut Conference of Municipalities appointed by the majority leader of the Senate; one representative of the Council of Small Towns appointed by the minority leader of the House of Representatives; two local or regional emergency management directors, one appointed by the speaker of the House of Representatives and one designated, not later than July 1, 2007, by the president of the Connecticut Emergency Management Association; one local or regional health director appointed by the president pro tempore of the Senate; one emergency medical services professional appointed by the Governor; one nonprofit hospital administrator appointed by the majority leader of the House of Representatives; and one manager or coordinator of 9-1-1 public safety answering points appointed by the Governor. Each member appointed under this subdivision shall serve for a term of three years from July 1, 2004, or three years from the time of appointment if appointed after July 1, 2004, or until a qualified successor has been appointed to replace such member. No member appointed under this subdivision shall receive any compensation for such member's service on the council.

Sec. 232. Subsection (h) of section 31-222 of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010): (h) "Hospital" means an institution which has been licensed by the Department of [Public Health or state Department of Mental Health and Addiction Services,] Human Services for the care and treatment of the sick and injured, and treatment of persons suffering from disease or other abnormal physical or mental conditions.
Sec. 233. Section 31-306a of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

Notwithstanding any contrary provision in section 31-306, any compensation due on behalf of any presumptive dependent child under the provisions of said section, which child has been committed to the Commissioner of [Social Services or the Commissioner of Children and Families] Human Services as neglected or uncared-for, shall be payable to the commissioner as legal guardian of the child less fees approved under subsection (b) of section 31-327.

Sec. 234. Subsection (g) of section 38a-488a of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

(g) In the case of benefits payable for the service of a licensed physician practicing as a psychiatrist or a licensed psychologist, under subsection (d) of this section, such benefits shall be payable for outpatient services rendered (1) in a nonprofit community mental health center, as defined by the Department of [Mental Health and Addiction] Human Services, in a nonprofit licensed adult psychiatric clinic operated by an accredited hospital or in a residential treatment facility; (2) under the supervision of a licensed physician practicing as a psychiatrist, a licensed psychologist, a licensed marital and family therapist, a licensed clinical social worker, a licensed or certified alcohol and drug counselor or a licensed professional counselor who is eligible for reimbursement under subdivisions (1) to (6), inclusive, of subsection (d) of this section; and (3) within the scope of the license issued to the center [or] clinic [by the Department of Public Health or to the] or residential treatment facility by the Department of [Children and Families] Human Services.

Sec. 235. Subsection (i) of section 38a-488a of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

(i) In the case of any person admitted to a state institution or facility
administered by the Department of [Mental Health and Addiction Services, Department of Public Health, Department of Children and Families or the Department of Developmental] Human Services, the state shall have a lien upon the proceeds of any coverage available to such person or a legally liable relative of such person under the terms of this section, to the extent of the per capita cost of such person's care. Except in the case of emergency services, the provisions of this subsection shall not apply to coverage provided under a managed care plan, as defined in section 38a-478.

Sec. 236. Section 38a-21 of the 2010 supplement to the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

(a) As used in this section:

(1) "Commissioner" means the Insurance Commissioner.

(2) "Mandated health benefit" means an existing statutory obligation of, or proposed legislation that would require, an insurer, health care center, hospital service corporation, medical service corporation, fraternal benefit society or other entity that offers individual or group health insurance or medical or health care benefits plan in this state to: (A) Permit an insured or enrollee to obtain health care treatment or services from a particular type of health care provider; (B) offer or provide coverage for the screening, diagnosis or treatment of a particular disease or condition; or (C) offer or provide coverage for a particular type of health care treatment or service, or for medical equipment, medical supplies or drugs used in connection with a health care treatment or service. "Mandated health benefit" includes any proposed legislation to expand or repeal an existing statutory obligation relating to health insurance coverage or medical benefits.

(b) (1) There is established within the Insurance Department a health benefit review program for the review and evaluation of any mandated health benefit that is requested by the joint standing committee of the General Assembly having cognizance of matters
relating to insurance. Such program shall be funded by the Insurance
Fund established under section 38a-52a. The commissioner shall be
authorized to make assessments in a manner consistent with the
provisions of chapter 698 for the costs of carrying out the requirements
of this section. Such assessments shall be in addition to any other taxes,
fees and moneys otherwise payable to the state. The commissioner
shall deposit all payments made under this section with the State
Treasurer. The moneys deposited shall be credited to the Insurance
Fund and shall be accounted for as expenses recovered from insurance
companies. Such moneys shall be expended by the commissioner to
carry out the provisions of this section and section 2 of public act 09-
179.

(2) The commissioner shall contract with The University of
Connecticut Center for Public Health and Health Policy to conduct any
mandated health benefit review requested pursuant to subsection (c)
of this section. The director of said center may engage the services of
an actuary, quality improvement clearinghouse, health policy research
organization or any other independent expert, and may engage or
consult with any dean, faculty or other personnel said director deems
appropriate within The University of Connecticut schools and colleges,
including, but not limited to, The University of Connecticut (A) School
of Business, (B) School of Dental Medicine, (C) School of Law, (D)
School of Medicine, and (E) School of Pharmacy.

(c) Not later than August first of each year, the joint standing
committee of the General Assembly having cognizance of matters
relating to insurance shall submit to the commissioner a list of any
mandated health benefits for which said committee is requesting a
review. Not later than January first of the succeeding year, the
commissioner shall submit a report, in accordance with section 11-4a,
of the findings of such review and the information set forth in
subsection (d) of this section.

(d) The review report shall include at least the following, to the
extent information is available:
(1) The social impact of mandating the benefit, including:

(A) The extent to which the treatment, service or equipment, supplies or drugs, as applicable, is utilized by a significant portion of the population;

(B) The extent to which the treatment, service or equipment, supplies or drugs, as applicable, is currently available to the population, including, but not limited to, coverage under Medicare, or through public programs administered by charities, public schools, the Department of [Public Health] Human Services, municipal health departments or health districts; [or the Department of Social Services;]

(C) The extent to which insurance coverage is already available for the treatment, service or equipment, supplies or drugs, as applicable;

(D) If the coverage is not generally available, the extent to which such lack of coverage results in persons being unable to obtain necessary health care treatment;

(E) If the coverage is not generally available, the extent to which such lack of coverage results in unreasonable financial hardships on those persons needing treatment;

(F) The level of public demand and the level of demand from providers for the treatment, service or equipment, supplies or drugs, as applicable;

(G) The level of public demand and the level of demand from providers for insurance coverage for the treatment, service or equipment, supplies or drugs, as applicable;

(H) The likelihood of achieving the objectives of meeting a consumer need as evidenced by the experience of other states;

(I) The relevant findings of state agencies or other appropriate public organizations relating to the social impact of the mandated health benefit;
(J) The alternatives to meeting the identified need, including, but not limited to, other treatments, methods or procedures;

(K) Whether the benefit is a medical or a broader social need and whether it is consistent with the role of health insurance and the concept of managed care;

(L) The potential social implications of the coverage with respect to the direct or specific creation of a comparable mandated benefit for similar diseases, illnesses or conditions;

(M) The impact of the benefit on the availability of other benefits currently offered;

(N) The impact of the benefit as it relates to employers shifting to self-insured plans and the extent to which the benefit is currently being offered by employers with self-insured plans;

(O) The impact of making the benefit applicable to the state employee health insurance or health benefits plan; and

(P) The extent to which credible scientific evidence published in peer-reviewed medical literature generally recognized by the relevant medical community determines the treatment, service or equipment, supplies or drugs, as applicable, to be safe and effective; and

(2) The financial impact of mandating the benefit, including:

(A) The extent to which the mandated health benefit may increase or decrease the cost of the treatment, service or equipment, supplies or drugs, as applicable, over the next five years;

(B) The extent to which the mandated health benefit may increase the appropriate or inappropriate use of the treatment, service or equipment, supplies or drugs, as applicable, over the next five years;

(C) The extent to which the mandated health benefit may serve as an alternative for more expensive or less expensive treatment, service
or equipment, supplies or drugs, as applicable;

(D) The methods that will be implemented to manage the utilization and costs of the mandated health benefit;

(E) The extent to which insurance coverage for the treatment, service or equipment, supplies or drugs, as applicable, may be reasonably expected to increase or decrease the insurance premiums and administrative expenses for policyholders;

(F) The extent to which the treatment, service or equipment, supplies or drugs, as applicable, is more or less expensive than an existing treatment, service or equipment, supplies or drugs, as applicable, that is determined to be equally safe and effective by credible scientific evidence published in peer-reviewed medical literature generally recognized by the relevant medical community;

(G) The impact of insurance coverage for the treatment, service or equipment, supplies or drugs, as applicable, on the total cost of health care, including potential benefits or savings to insurers and employers resulting from prevention or early detection of disease or illness related to such coverage;

(H) The impact of the mandated health care benefit on the cost of health care for small employers, as defined in section 38a-564, and for employers other than small employers; and

(I) The impact of the mandated health benefit on cost-shifting between private and public payors of health care coverage and on the overall cost of the health care delivery system in the state.

Sec. 237. Subsection (g) of section 38a-514 of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

(g) In the case of benefits payable for the service of a licensed physician practicing as a psychiatrist or a licensed psychologist, under subsection (d) of this section, such benefits shall be payable for
outpatient services rendered (1) in a nonprofit community mental health center, as defined by the Department of [Mental Health and Addiction] Human Services, in a nonprofit licensed adult psychiatric clinic operated by an accredited hospital or in a residential treatment facility; (2) under the supervision of a licensed physician practicing as a psychiatrist, a licensed psychologist, a licensed marital and family therapist, a licensed clinical social worker, a licensed or certified alcohol and drug counselor, or a licensed professional counselor who is eligible for reimbursement under subdivisions (1) to (6), inclusive, of subsection (d) of this section; and (3) within the scope of the license issued to the center, [or] clinic [by the Department of Public Health or to the] or residential treatment facility by the Department of [Children and Families] Human Services.

Sec. 238. Subsection (i) of section 38a-514 of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

(i) In the case of any person admitted to a state institution or facility administered by the Department of [Mental Health and Addiction Services, Department of Public Health, Department of Children and Families or the Department of Developmental] Human Services, the state shall have a lien upon the proceeds of any coverage available to such person or a legally liable relative of such person under the terms of this section, to the extent of the per capita cost of such person's care. Except in the case of emergency services the provisions of this subsection shall not apply to coverage provided under a managed care plan, as defined in section 38a-478.

Sec. 239. Section 38a-1051 of the 2010 supplement to the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

(a) Whereas the General Assembly finds that: (1) Equal enjoyment of the highest attainable standard of health is a human right and a priority of the state, (2) research and experience demonstrate that
inhabitants of the state experience barriers to the equal enjoyment of
good health based on race, ethnicity, gender, national origin and
linguistic ability, and (3) addressing such barriers, and others that may
arise in the future, requires: The collection, analysis and reporting of
information, the identification of causes, and the development and
implementation of policy solutions that address health disparities
while improving the health of the public as a whole therefore, there is
established a Commission on Health Equity with the mission of
eliminating disparities in health status based on race, ethnicity, gender
and linguistic ability, and improving the quality of health for all of the
state's residents. Such commission shall consist of the following
commissioners, or their designees, and public members: (A) The
Commissioners of [Public Health, Mental Health and Addiction
Services, Developmental Services, Social Services] Human Services,
Correction [, Children and Families,] and Education; (B) the dean of
The University of Connecticut Health Center, or his designee; (C) the
director of The University of Connecticut Health Center and Center for
Public Health and Health Policy, or their designees; (D) the dean of the
Yale University Medical School, or his designee; (E) the dean of Public
Health and the School of Epidemiology at Yale University, or his
designee; (F) one member appointed by the president pro tempore of
the Senate, who shall be a member of an affiliate of the National Urban
League; (G) one member appointed by the speaker of the House of
Representatives, who shall be a member of the National Association
for the Advancement of Colored People; (H) one member appointed
by the majority leader of the House of Representatives, who shall be a
member of the Black and Puerto Rican Caucus of the General
Assembly; (I) one member appointed by the majority leader of the
Senate with the advice of the Native American Heritage Advisory
Council or the chairperson of the Indian Affairs Council, who shall be
a representative of the Native American community; (J) one member
appointed by the minority leader of the Senate, who shall be a
representative of an advocacy group for Hispanics; (K) one member
appointed by the minority leader of the House of Representatives, who
shall be a representative of the state-wide Multicultural Health
Network; (L) the chairperson of the African-American Affairs Commission, or his or her designee; (M) the chairperson of the Latino and Puerto Rican Affairs Commission, or his or her designee; (N) the chairperson of the Permanent Commission on the Status of Women, or his or her designee; (O) the chairperson of the Asian Pacific American Affairs Commission, or his or her designee; (P) the director of the Hispanic Health Council, or his or her designee; (Q) the chairperson of the Office of the Healthcare Advocate, or his or her designee; and (R) eight members of the public, representing communities facing disparities in health status based on race, ethnicity, gender and linguistic ability, who shall be appointed as follows: Two by the president pro tempore of the Senate, two by the speaker of the House of Representatives, two by the minority leader of the Senate, and two by the minority leader of the House of Representatives. Vacancies on the council shall be filled by the appointing authority.

(b) The commission shall elect a chairperson and a vice-chairperson from among its members. Any member absent from either: (1) Three consecutive meetings of the commission, or (2) fifty per cent of such meetings during any calendar year, shall be deemed to have resigned from the commission.

(c) Members of the commission shall serve without compensation, but within available appropriations, and shall be reimbursed for expenses necessarily incurred in the performance of their duties.

(d) The commission shall meet as often as necessary as determined by the chairperson or a majority of the commission, but not less than at least once per calendar quarter.

(e) The commission shall: (1) Review and comment on any proposed state legislation and regulations that would affect the health of populations in the state experiencing racial, ethnic, cultural or linguistic disparities in health status, (2) review and comment on the Department of [Public Health's] Human Services' health disparities performance measures, (3) advise and provide information to the
Governor and the General Assembly on the state's policies concerning
the health of populations in the state experiencing racial, ethnic,
cultural or linguistic disparities in health status, (4) work as a liaison
between populations experiencing racial, ethnic, cultural or linguistic
disparities in health status and state agencies in order to eliminate such
health disparities, (5) evaluate policies, procedures, activities and
resource allocations to eliminate health status disparities among racial,
etnic and linguistic populations in the state and have the authority to
convene the directors and commissioners of all state agencies whose
purview is relevant to the elimination of health disparities, including,
but not limited to, the Departments of [Public Health, Social Services,
Children and Families, Developmental] Human Services, Education,
[Mental Health and Addiction Services,] Labor, Transportation [ ]
and the Housing Finance Authority for the purpose of advising on and
directing the implementation of policies, procedures, activities and
resource allocations to eliminate health status disparities among racial,
etnic and linguistic populations in the state, (6) prepare and submit to
the Governor and General Assembly an annual report, in accordance
with section 11-4a, that provides both a retrospective and prospective
view of health disparities and the state's efforts to ameliorate
identifiable disparities among populations of the state experiencing
racial, ethnic, cultural or linguistic disparities in health status, (7)
explore other successful programs in other sectors and states, and pilot
and provide grants for new creative programs that may diminish or
contribute to the elimination of health disparities in the state and
culturally appropriate health education demonstration projects, for
which the commission may apply for, accept and expand public and
private funding, (8) have the authority to collect and analyze
government and other data regarding the health status of state
inhabitants based on race, ethnicity, gender, national origin and
linguistic ability, including access, services and outcomes in private
and public health care institutions within the state, including, but not
limited to, the data collected by the Connecticut Health Information
Network, (9) have the authority to draft and recommend proposed
legislation, regulations and other policies designed to address
disparities in health status, and (10) have the authority to conduct hearings and interviews, and receive testimony, regarding matters pertinent to its mission.

(f) The commission may use such funds as may be available from federal, state or other sources, and may enter into contracts to carry out the provisions of this section.

(g) The commission may, within available appropriations and subject to the provisions of chapter 67, employ any necessary staff.

(h) The commission shall be within the Office of the Healthcare Advocate for administrative purposes only.

(i) The commission shall report to the Governor and the General Assembly on its findings not later than June 1, 2010.

(j) The commission shall make a determination as to whether the duties of the commission are duplicated by any other state agency, office, bureau or commission and shall include information concerning any such duplication or performance of similar duties by any other state agency, office, bureau or commission in the report described in subsection (i) of this section.

Sec. 240. Subsection (c) of section 45a-656b of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

(c) A report filed under subsection (b) of this section with respect to placement in an institution for long-term care shall set forth the basis for the conservator's determination, what community resources are available and have been considered to avoid the placement, and the reasons why the conserved person's physical, mental and psychosocial needs cannot be met in a less restrictive and more integrated setting. Such community resources include, but are not limited to, resources provided by the area agencies on aging, the Department of [Social] Human Services, the Office of Protection and Advocacy for Persons
with Disabilities, [the Department of Mental Health and Addiction Services, the Department of Developmental Services,] any center for independent living, as defined in section 17b-613, any residential care home or any congregate or subsidized housing. The conservator shall give notice of the placement of the conserved person in an institution for long-term care and a copy of such report to the conserved person, the conserved person's attorney and any interested parties as determined by the court. Service shall be by first-class mail. The conservator shall provide a certification to the court that service was made in the manner prescribed by this subsection.

Sec. 241. Subsection (b) of section 46a-13l of the 2010 supplement to the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

(b) There is established a child fatality review panel composed of thirteen permanent members as follows: The Child Advocate, or a designee; the Commissioners of [Children and Families, Public Health] Human Services and Public Safety, or their designees; the Chief Medical Examiner, or a designee; the Chief State's Attorney, or a designee; a pediatrician, appointed by the Governor; a representative of law enforcement, appointed by the president pro tempore of the Senate; an attorney, appointed by the majority leader of the Senate; a social work professional, appointed by the minority leader of the Senate; a representative of a community service group appointed by the speaker of the House of Representatives; a psychologist, appointed by the majority leader of the House of Representatives; and an injury prevention representative, appointed by the minority leader of the House of Representatives. A majority of the panel may select not more than three additional temporary members with particular expertise or interest to serve on the panel. Such temporary members shall have the same duties and powers as the permanent members of the panel. The chairperson shall be elected from among the panel's permanent members. The panel shall, to the greatest extent possible, reflect the ethnic, cultural and geographic diversity of the state.
Sec. 242. Subsection (a) of section 46a-126 of the 2010 supplement to the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

(a) There is established a Commission on Children consisting of twenty-one voting members. There shall be six nonvoting ex-officio members of the commission as follows: The Commissioners of [Children and Families, Developmental Services, Public Health] Human Services, Education, Social Services and Correction, the Secretary of the Office of Policy and Management, the Attorney General and the Chief Court Administrator.

(1) With respect to members appointed prior to October 5, 2009, upon the occurrence of a vacancy or the expiration of the term of a member, whichever occurs first, such vacancy shall be filled as follows: (A) For any member appointed jointly by the majority leaders of the House of Representatives and the Senate, such vacancy shall be filled by a joint appointment of the majority leaders of the House of Representatives and the Senate; (B) for any member appointed by the Governor, such vacancy shall be filled by a joint appointment of the president pro tempore of the Senate and the speaker of the House of Representatives; (C) for any member appointed by the president pro tempore of the Senate, such vacancy shall be filled by an appointment of the president pro tempore of the Senate; (D) for any member appointed by the speaker of the House of Representatives, such vacancy shall be filled by an appointment of the speaker of the House of Representatives; (E) for any member appointed by the minority leader of the Senate, such vacancy shall be filled by an appointment of the minority leader of the Senate; and (G) for any member appointed by the minority leader of the House of Representatives, such vacancy shall be filled by the minority leader of the House of Representatives.

(2) On or after October 5, 2009, (A) the majority leaders of the House of Representatives and the Senate shall jointly appoint one additional member to the commission who shall be from the central region of the state; (B) the president pro tempore of the Senate shall appoint one
additional member to the commission from the northeastern region of
the state; (C) the speaker of the House of Representatives shall appoint
one additional member to the commission from the southeastern
region of the state; (D) the minority leader of the Senate shall appoint
one additional member to the commission from the northwestern
region of the state; and (E) the minority leader of the House of
Representatives shall appoint one additional member to the
commission from the southwestern region of the state. In the event of a
vacancy for any member appointed pursuant to this subdivision, such
vacancy shall be filled by the appointing authority and such
appointment shall be from the respective region of the state.

(3) Any member appointed on or after October 5, 2009, shall have
experience in the field of issues affecting children by virtue of such
person's status as an advocate or an academic, civic or cultural leader.

(4) Any member appointed pursuant to this subsection shall serve
for a term of two years from July first in the year of his or her
appointment. The commission shall elect a chairperson and a vice-
chairperson from among its members who shall each serve in such
capacity for a period of two years. Any person absent from (A) three
consecutive meetings of the commission, or (B) fifty per cent of such
meetings during any calendar year shall be deemed to have resigned
from the commission, effective immediately.

(5) Vacancies on the commission shall be filled by the appointing
authority. Members of the commission shall serve without
compensation but shall, within the limits of available funds, be
reimbursed for expenses necessarily incurred in the performance of
their duties. The commission shall meet as often as deemed necessary
by the chairperson or a majority of the commission.

Sec. 243. Section 46b-143 of the general statutes is repealed and the
following is substituted in lieu thereof (Effective October 1, 2010):

The clerk in charge of juvenile matters shall note the time of filing
an appeal from a juvenile matter and forthwith forward to the clerk of
the Appellate Court a certified copy of the appeal and order made thereon. He shall also send a copy by registered or certified mail to the Commissioner of [Social Services or to the Commissioner of Children and Families] Human Services, to the petitioner upon whose application the proceedings in the Superior Court were instituted, unless he is the appellant, to any person or agency having custody of any child or youth who is a subject of the proceeding, and to all other interested persons as designated in the appeal; and if the addresses of any such persons do not appear in the appeal, he shall call the matter to the attention of a judge of the Superior Court who shall make such an order of notice as he deems advisable.

Sec. 244. Subdivision (3) of section 46a-150 of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

(3) "Person at risk" means (A) a child requiring special education described in subparagraph (A) of subdivision (5) of section 10-76a, who is receiving special education by a local or regional board of education, or a child being evaluated for eligibility for special education pursuant to section 10-76d and awaiting a determination, or (B) a person receiving care, education or supervision in an institution or facility (i) operated by, licensed or authorized to operate by or operating pursuant to a contract with the [Departments of Public Health, Developmental Services, Children and Families, Mental Health and Addiction Services] Department of Human Services or a regional education service center established under section 10-66a, or (ii) operating under contract with a local or regional board of education pursuant to subsection (d) of section 10-76d. The term does not include a person in the custody of the Commissioner of Correction, or a resident or patient of a nursing home subject to federal regulations concerning restraint of residents or patients.

Sec. 245. Subsections (a) and (b) of section 46a-170 of the general statutes are repealed and the following is substituted in lieu thereof (Effective October 1, 2010):
(a) There is established a Trafficking in Persons Council that shall be within the Permanent Commission on the Status of Women for administrative purposes only.

(b) The council shall consist of the following members: The Attorney General, the Chief State's Attorney, the Chief Public Defender, the Commissioner of Public Safety, the Labor Commissioner, the Commissioner of [Social Services, the Commissioner of Public Health, the Commissioner of Mental Health and Addiction Services, the Commissioner of Children and Families] Human Services, the Child Advocate, the Victim Advocate, the chairperson of the Commission on Children, the chairperson of the Permanent Commission on the Status of Women, the chairperson of the Latino and Puerto Rican Affairs Commission, the chairperson of the African-American Affairs Commission, three representatives of the Judicial Branch appointed by the Chief Court Administrator, one of whom shall represent the Office of Victim Services and one of whom shall represent the Court Support Services Division, and a municipal police chief appointed by the Connecticut Police Chiefs Association, or a representative of any such member who has been designated in writing by such member to serve as such member's representative, and seven public members appointed as follows: The Governor shall appoint one member who shall represent Connecticut Sexual Assault Crisis Services, Inc., the president pro tempore of the Senate shall appoint one member who shall represent an organization that provides civil legal services to low-income individuals, the speaker of the House of Representatives shall appoint one member who shall represent the Connecticut Coalition Against Domestic Violence, the majority leader of the Senate shall appoint one member who shall represent an organization that deals with behavioral health needs of women and children, the majority leader of the House of Representatives shall appoint one member who shall represent an organization that advocates on social justice and human rights issues, the minority leader of the Senate shall appoint one member who shall represent the Connecticut Immigrant and Refugee Coalition, and the minority leader of the House of
Representatives shall appoint one member who shall represent the Asian-American community.

Sec. 246. Subsection (a) of section 46b-121k of the 2010 supplement to the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

(a) (1) The Judicial Branch shall develop constructive programs for the prevention and reduction of delinquency and crime among juvenile offenders. To develop such programs, the executive director of the Court Support Services Division within the Judicial Branch shall cooperate with other agencies to encourage the establishment of new programs and to provide a continuum of services for juvenile offenders who do not require secure placement, including, but not limited to, juveniles classified pursuant to the risk assessment instrument described in section 46b-121i, as those who may be released with structured supervision and those who may be released without supervision. When appropriate, the Judicial Branch shall coordinate such programs with the Department of Children and Families. [and the Department of Mental Health and Addiction Services.]

(2) The programs shall be tailored to the type of juvenile, including the juvenile's offense history, age, maturity and social development, gender, mental health, alcohol dependency or drug dependency, need for structured supervision and other characteristics, and shall be culturally appropriate, trauma-informed and provided in the least restrictive environment possible in a manner consistent with public safety. The Judicial Branch shall develop programs that provide: (A) Intensive general education, with an individualized remediation plan for each juvenile; (B) appropriate job training and employment opportunities; (C) counseling sessions in anger management and nonviolent conflict resolution; (D) treatment and prevention programs for alcohol dependency and drug dependency; (E) mental health screening, assessment and treatment; (F) sexual offender treatment; and (G) services for families of juveniles.
Sec. 247. Section 52-146f of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

Consent of the patient shall not be required for the disclosure or transmission of communications or records of the patient in the following situations as specifically limited:

(1) Communications or records may be disclosed to other persons engaged in the diagnosis or treatment of the patient or may be transmitted to another mental health facility to which the patient is admitted for diagnosis or treatment if the psychiatrist in possession of the communications or records determines that the disclosure or transmission is needed to accomplish the objectives of diagnosis or treatment. The patient shall be informed that the communications or records will be so disclosed or transmitted. For purposes of this subsection, persons in professional training are to be considered as engaged in the diagnosis or treatment of the patients.

(2) Communications or records may be disclosed when the psychiatrist determines that there is substantial risk of imminent physical injury by the patient to himself or others or when a psychiatrist, in the course of diagnosis or treatment of the patient, finds it necessary to disclose the communications or records for the purpose of placing the patient in a mental health facility, by certification, commitment or otherwise, provided the provisions of sections 52-146d to 52-146j, inclusive, shall continue in effect after the patient is in the facility.

(3) Except as provided in section 17b-225, the name, address and fees for psychiatric services to a patient may be disclosed to individuals or agencies involved in the collection of fees for such services. In cases where a dispute arises over the fees or claims or where additional information is needed to substantiate the fee or claim, the disclosure of further information shall be limited to the following: (A) That the person was in fact a patient; (B) the diagnosis; (C) the dates and duration of treatment; and (D) a general description
of the treatment, which shall include evidence that a treatment plan
exists and has been carried out and evidence to substantiate the
necessity for admission and length of stay in a health care institution
or facility. If further information is required, the party seeking the
information shall proceed in the same manner provided for hospital
patients in section 4-105.

(4) Communications made to or records made by a psychiatrist in
the course of a psychiatric examination ordered by a court or made in
connection with the application for the appointment of a conservator
by the Probate Court for good cause shown may be disclosed at
judicial or administrative proceedings in which the patient is a party,
or in which the question of his incompetence because of mental illness
is an issue, or in appropriate pretrial proceedings, provided the court
finds that the patient has been informed before making the
communications that any communications will not be confidential and
provided the communications shall be admissible only on issues
involving the patient's mental condition.

(5) Communications or records may be disclosed in a civil
proceeding in which the patient introduces his mental condition as an
element of his claim or defense, or, after the patient's death, when his
condition is introduced by a party claiming or defending through or as
a beneficiary of the patient and the court or judge finds that it is more
important to the interests of justice that the communications be
disclosed than that the relationship between patient and psychiatrist
be protected.

(6) Communications or records may be disclosed to [(A)] the
Commissioner of [Public Health] Human Services in connection with
(A) any inspection, investigation or examination of an institution, as
defined in subsection (a) of section 19a-490, authorized under section
19a-498, or (B) [the Commissioner of Mental Health and Addiction
Services in connection with] any inspection, investigation or
examination authorized under subsection (f) of section 17a-451.
(7) Communications or records may be disclosed to a member of the immediate family or legal representative of the victim of a homicide committed by the patient where such patient has, on or after July 1, 1989, been found not guilty of such offense by reason of mental disease or defect pursuant to section 53a-13, provided such family member or legal representative requests the disclosure of such communications or records not later than six years after such finding, and provided further, such communications shall only be available during the pendency of, and for use in, a civil action relating to such person found not guilty pursuant to section 53a-13.

(8) If a provider of behavioral health services that contracts with the Department of [Mental Health and Addiction] Human Services requests payment, the name and address of the person, a general description of the types of services provided, and the amount requested shall be disclosed to the department, provided notification that such disclosure will be made is sent, in writing, to the person at the earliest opportunity prior to such disclosure. In cases where a dispute arises over the fees or claims, or where additional information is needed to substantiate the claim, the disclosure of further information shall be limited to additional information necessary to clarify only the following: (A) That the person in fact received the behavioral health services in question, (B) the dates of such services, and (C) a general description of the types of services. Information the department receives pursuant to this subdivision shall be disclosed only to federal or state auditors and only as necessary for the purposes of auditing.

Sec. 248. Subsection (i) of section 54-56d of the 2010 supplement to the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

(i) The placement of the defendant for treatment for the purpose of rendering the defendant competent shall comply with the following conditions: (1) The period of placement under the order or combination of orders shall not exceed the period of the maximum
sentence which the defendant could receive on conviction of the charges against the defendant or eighteen months, whichever is less; (2) the placement shall be either in the custody of the Commissioner of [Mental Health and Addiction Services, the Commissioner of Children and Families or the Commissioner of Developmental] Human Services or, if the defendant or the [appropriate] commissioner agrees to provide payment, in the custody of any appropriate mental health facility or treatment program which agrees to provide treatment to the defendant and to adhere to the requirements of this section; and (3) the court shall order the placement, on either an inpatient or an outpatient basis, which the court finds is the least restrictive placement appropriate and available to restore competency. If outpatient treatment is the least restrictive placement for a defendant who has not yet been released from a correctional facility, the court shall consider whether the availability of such treatment is a sufficient basis on which to release the defendant on a promise to appear, conditions of release, cash bail or bond. If the court determines that the defendant may not be so released, the court shall order treatment of the defendant on an inpatient basis at a mental health facility or mental retardation facility. Not later than twenty-four hours after the court orders placement of the defendant for treatment for the purpose of rendering the defendant competent, the evaluators shall transmit information obtained about the defendant during the course of an evaluation pursuant to subsection (d) of this section to the health care provider named in the court's order.

Sec. 249. Subsection (m) of section 54-56d of the 2010 supplement to the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

(m) If at any time the court determines that there is not a substantial probability that the defendant will attain competency within the period of treatment allowed by this section, or if at the end of such period the court finds that the defendant is still not competent, the court shall consider any recommendation made by the examiners pursuant to subsection (d) of this section and any opinion submitted
by the treatment facility pursuant to subparagraph (C) of subsection (j) of this section regarding eligibility for, and the appropriateness of, civil commitment to a hospital for psychiatric disabilities and shall either release the defendant from custody or order the defendant placed in the custody of the Commissioner of [Mental Health and Addiction Services, the Commissioner of Children and Families or the Commissioner of Developmental] Human Services. If the court orders the defendant placed in the custody of the Commissioner of [Children and Families or the Commissioner of Developmental] Human Services, the commissioner, if given custody, or the commissioner's designee, shall then apply for civil commitment in accordance with sections 17a-75 to 17a-83, inclusive, [or] 17a-270 to 17a-282, inclusive. If the court orders the defendant placed in the custody of the Commissioner of Mental Health and Addiction Services, the court may order the commissioner, or the commissioner's designee, to apply for civil commitment in accordance with sections 17a-75 to 17a-83, inclusive, [or] 17a-270 to 17a-282, inclusive, or order the commissioner, or the commissioner's designee, to provide services to the defendant in a less restrictive setting, provided the examiners have determined in the written report filed pursuant to subsection (d) of this section or have testified pursuant to subsection (e) of this section that such services are available and appropriate. The court shall hear arguments as to whether the defendant should be released or should be placed in the custody of the Commissioner of [Mental Health and Addiction Services, the Commissioner of Children and Families or the Commissioner of Developmental] Human Services. If the court orders the release of a defendant charged with the commission of a crime that resulted in the death or serious physical injury, as defined in section 53a-3, of another person, or orders the placement of such defendant in the custody of the Commissioner of [Mental Health and Addiction Services] Human Services and an appropriate mental health or treatment facility, the court may, on its own motion or on motion of the prosecuting authority, order, as a condition of such release or placement, periodic examinations of the defendant as to the defendant's competency. Such an examination shall be conducted in accordance with subsection (d)
of this section. Upon receipt of the written report as provided in subsection (d) of this section, the court shall, upon the request of either party filed not later than thirty days after the court receives such report, conduct a hearing as provided in subsection (e) of this section. Such hearing shall be held not later than ninety days after the court receives such report. If the court finds that the defendant has attained competency, the defendant shall be returned to the custody of the Commissioner of Correction or released, if the defendant has met the conditions for release, and the court shall continue with the criminal proceedings. Periodic examinations ordered by the court under this subsection shall continue until the court finds that the defendant has attained competency or until the time within which the defendant may be prosecuted for the crime with which the defendant is charged, as provided in section 54-193 or 54-193a, has expired, whichever occurs first. The court shall dismiss, with or without prejudice, any charges for which a nolle prosequi is not entered when the time within which the defendant may be prosecuted for the crime with which the defendant is charged, as provided in section 54-193 or 54-193a, has expired. Notwithstanding the erasure provisions of section 54-142a, police and court records and records of any state's attorney pertaining to a charge which is nolled or dismissed without prejudice while the defendant is not competent shall not be erased until the time for the prosecution of the defendant expires under section 54-193 or 54-193a. A defendant who is not civilly committed as a result of an application made by the Commissioner of [Mental Health and Addiction Services, the Commissioner of Children and Families or the Commissioner of Developmental Human Services pursuant to this section shall be released. A defendant who is civilly committed pursuant to such an application shall be treated in the same manner as any other civilly committed person.

Sec. 250. Subsection (n) of section 54-56d of the 2010 supplement to the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

(n) The cost of the examination effected by the Commissioner of
[Mental Health and Addiction] Human Services and of testimony of persons conducting the examination effected by the commissioner shall be paid by the Department of [Mental Health and Addiction] Human Services. The cost of the examination and testimony by physicians appointed by the court shall be paid by the Judicial Department. If the defendant is indigent, the fee of the person selected by the defendant to observe the examination and to testify on the defendant's behalf shall be paid by the Public Defender Services Commission. The expense of treating a defendant placed in the custody of the Commissioner of [Mental Health and Addiction Services, the Commissioner of Children and Families or the Commissioner of Developmental] Human Services pursuant to subdivision (2) of subsection (h) of this section or subsection (i) of this section shall be computed and paid for in the same manner as is provided for persons committed by a probate court under the provisions of sections 17b-122, 17b-124 to 17b-132, inclusive, 17b-136 to 17b-138, inclusive, 17b-194 to 17b-197, inclusive, 17b-222 to 17b-250, inclusive, 17b-256, 17b-263, 17b-340 to 17b-350, inclusive, 17b-689b and 17b-743 to 17b-747, inclusive.

Sec. 251. Subsection (c) of section 54-102g of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

(c) Any person who has been found not guilty by reason of mental disease or defect pursuant to section 53a-13 of a criminal offense against a victim who is a minor, a nonviolent sexual offense or a sexually violent offense, as those terms are defined in section 54-250, or a felony, and is in custody as a result of that finding, shall, prior to discharge from custody in accordance with subsection (e) of section 17a-582, section 17a-588 or subsection (g) of section 17a-593 and at such time as the Commissioner of [Mental Health and Addiction Services or the Commissioner of Developmental Services] Human Services with whom such person has been placed may specify, submit to the taking of a blood or other biological sample for DNA (deoxyribonucleic acid) analysis to determine identification characteristics specific to the
person.

Sec. 252. Subsection (a) of section 54-102h of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

(a) (1) The collection of a blood or other biological sample from persons required to submit to the taking of such sample pursuant to subsection (a) of section 54-102g shall be the responsibility of the Department of Correction and shall be taken at a time and place specified by the Department of Correction.

(2) The collection of a blood or other biological sample from persons required to submit to the taking of such sample pursuant to subsection (b) of section 54-102g shall be the responsibility of the Department of Public Safety and shall be taken at a time and place specified by the sentencing court.

(3) The collection of a blood or other biological sample from persons required to submit to the taking of such sample pursuant to subsection (c) of section 54-102g shall be the responsibility of the Commissioner of [Mental Health and Addiction Services or the Commissioner of Developmental Services, as the case may be.] Human Services and shall be taken at a time and place specified by said commissioner.

(4) The collection of a blood or other biological sample from persons required to submit to the taking of such sample pursuant to subsection (d) of section 54-102g shall be the responsibility of the Judicial Department if such person is serving a period of probation and of the Department of Correction if such person is serving a period of parole and shall be taken at a time and place specified by the Court Support Services Division or the Department of Correction, as the case may be.

(5) The collection of a blood or other biological sample from persons required to submit to the taking of such sample pursuant to subsection (e) of section 54-102g shall be the responsibility of the agency in whose custody or under whose supervision such person has been placed, and
shall be taken at a time and place specified by such agency.

Sec. 253. Section 54-199 of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

Whenever any minor charged with the commission of an offense is to appear in any court, he shall be accompanied by one of his parents, if such parent is physically capable of appearing and is within the jurisdiction of such court, or by his legally appointed guardian, if any. In the case of any child committed to the guardianship of the Commissioner of [Social Services or the Commissioner of Children and Families] Human Services, [said] the commissioner may designate any member of his department to act as his representative. If any such parent, guardian or representative fails to appear in court as required by this section, the court may continue the case until he so appears and may issue a subpoena to compel his attendance. Failure to appear in response to such subpoena shall be punishable as contempt of court. The judge of such court may, in his discretion and for good cause, waive the requirement that a minor be accompanied by his parent, guardian or a department of social services representative.

Sec. 254. Subsection (b) of section 54-203 of the 2010 supplement to the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

(b) The Office of Victim Services shall have the following powers and duties:

(1) To direct each hospital, whether public or private, to display prominently in its emergency room posters giving notice of the availability of compensation and assistance to victims of crime or their dependents pursuant to sections 54-201 to 54-233, inclusive, and to direct every law enforcement agency of the state to inform victims of crime or their dependents of their rights pursuant to sections 54-201 to 54-233, inclusive;

(2) To request from the office of the state's attorney, state police,
local police departments or any law enforcement agency such
investigation and data as will enable the Office of Victim Services to
determine if in fact the applicant was a victim of a crime or attempted
crime and the extent, if any, to which the victim or claimant was
responsible for his own injury;

(3) To request from the Department of Correction, other units of the
Judicial Department and the Board of Pardons and Paroles such
information as will enable the Office of Victim Services to determine if
in fact a person who has requested notification pursuant to section 54-
228 was a victim of a crime;

(4) To direct medical examination of victims as a requirement for
payment under sections 54-201 to 54-233, inclusive;

(5) To take or cause to be taken affidavits or depositions within or
without the state;

(6) To apply for, receive, allocate, disburse and account for grants of
funds made available by the United States, by the state, foundations,
corporations and other businesses, agencies or individuals to
implement a program for victim services which shall assist witnesses
and victims of crimes as the Office of Victim Services deems
appropriate within the resources available and to coordinate services
to victims by state and community-based agencies, with priority given
to victims of violent crimes, by (A) assigning, in consultation with the
Division of Criminal Justice, such victim advocates as are necessary to
provide assistance; (B) administering victim service programs; and (C)
awarding grants or purchase of service contracts in accordance with
the plan developed under subdivision (15) of this subsection to private
nonprofit organizations or local units of government for the direct
delivery of services, except that the provision of training and technical
assistance of victim service providers and the development and
implementation of public education campaigns may be provided by
private nonprofit or for-profit organizations or local units of
government. Such grants and contracts shall be the predominant
method by which the Office of Victim Services shall develop, implement and operate direct service programs and provide training and technical assistance to victim service providers;

(7) To provide each person who applies for compensation pursuant to section 54-204, within ten days of the date of receipt of such application, with a written list of rights of victims of crime involving personal injury and the programs available in this state to assist such victims. The Office of Victim Services, the state or any agent, employee or officer thereof shall not be liable for the failure to supply such list or any alleged inadequacies of such list. Such list shall include, but not be limited to:

(A) Subject to the provisions of sections 18-81e and 51-286e, the victim shall have the right to be informed concerning the status of his or her case and to be informed of the release from custody of the defendant;

(B) Subject to the provisions of section 54-91c, the victim shall have the right to present a statement of his or her losses, injuries and wishes to the prosecutor and the court prior to the acceptance by the court of a plea of guilty or nolo contendere made pursuant to a plea agreement with the state wherein the defendant pleads to a lesser offense than the offense with which the defendant was originally charged;

(C) Subject to the provisions of section 54-91c, prior to the imposition of sentence upon the defendant, the victim shall have the right to submit a statement to the prosecutor as to the extent of any injuries, financial losses and loss of earnings directly resulting from the crime;

(D) Subject to the provisions of section 54-126a, the victim shall have the right to appear before a panel of the Board of Pardons and Paroles and make a statement as to whether the defendant should be released on parole and any terms or conditions to be imposed upon any such release;
(E) Subject to the provisions of section 54-36a, the victim shall have the right to have any property the victim owns which was seized by police in connection with an arrest to be returned;

(F) Subject to the provisions of sections 54-56e and 54-142c, the victim shall have the right to be notified of the application by the defendant for the pretrial program for accelerated rehabilitation and to obtain from the court information as to whether the criminal prosecution in the case has been dismissed;

(G) Subject to the provisions of section 54-85b, the victim cannot be fired, harassed or otherwise retaliated against by an employer for appearing under a subpoena as a witness in any criminal prosecution;

(H) Subject to the provisions of section 54-86g, the parent or legal guardian of a child twelve years of age or younger who is a victim of child abuse or sexual assault may request special procedural considerations to be taken during the testimony of the child;

(I) Subject to the provisions of section 46b-15, the victim of assault by a spouse or former spouse, family or household member has the right to request the arrest of the offender, request a protective order and apply for a restraining order;

(J) Subject to the provisions of sections 52-146k, 54-86e and 54-86f, the victim of sexual assault or domestic violence can expect certain records to remain confidential;

(8) Within available appropriations, to establish a victim's assistance center which shall provide a victims' rights information clearinghouse which shall be a central repository of information regarding rights of victims of crime and services available to such victims and shall collect and disseminate such information to assist victims;

(9) To provide, not later than January 1, 1994, a victims' notification clearinghouse which shall be a central repository for requests for notification filed pursuant to sections 54-228 and 54-229, and to notify,
on and after January 1, 1994, persons who have filed such a request whenever an inmate has applied for release from a correctional institution or reduction of sentence or review of sentence pursuant to section 54-227 or whenever an inmate is scheduled to be released from a correctional institution and, on and after January 1, 1994, to provide victims of family violence crimes, upon request, information concerning any modification or termination of criminal orders of protection;

(10) To provide a telephone hotline that shall provide information on referrals for various services for victims of crime and their families;

(11) To provide staff services to a state advisory council. The council shall consist of not more than fifteen members to be appointed by the Chief Justice and shall include the Chief Victim Compensation Commissioner and members who represent victim populations, including but not limited to, homicide survivors, family violence victims, sexual assault victims, victims of drunk drivers, and assault and robbery victims, and members who represent the judicial branch and executive branch agencies involved with victims of crime. The members shall serve for terms of four years. Any vacancy in the membership shall be filled by the appointing authority for the balance of the unexpired term. The members shall receive no compensation for their services. The council shall meet at least six times a year. The council shall recommend to the Office of Victim Services program, legislative or other matters which would improve services to victims of crime and develop and coordinate needs assessments for both court-based and community-based victim services. The Chief Justice shall appoint two members to serve as cochairs. Not later than December fifteenth of each year, the council shall report the results of its findings and activities to the Chief Court Administrator;

(12) To utilize such voluntary and uncompensated services of private individuals, agencies and organizations as may from time to time be offered and needed;
To recommend policies and make recommendations to agencies and officers of the state and local subdivisions of government relative to victims of crime;

To provide support and assistance to state-wide victim services coalitions and groups;

To develop, in coordination with the Department of [Social Services, the Department of Public Health] Human Services, the Office of Policy and Management [the Department of Children and Families] and the Division of Criminal Justice, a comprehensive plan to more effectively administer crime victims' compensation and coordinate the delivery of services to crime victims, including the funding of such services. Such plan shall be submitted to the Governor and the General Assembly not later than January 1, 1994;

Within available appropriations to establish a crime victims' information clearinghouse which shall be a central repository for information collected pursuant to subdivision (9) of this subsection and information made available through the criminal justice information system, to provide a toll-free telephone number for access to such information and to develop a plan, in consultation with all agencies required to provide notification to victims, outlining any needed statutory changes, resources and working agreements necessary to make the Office of Victim Services the lead agency for notification of victims, which plan shall be submitted to the General Assembly not later than February 15, 2000;

To provide a training program for judges, prosecutors, police, probation and parole personnel, bail commissioners, officers from the Department of Correction and judicial marshals to inform them of victims' rights and available services;

To establish a sexual assault forensic examiners program that will train and make available sexual assault forensic examiners to adolescent and adult victims of sexual assault who are patients at participating acute care hospitals. In order to establish and implement
such program, the Office of Victim Services may apply for, receive, allocate, disburse and account for grants of funds made available by the United States, the state, foundations, corporations and other businesses, agencies or individuals; and

(19) To submit to the joint standing committee of the General Assembly having cognizance of matters relating to victim services, in accordance with the provisions of section 11-4a, on or before January 15, 2000, and biennially thereafter a report of its activities under sections 54-201 to 54-233, inclusive, including, but not limited to, implementation of training activities and mandates. Such report shall include the types of training provided, entities providing training and recipients of training.

Sec. 255. Section 17a-228 of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

(a) If a person with mental retardation residing in a residential facility for the mentally retarded licensed pursuant to section 17a-227, but not certified to participate in the Title XIX Medicaid program as an intermediate care facility for the mentally retarded, qualifies for the program of state supplementation to the Supplemental Security Income Program, the Commissioner of Human Services shall pay, under such qualifying program, on behalf of such person the rate established pursuant to subsection (b) of section 17b-244 for room and board, after a reasonable deduction, as determined by the commissioner, to reflect such person's income. The Department of Human Services shall pay the rate established pursuant to subsection (b) of section 17b-244 for services other than room and board provided on behalf of any person whose admission to the facility has been authorized by the Department of Human Services.

(b) Notwithstanding the provisions of subsection (a) of this section, persons residing in residential facilities for the mentally retarded licensed pursuant to section 17a-227 and receiving state payment for
the cost of such services on October 1, 1983, shall be deemed to have been authorized for admission by the Department of [Developmental Services] Human Services. In addition, any person who is admitted to a residential facility for the mentally retarded after October 1, 1983, and not later than December 31, 1983, which facility is licensed pursuant to said section after October 1, 1983, and who is receiving state payment for the cost of such services, shall be deemed to have been authorized for admission by the Department of [Developmental Services] Human Services if (1) not later than July 15, 1983, the applicant for licensure owns or has an interest in the facility or land upon which the facility shall be located, or concludes a closing transaction on any mortgage loan secured by mortgage on such facility or land, (2) such facility is licensed not later than December 31, 1983, and (3) the applicant for licensure presents evidence to the Commissioner of [Developmental Services] Human Services that commitments had been made by such applicant not later than July 15, 1983, for the placement of individuals in such facility.

(c) The Department of [Social Services] Human Services shall continue to make payments on behalf of persons residing, on or before October 1, 1983, in residential facilities licensed pursuant to section 17a-227 on or before October 1, 1983, but not certified as intermediate care facilities for the mentally retarded, and on behalf of persons authorized for admission into such facilities by the Department of [Developmental Services] Human Services after October 1, 1983, who are otherwise eligible for assistance under sections 17b-600 to 17b-604, inclusive. Such payment shall be on the same basis and at the same rate which is in effect on October 1, 1983, and shall continue to pay such rate until the next succeeding annual rate is determined as provided in section 17b-244 and in this section.

(d) Each individual authorized for admission pursuant to subsections (a) or (b) of this section into a residential facility for the mentally retarded licensed pursuant to section 17a-227 shall be reviewed annually by the Department of [Developmental Services] Human Services. Upon completion of the annual review, the
Department of Developmental Services Human Services may (1) renew the authorization of the individual for continued state-assisted care in the residential facility, (2) refuse to renew the authorization of the individual for continued state-assisted care in the residential facility but authorize admission into alternate facilities, or (3) refuse to renew the authorization of the individual for continued state-assisted care in the facility and refuse to authorize continued state-assisted care in alternate facilities. If the Department of Developmental Services Human Services refuses to renew the authorization of the individual for continued state-assisted care in the residential facility and either authorizes admission into alternative facilities or refuses to authorize the individual for state-assisted care in any such alternative facility, the Department of Developmental Services Human Services shall continue to pay the rate established pursuant to section 17b-244 for such time as may be administratively necessary for the Department of Developmental Services Human Services to arrange for an appropriate transfer.

(e) Whenever the Department of Developmental Services Human Services refuses to renew the authorization of a person for continued state-assisted care in a licensed residential facility for the mentally retarded pursuant to subsection (d) of this section and either authorizes the individual for admission into alternate facilities or refuses to authorize the individual for continued state-assisted care in any alternative facility, the Department of Developmental Services Human Services shall give thirty days' notice of its determination to the previously authorized individual and to such individual's parent, conservator, guardian or other legal representative. Such notice shall also notify each such individual or his legal representative of the individual's right to contest the determination by submitting a request for a hearing in writing to the Commissioner of Developmental Services Human Services within fifteen days of receiving the notice required by this subsection. Such hearing, if requested, shall be conducted in accordance with the provisions of sections 4-176e to 4-184, inclusive. State-assisted care shall continue in the present facility.
pending final disposition of any such hearing.

[(f) Whenever the Department of Social Services is notified that a facility receiving payments from the Department of Developmental Services under the provisions of this section has been certified as an intermediate care facility for persons with mental retardation, as defined in 42 CFR 440.50, the Commissioner of Social Services shall notify the Governor and the Governor, with the approval of the Finance Advisory Committee, may transfer from the appropriation for the Department of Developmental Services to the Department of Social Services, sufficient funds to cover the cost of all services previously paid by the Department of Developmental Services that are reimbursable, at the rate established for services provided by such certified facilities. Subsequent budget requests from both departments shall reflect such transfer of responsibility.]

Sec. 256. (NEW) (Effective July 1, 2010) (a) There is established a Commission on the Status of Protected Citizens.

(b) The commission shall consist of twenty-one members, appointed as follows: (1) Three by the Governor; (2) three by the president pro tempore of the Senate; (3) three by the majority leader of the Senate; (4) three by the minority leader of the Senate; (5) three by the speaker of the House of Representatives; (6) three by the majority leader of the House of Representatives; and (7) three by the minority leader of the House of Representatives.

and Puerto Rican Affairs Commission and Permanent Commission on the Status of Women pursuant to any provision of the general statutes. The transfer of functions, powers, duties, obligations, including, but not limited to, contract obligations, the continuance of orders and regulations, the effect upon pending actions and proceedings, the completion of unfinished business, and the transfer of records and property between the Asian Pacific American Affairs Commission, African-American Affairs Commission, Commission on Aging, Commission on Children, Latino and Puerto Rican Affairs Commission and Permanent Commission on the Status of Women, as said commissions existed immediately prior to the effective date of this section, and the Commission on the Status of Protected Citizens shall be governed by the provisions of subsections (a) to (d), inclusive, and subsection (f) of section 4-38d and sections 4-38e and 4-39 of the general statutes.


(e) Each member of the commission shall serve for a term of two years from July first in the year of his or her appointment. The commission shall elect a chairperson and a vice chairperson from among its members who shall each serve in such capacity for a period of two years. Any person absent from (1) three consecutive meetings of the commission, or (2) fifty per cent of such meetings during any calendar year shall be deemed to have resigned from the commission, effective immediately.

(f) Vacancies on the commission shall be filled by the appointing authority. Members of the commission shall serve without compensation but shall, within the limits of available funds, be reimbursed for expenses necessarily incurred in the performance of
their duties. The commission shall meet as often as deemed necessary by the chairperson or a majority of the commission.

Sec. 257. (NEW) (Effective July 1, 2010) On and after July 1, 2010, "Commission on the Status of Protected Citizens" shall be substituted for "Asian Pacific American Affairs Commission", "African-American Affairs Commission", "Commission on Aging", "Commission on Children", "Latino and Puerto Rican Affairs Commission" and "Permanent Commission on the Status of Women" in the following sections of the general statutes: 3-123aa, 4-61t, 4-67x, 4-124bb, 7-127c, 10-16n, 10-16v, 10-16z, 10-145a, 16a-41b, 17a-219c, 17a-317, 17b-338, 17b-367, 17b-751c, 19a-59c, 19a-112a, 31-3g, 31-3cc, 46a-4b, 46a-68, 46a-131, 46a-131a, 46b-69c, 46b-215a and 54-1m.

Sec. 258. Subsection (a) of section 17b-28 of the 2010 supplement to the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2010):

(a) There is established a council which shall advise the Commissioner of Social Services on the planning and implementation of a system of Medicaid managed care and shall monitor such planning and implementation and shall advise the Waiver Application Development Council, established pursuant to section 17b-28a, on matters including, but not limited to, eligibility standards, benefits, access and quality assurance. The council shall be composed of the chairpersons and ranking members of the joint standing committees of the General Assembly having cognizance of matters relating to human services, public health and appropriations and the budgets of state agencies, or their designees; two members of the General Assembly, one to be appointed by the president pro tempore of the Senate and one to be appointed by the speaker of the House of Representatives; the director of the Commission on [Aging, or a designee; the director of the Commission on Children] the Status of Protected Citizens, or a designee; a representative of each organization that has been selected by the state to provide managed care and a representative of a primary care case management provider, to be appointed by the president pro...
tempore of the Senate; two representatives of the insurance industry, to be appointed by the speaker of the House of Representatives; two advocates for persons receiving Medicaid, one to be appointed by the majority leader of the Senate and one to be appointed by the minority leader of the Senate; one advocate for persons with substance use disorders, to be appointed by the majority leader of the House of Representatives; one advocate for persons with psychiatric disabilities, to be appointed by the minority leader of the House of Representatives; two advocates for the Department of Children and Families foster families, one to be appointed by the president pro tempore of the Senate and one to be appointed by the speaker of the House of Representatives; two members of the public who are currently recipients of Medicaid, one to be appointed by the majority leader of the House of Representatives and one to be appointed by the minority leader of the House of Representatives; two representatives of the Department of Social Services, to be appointed by the Commissioner of Social Services; two representatives of the Department of Public Health, to be appointed by the Commissioner of Public Health; two representatives of the Department of Mental Health and Addiction Services, to be appointed by the Commissioner of Mental Health and Addiction Services; two representatives of the Department of Children and Families, to be appointed by the Commissioner of Children and Families; two representatives of the Office of Policy and Management, to be appointed by the Secretary of the Office of Policy and Management; one representative of the office of the State Comptroller, to be appointed by the State Comptroller and the members of the Health Care Access Board who shall be ex-officio members and who may not designate persons to serve in their place. The council shall choose a chair from among its members. The Joint Committee on Legislative Management shall provide administrative support to such chair. The council shall convene its first meeting no later than June 1, 1994.

Sec. 259. Subsection (d) of section 17b-297 of the general statutes is repealed and the following is substituted in lieu thereof (Effective July
1, 2010):

(d) The commissioner, in consultation with the [Latino and Puerto Rican Affairs Commission, the African-American Affairs Commission]
Commission on the Status of Protected Citizens, representatives from minority community-based organizations and any other state and local organizations deemed appropriate by the commissioner, shall develop and implement outreach efforts that target medically underserved children and adults, particularly Latino and other minority children and adults, to increase enrollment of such children and adults in the HUSKY Plan, Part A or Part B. Such efforts shall include, but not be limited to, developing culturally appropriate outreach materials, advertising through Latino media outlets and other minority media outlets, and the public education, outreach and recruitment activities described in subsections (a) to (c), inclusive, of this section.

Sec. 260. Section 17b-748 of the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2010):

There is established a Child Day Care Council consisting of the Commissioner of Public Health, the Commissioner of Social Services, the Commissioner of Children and Families, the Commissioner of Education and the Commissioner of Economic and Community Development or a representative of each designated by him in writing to serve as such representative, and sixteen other persons appointed by the Governor. Said council shall be within the Department of Social Services for administrative purposes only. Of the persons appointed by the Governor, one shall be from among those recommended by the Connecticut Association for Education of Young Children; one shall be a member of a community council; one shall be a member of a child development or early childhood education department of a Connecticut college or university; four shall be providers of child day care services, two of whom shall be family day care providers, and two shall be child day care center providers; one shall be from among those recommended by the [Permanent Commission on the Status of Commission on the Status of Protected Citizens, the African-American Affairs Commission, the Latino and Puerto Rican Affairs Commission]
Women; one shall be from among those recommended by the Connecticut Commission on Children; one shall be from among those recommended by the American Academy of Pediatrics; one shall be a member of an advocacy group concerned with young children and their families; one shall be from among those recommended by the AFL-CIO Labor Council who is a member of organized labor; one shall be a member of the Connecticut Business and Industry Association; and two shall be parents, each of whom shall have a child enrolled in a child day care service. The members of the council shall serve without compensation but shall be reimbursed for necessary expenses incurred in the course of their duties. The chairperson and the vice-chairperson of the council shall be elected by the full membership of the council from among the persons appointed by the Governor and shall serve for a term of one year. The council shall meet at least ten times per year. Any appointed member who fails to attend three consecutive meetings or fails to attend fifty per cent of all meetings held during any calendar year shall be deemed to have resigned. The council shall recommend to the Commissioner of Public Health regulations which shall effectuate the purposes of this section and sections 17b-733, 19a-77, 19a-79, 19a-80, 19a-82 to 19a-87, inclusive, and 19a-87b to 19a-87e, inclusive, including regulations relating to licensing, operation, program and professional qualifications of the staff of child day care centers, group day care homes and family day care homes and shall make recommendations to the Commissioner of Public Health on the administration of said sections. The Child Day Care Council shall also make recommendations to the Department of Social Services as the lead agency for day care on grants management and the planning and development of child day care services. In addition, the council shall provide guidelines for drop-in supplementary child care operations. Before making such recommendations, the council shall hold public hearings and invite suggestions from parents of children utilizing child day care services, as defined in section 19a-77, and from providers of such services and other interested parties. The Child Day Care Council shall study issues affecting child day care and make recommendations
to the General Assembly. The council shall serve as an advisory committee to the Department of Social Services in the development of the state child care plan required pursuant to the Child Care Development and Improvement Act of 1990 and shall conduct biennial public hearings on such state plan.

Sec. 261. Subsection (e) of section 19a-4j of the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2010):

(e) The Commissioner of Public Health shall submit an annual report concerning the activities of the office to the Governor, the General Assembly, the [Permanent Commission on the Status of Women established under section 46a-1, the Latino and Puerto Rican Affairs Commission established under section 2-120,] Commission on the Status of Protected Citizens established under section 501 of this act and the Indian Affairs Council established under section 47-59b, [and the Connecticut African-American Affairs Commission.] The office shall also hold community workshops and use other means to disseminate its findings state-wide.

Sec. 262. Subsection (a) of section 19a-6g of the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2010):

(a) There is established a HealthFirst Connecticut Authority composed of the following members: Two appointed by the speaker of the House of Representatives, one of whom is a health care provider and one of whom represents businesses with fifty or more employees; two appointed by the president pro tempore of the Senate, one of whom has experience in community-based health care and one of whom represents businesses with fewer than fifty employees; one appointed by the majority leader of the House of Representatives who represents consumers; one appointed by the majority leader of the Senate who represents the interests of labor; one appointed by the minority leader of the House of Representatives who represents health
insurance companies; one appointed by the minority leader of the Senate who represents hospitals; and two appointed by the Governor, one of whom advocates for health care quality or patient safety and one with experience in information technology. The Insurance Commissioner and the Commissioners of Public Health and Social Services or their designees, the Healthcare Advocate or the Healthcare Advocate's designee, the executive director of the [Permanent Commission on the Status of Women or the executive director's designee, the executive director of the African-American Affairs Commission or the executive director's designee, the executive director of the Latino and Puerto Rican Affairs Commission] Commission on the Status of Protected Citizens or the executive director's designee and the Comptroller or Comptroller's designee shall be ex-officio, nonvoting members.

Sec. 263. Section 19a-125 of the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2010):

There is established a State-Wide Adolescent Health Council. The council shall consist of the following members: The Commissioners of Public Health, Children and Families, Education, Higher Education and Social Services or their designees; the chairpersons of the joint standing committees of the General Assembly having cognizance of matters relating to public health and human services; a representative of the Commission on [Children; a representative of the Permanent Commission on the Status of Women] the Status of Protected Citizens; a representative of a school-based health center and a media specialist to be appointed by the Governor; a representative of the United Way of Connecticut and the Teen Pregnancy Prevention Coalition of Connecticut to be appointed by the president pro tempore of the Senate; a representative of the Mental Health Association and the Connecticut Chapter of the American Academy of Pediatrics to be appointed by the majority leader of the Senate; a representative of the Connecticut Chapter of the National Association of Social Workers to be appointed by the minority leader of the Senate; a representative of the Connecticut Association of Human Services and the Connecticut
Conference of Municipalities to be appointed by the speaker of the
House of Representatives; a representative of the Connecticut
Association of Family Practitioners and the Connecticut Sexual Assault
Crisis Center to be appointed by the majority leader of the House of
Representatives; and a representative of the Connecticut Youth Service
Association and the Connecticut Primary Care Association to be
appointed by the minority leader of the House of Representatives. The
chairperson and the vice-chairperson of the council shall be elected by
the full membership of the council from among its membership. The
council shall meet at regular intervals as determined by the
chairperson. The members of the council shall serve without
compensation. The council shall consult with and advise the
Commissioners of Public Health, Social Services, Education and
Children and Families concerning the coordination of service delivery
to and health needs of teens. The council shall examine issues,
including but not limited to, contributing factors of high risk
behaviors, how multiple problems interrelate and strategies for
prevention. The council shall make recommendations on facilitating
federal, state and community action to address teen pregnancy, mental
health, violence, substance abuse, sexually transmitted diseases,
aquired immune deficiency syndrome and such other areas as the
council determines are relevant to adolescent health needs. The council
shall submit a report to the joint standing committees of the General
Assembly having cognizance of matters relating to public health,
human services and education, in accordance with the provisions of
section 11-4a on or before June 30, 1994.

Sec. 264. Subsection (a) of section 38a-1051 of the 2010 supplement
to the general statutes is repealed and the following is substituted in
lieu thereof (Effective July 1, 2010):

(a) Whereas the General Assembly finds that: (1) Equal enjoyment of
the highest attainable standard of health is a human right and a
priority of the state, (2) research and experience demonstrate that
inhabitants of the state experience barriers to the equal enjoyment of
good health based on race, ethnicity, gender, national origin and
linguistic ability, and (3) addressing such barriers, and others that may arise in the future, requires: The collection, analysis and reporting of information, the identification of causes, and the development and implementation of policy solutions that address health disparities while improving the health of the public as a whole; therefore, there is established a Commission on Health Equity with the mission of eliminating disparities in health status based on race, ethnicity, gender and linguistic ability, and improving the quality of health for all of the state's residents. Such commission shall consist of the following commissioners, or their designees, and public members: (A) The Commissioners of Public Health, Mental Health and Addiction Services, Developmental Services, Social Services, Correction, Children and Families, and Education; (B) the dean of The University of Connecticut Health Center, or his designee; (C) the director of The University of Connecticut Health Center and Center for Public Health and Health Policy, or their designees; (D) the dean of the Yale University Medical School, or his designee; (E) the dean of Public Health and the School of Epidemiology at Yale University, or his designee; (F) one member appointed by the president pro tempore of the Senate, who shall be a member of an affiliate of the National Urban League; (G) one member appointed by the speaker of the House of Representatives, who shall be a member of the National Association for the Advancement of Colored People; (H) one member appointed by the majority leader of the House of Representatives, who shall be a member of the Black and Puerto Rican Caucus of the General Assembly; (I) one member appointed by the majority leader of the Senate with the advice of the Native American Heritage Advisory Council or the chairperson of the Indian Affairs Council, who shall be a representative of the Native American community; (J) one member appointed by the minority leader of the Senate, who shall be a representative of an advocacy group for Hispanics; (K) one member appointed by the minority leader of the House of Representatives, who shall be a representative of the state-wide Multicultural Health Network; (L) the chairperson of the [African-American Affairs Commission, or his or her designee; (M) the chairperson of the Latino...
and Puerto Rican Affairs Commission, or his or her designee; (N) the chairperson of the Permanent Commission on the Status of Women, or his or her designee; (O) the chairperson of the Asian Pacific American Affairs Commission; (P) the director of the Hispanic Health Council, or his or her designee; (Q) the chairperson of the Office of the Healthcare Advocate, or his or her designee; and (R) eight members of the public, representing communities facing disparities in health status based on race, ethnicity, gender and linguistic ability, who shall be appointed as follows: Two by the president pro tempore of the Senate, two by the speaker of the House of Representatives, two by the minority leader of the Senate, and two by the minority leader of the House of Representatives. Vacancies on the council shall be filled by the appointing authority.

Sec. 265. Section 46a-4 of the 2010 supplement to the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2010):

(a) The Commission on the Status of Protected Citizens shall:

(1) Focus its efforts on the following quality of life desired results for women of the state: (A) That all women of the state are healthy; (B) that all women of the state are safe; (C) that all women of the state achieve educational success; (D) that all women of the state are economically self-sufficient; and (E) that all women of the state are free from discrimination. The commission shall meet regularly to review matters pertaining to the achievement of the desired results described in subparagraphs (A) to (E), inclusive, of this subdivision and, not later than January first, annually, shall submit a status report concerning such desired results to the joint standing committee of the General Assembly having cognizance of appropriations. The commission shall develop (i) appropriate population-level indicators of the state's progress in achieving such desired results and (ii) strategies that are intended to improve progress on such indicators through a process
that is inclusive of all relevant partners, including, but not limited to, state and local government agencies, the faith community, the business sector, nonprofit organizations, advocacy groups and philanthropic organizations;

(2) Make recommendations to the General Assembly and the Governor for new or enhanced policies, programs and services that will foster progress in achieving the desired results described in subdivision (1) of this subsection;

(3) Review and comment on any proposed state legislation or recommendations that may affect women of the state and provide copies of any such comments to members of the General Assembly;

(4) Advise the General Assembly and Governor concerning the coordination and administration of state programs that affect women of the state;

(5) Gather and maintain current information regarding women of the state that can be used to better understand the status, condition and contributions of such women. Such information shall be included in the annual report described in subsection (b) of this section and shall be made available to legislators and other interested parties upon request;

(6) Maintain a liaison between the women of the state and government agencies, including the General Assembly;

(7) Conduct educational and outreach activities intended to raise awareness of critical issues for women of the state; and

(8) Promote consideration of qualified women for all levels of leadership positions.

(b) Not later than January first, annually, in accordance with section 11-4a, the commission shall submit a report to the General Assembly that: (1) Identifies the quality of life desired results described in subdivision (1) of subsection (a) of this section, (2) displays current
trend data for the indicators related to each such desired result area,
(3) identifies barriers to progress on such indicators, (4) identifies strategies developed pursuant to subdivision (1) of subsection (a) of this section, and (5) describes performance measures for the commission, including measures of research, education and outreach, and partnership development.

(c) In carrying out its responsibility to make recommendations to the General Assembly and the Governor on the need for legislation, policies, programs or services to improve the quality of life for the women of the state, the commission shall have the assistance of staff, as described in subsection (b) of section 46a-1. Any such recommendations shall be provided solely with the approval of a majority of the members of the commission. A majority of the members of the commission shall be required to approve any specific advocacy before the General Assembly or any state agency.

Sec. 266. Section 46a-5 of the 2010 supplement to the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2010):

(a) The [commission] Commission on the Status of Protected Citizens may: (1) Request, and shall receive, from any state agency such information and assistance as the commission may require; (2) use such funds as may be available from federal, state or other sources and may enter into contracts to carry out the purposes of section 46a-4; (3) utilize voluntary and uncompensated services of private individuals, state or federal agencies and organizations as may, from time to time, be offered and needed; (4) recommend policies to federal agencies and political subdivisions of the state relative to the women of the state; (5) accept any gift, donation or bequest for the purpose of performing the duties described in section 46a-4; (6) hold public hearings; (7) establish task forces, as necessary, to perform the duties described in section 46a-4; (8) adopt regulations, in accordance with chapter 54, as it may deem necessary to carry out the duties described in section 46a-4; (9) inform leaders of business, education, state and
local governments and the communications media of the nature and scope of the problems faced by women of the state, with a view to enlisting such persons' support in working toward solving such problems; (10) receive and refer to the Commission on Human Rights and Opportunities complaints of sex discrimination; and (11) hold fact finding hearings, and pursuant to that, subpoena witnesses and records, administer oaths and take the testimony of any persons under oath and require the production for examination of any books and papers relating to any matter under investigation or in question. The commission may, by regulation, establish a procedure for the issuance of subpoenas by individual commissioners. Refusal to obey a subpoena issued pursuant to this section shall constitute contempt punishable, upon the application of the authority issuing such subpoena, by the superior court for the judicial district of Hartford.

(b) The commission may enter into any agreement with a state agency for the purpose of maximizing the receipt of federal funds by such state agency, provided such state agency shall utilize any federal funds received as a result of such agreement to perform those statutory duties of such agency that relate to such commission's duties. The commission may accept that portion of federal funds received by any such state agency as a result of any such agreement which federal law otherwise permits to be received by such commission.

Sec. 267. Section 46a-128 of the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2010):

The [commission] Commission on the Status of Protected Citizens shall review the general statutes with regard to matters involving children and shall on or before February 1, 1986, and annually thereafter on or before September first, make a report of its findings with regard to any matter before it with specific recommendations for legislation to the Governor and the General Assembly.

Sec. 268. Subsection (a) of section 46a-129 of the 2010 supplement to the general statutes is repealed and the following is substituted in lieu
thereof (Effective July 1, 2010):

(a) The Commission on the Status of Protected Citizens shall:

(1) Focus its efforts on the following quality of life desired results for children of the state: (A) That all children of the state are healthy; (B) that all children of the state are safe; (C) that all children of the state achieve educational success; (D) that all children of the state are free from poverty; and (E) that all children of the state are free from discrimination. The commission shall meet regularly to review matters pertaining to the achievement of the desired results described in subparagraphs (A) to (E), inclusive, of this subdivision and, not later than January first, annually, shall submit a status report concerning such desired results to the joint standing committee of the General Assembly having cognizance of appropriations. The commission shall develop (i) appropriate population-level indicators of the state's progress in achieving such desired results, and (ii) strategies that are intended to improve progress on such indicators through a process that is inclusive of all relevant partners, including, but not limited to, state and local government agencies, the faith community, the business sector, nonprofit organizations, advocacy groups and philanthropic organizations;

(2) Make recommendations to the General Assembly and the Governor for new or enhanced policies, programs and services that will foster progress in achieving the desired results described in subdivision (1) of this subsection;

(3) Review and comment on any proposed state legislation or recommendations that may affect the children of the state and provide copies of any such comments to members of the General Assembly;

(4) Advise the General Assembly and Governor concerning the coordination and administration of state programs that affect the children of the state;
(5) Gather and maintain current information regarding the children of the state that can be used to better understand the status, condition, and contributions of such children. Such information shall be included in the annual report described in subsection (b) of this section and shall be made available to legislators and other interested parties upon request;

(6) Maintain a liaison between the children of the state and government agencies, including the General Assembly; and

(7) Conduct educational and outreach activities intended to raise awareness of critical issues for the children of the state.

Sec. 269. Subsection (a) of section 46a-130 of the 2010 supplement to the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2010):

(a) The Commission on the Status of Protected Citizens may: (1) Request, and shall receive, from any state agency such information and assistance as the commission may require; (2) use such funds as may be available from federal, state or other sources and may enter into contracts to carry out the purposes of section 46a-129; (3) utilize voluntary and uncompensated services of private individuals, state or federal agencies and organizations as may, from time to time, be offered and needed; (4) recommend policies to federal agencies and political subdivisions of the state relative to the children of the state; (5) accept any gift, donation or bequest for the purpose of performing the duties described in section 46a-129; (6) hold public hearings; (7) establish task forces, as necessary, to perform the duties described in section 46a-129; (8) adopt regulations, in accordance with chapter 54, as it may deem necessary to carry out the duties described in section 46a-129; and (9) inform leaders of business, education, state and local governments and the communications media of the nature and scope of the problems faced by children of the state, with a view to enlisting such persons' support in working toward solving such problems.
Sec. 270. Subsections (a) to (c), inclusive, of section 46a-170 of the general statutes are repealed and the following is substituted in lieu thereof (Effective July 1, 2010):

(a) There is established a Trafficking in Persons Council that shall be within the [Permanent] Commission on the Status of [Women] Protected Citizens for administrative purposes only.

(b) The council shall consist of the following members: The Attorney General, the Chief State's Attorney, the Chief Public Defender, the Commissioner of Public Safety, the Labor Commissioner, the Commissioner of Social Services, the Commissioner of Public Health, the Commissioner of Mental Health and Addiction Services, the Commissioner of Children and Families, the Child Advocate, the Victim Advocate, the chairperson of the Commission on [Children, the chairperson of the Permanent Commission on the Status of Women, the chairperson of the Latino and Puerto Rican Affairs Commission, the chairperson of the African-American Affairs Commission] the Status of Protected Citizens, three representatives of the Judicial Branch appointed by the Chief Court Administrator, one of whom shall represent the Office of Victim Services and one of whom shall represent the Court Support Services Division, a municipal police chief appointed by the Connecticut Police Chiefs Association, or a representative of any such member who has been designated in writing by such member to serve as such member's representative, and seven public members appointed as follows: The Governor shall appoint one member who shall represent Connecticut Sexual Assault Crisis Services, Inc., the president pro tempore of the Senate shall appoint one member who shall represent an organization that provides civil legal services to low-income individuals, the speaker of the House of Representatives shall appoint one member who shall represent the Connecticut Coalition Against Domestic Violence, the majority leader of the Senate shall appoint one member who shall represent an organization that deals with behavioral health needs of women and children, the majority leader of the House of Representatives shall appoint one member who shall represent an
organization that advocates on social justice and human rights issues, the minority leader of the Senate shall appoint one member who shall represent the Connecticut Immigrant and Refugee Coalition, and the minority leader of the House of Representatives shall appoint one member who shall represent the Asian-American community.

(c) The chairperson of the [Permanent] Commission on the Status of [Women] Protected Citizens shall serve as chairperson of the council. The members of the council shall serve without compensation but shall be reimbursed for necessary expenses incurred in the performance of their duties.

Sec. 271. Subsection (a) of section 51-10c of the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2010):

(a) There is established a Commission on Racial and Ethnic Disparity in the Criminal Justice System. The commission shall consist of the Chief Court Administrator, the Chief State's Attorney, the Chief Public Defender, the Commissioner of Public Safety, the Commissioner of Correction, the Commissioner of Children and Families, the Child Advocate, the Victim Advocate, the chairperson of the Board of Pardons and Paroles, the chairperson of the [African-American Affairs Commission, the chairperson of the Latino and Puerto Rican Affairs Commission on the Status of Protected Citizens, or their designees, a representative of municipal police chiefs, a representative of a coalition representing police and correctional officers, six members appointed one each by the president pro tempore of the Senate, the speaker of the House of Representatives, the majority leader of the Senate, the majority leader of the House of Representatives, the minority leader of the Senate and the minority leader of the House of Representatives, and two members appointed by the Governor. The Chief Court Administrator or said administrator's designee shall serve as chairperson of the commission. The commission shall meet at such times as it deems necessary.
Sec. 272. (NEW) (Effective October 1, 2010) (a) The Department of Administrative Services shall assume all responsibilities of the Department of Public Works pursuant to any provision of the general statutes. The transfer of functions, powers, duties, obligations, including, but not limited to, contract obligations, the continuance of orders and regulations, the effect upon pending actions and proceedings, the completion of unfinished business, and the transfer of records and property between the Department of Public Works, as said department existed immediately prior to October 1, 2010, and the Department of Administrative Services shall be governed by the provisions of subsections (a) to (d), inclusive, and subsection (f) of section 4-38d of the general statutes and sections 4-38e and 4-39 of the general statutes.

(b) Wherever the words "Department of Public Works" are used or referred to in any public or special acts, the words "Department of Administrative Services" shall be substituted in lieu thereof.

(c) Wherever the terms "Commissioner of Public Works" or "Public Works Commissioner" are used or referred to in any public or special acts, the term "Commissioner of Administrative Services" shall be substituted in lieu thereof.

(d) Any order or regulation of the Department of Public Works, which is in force on October 1, 2010, shall continue in force and effect as an order or regulation of the Department of Administrative Services until amended, repealed or superseded pursuant to law. Where any order or regulation of said departments conflict, the Commissioner of Administrative Services may implement policies and procedures consistent with the provisions of this act while in the process of adopting the policy or procedure in regulation form, provided notice of intention to adopt regulations is printed in the Connecticut Law Journal within twenty days of implementation. The policy or procedure shall be valid until the time final regulations are effective.

Sec. 273. (NEW) (Effective October 1, 2010) On and after October 1,
2010, (1) "Commissioner of Administrative Services" shall be substituted for "Commissioner of Public Works" or "Public Works Commissioner", and (2) "Department of Administrative Services" shall be substituted for "Department of Public Works", in the following sections of the general statutes: 1-205, 1-210, 2-71h, 3-10, 3-14b, 3-20, 3-21d, 4-61, 4-67g, 4-77b, 4-87, 4-89, 4-142b, 4a-62, 4b-1, 4b-1a, 4b-2, 4b-3, 4b-4, 4b-11, 4b-12, 4b-13, 4b-16, 4b-17, 4b-21, 4b-22a, 4b-23, 4b-24, 4b-24a, 4b-25, 4b-27, 4b-29, 4b-30, 4b-30a, 4b-33, 4b-34, 4b-35, 4b-46, 4b-51, 4b-51a, 4b-52, 4b-53, 4b-54, 4b-55, 4b-55a, 4b-56, 4b-60, 4b-62, 4b-63, 4b-65, 4b-66a, 4b-67, 4b-68, 4b-69, 4b-70, 4b-71, 4b-72, 4b-73, 4b-74, 4b-76, 4b-91, 4b-100, 4b-100a, 4b-101a, 4b-102, 4b-103, 4b-130, 4b-132, 4b-133, 4b-134, 4b-135, 5-142, 7-323p, 8-19, 8-37y, 8-206a, 10-283b, 10-284, 10a-4a, 10a-72, 10a-89, 10a-90, 10a-91, 10a-91c, 10a-91d, 10a-150, 13a-73, 13a-80i, 13b-20n, 13b-42, 13b-55, 16a-37u, 16a-37v, 16a-38, 16a-38a, 16a-38b, 16a-38d, 16a-38h, 16a-38i, 16a-38j, 16a-38k, 16a-38l, 16a-38m, 16a-39, 17a-27, 17a-27c, 17a-27d, 17a-451b, 17b-655, 17b-739, 18-31b, 20-68, 20-311b, 20-503, 22-64, 22a-6, 22a-12, 22a-324, 22a-354i, 22a-439a, 22a-459, 26-3, 27-45, 27-131, 28-1b, 29-251c, 31-57, 31-250, 32-6, 32-228, 32-612, 32-613, 32-655a, 32-656, 45a-80, 46a-29, 49-41b, 51-27a, 51-27c, 51-27d, 51-51k, 51-279.

Sec. 274. Section 4-5 of the 2010 supplement to the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

As used in sections 4-6, 4-7 and 4-8, the term "department head" means Secretary of the Office of Policy and Management, Commissioner of Administrative Services, Commissioner of Revenue Services, Banking Commissioner, Commissioner of Children and Families, Commissioner of Consumer Protection, Commissioner of Correction, Commissioner of Economic and Community Development, State Board of Education, Commissioner of Emergency Management and Homeland Security, Commissioner of Environmental Protection, Commissioner of Agriculture, Commissioner of Public Health, Insurance Commissioner, Labor Commissioner, Liquor Control Commission, Commissioner of Mental Health and Addiction Services,
Commissioner of Public Safety, Commissioner of Social Services, Commissioner of Developmental Services, Commissioner of Motor Vehicles, Commissioner of Transportation, [Commissioner of Public Works,] Commissioner of Veterans' Affairs, Chief Information Officer, the chairperson of the Public Utilities Control Authority, the executive director of the Board of Education and Services for the Blind, the executive director of the Connecticut Commission on Culture and Tourism, and the executive director of the Office of Military Affairs. As used in sections 4-6 and 4-7, "department head" also means the Commissioner of Education.

Sec. 275. Section 4-38c of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

There shall be within the executive branch of state government the following departments: Office of Policy and Management, Department of Administrative Services, Department of Revenue Services, Department of Banking, Department of Agriculture, Department of Children and Families, Department of Consumer Protection, Department of Correction, Department of Economic and Community Development, State Board of Education, Department of Emergency Management and Homeland Security, Department of Environmental Protection, Department of Public Health, Board of Governors of Higher Education, Insurance Department, Labor Department, Department of Mental Health and Addiction Services, Department of Developmental Services, Department of Public Safety, Department of Social Services, Department of Transportation, Department of Motor Vehicles, Department of Veterans' Affairs [Department of Public Works] and Department of Public Utility Control.

Sec. 276. Subsection (b) of section 4a-59a of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

(b) Notwithstanding the provisions of subsection (a) of this section, the [Commissioners] Commissioner of Administrative Services [and
Public Works] may, for a period of one year from the date such contract would otherwise expire, extend any contract in effect on May 1, 2005, with a value of fifty thousand dollars or more per year, to perform any of the following services for the state: Janitorial, building maintenance, security and food and beverage. Any such extension shall include any applicable increase in the standard wage and the payroll burden to administer the standard wage, as established by the Labor Department.

Sec. 277. Subsections (k) and (l) of section 4a-100 of the 2010 supplement to the general statutes are repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

(k) (1) Any substantial evidence of fraud in obtaining or maintaining prequalification or any materially false statement in the application, update statement or update bid statement may, in the discretion of the awarding authority, result in termination of any contract awarded the contractor by the awarding authority. The awarding authority shall provide written notice to the commissioner of such false statement not later than thirty days after discovering such false statement. The commissioner shall provide written notice of such false statement to [the Commissioner of Public Works,] the Commissioner of Consumer Protection and the President of The University of Connecticut not later than thirty days after discovering such false statement or receiving such notice.

(2) The commissioner shall deny or revoke the prequalification of any contractor or substantial subcontractor if the commissioner finds that the contractor or substantial subcontractor, or a principal or key personnel of such contractor or substantial contractor, within the past five years (A) has included any materially false statement in a prequalification application, update statement or update bid statement, (B) has been convicted of, entered a plea of guilty or nolo contendere for, or admitted to, a crime related to the procurement or performance of any public or private construction contract, or (C) has otherwise engaged in fraud in obtaining or maintaining
prequalification. Any revocation made pursuant to this subsection shall be made only after an opportunity for a hearing. Any contractor or substantial subcontractor whose prequalification has been revoked pursuant to this subsection shall be disqualified for a period of two years after which the contractor or substantial subcontractor may reapply for prequalification, except that a contractor or substantial subcontractor whose prequalification has been revoked on the basis of conviction of a crime or engaging in fraud shall be disqualified for a period of five years after which the contractor or substantial subcontractor may reapply for prequalification. The commissioner shall not prequalify a contractor or substantial subcontractor whose prequalification has been revoked pursuant to this subdivision until the expiration of said two-year, five-year, or other applicable disqualification period and the commissioner is satisfied that the matters that gave rise to the revocation have been eliminated or remedied.

(l) The commissioner shall provide written notice of any revocation, disqualification, reduction in classification or capacity rating or reinstated prequalification to the Commissioner of Public Works, the Commissioner of Consumer Protection and the President of The University of Connecticut not later than thirty days after any final determination.

Sec. 278. Subsection (a) of section 4b-15 of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

(a) Each state agency having care, control and supervision of state property, including the Judicial Department and the Joint Committee on Legislative Management of the General Assembly, shall prepare on or before October 1, 1990, and thereafter periodically update, in consultation with the Commissioners of Environmental Protection and [Public Works] Administrative Services, a plan for each facility under its care, control or supervision to (I) reduce the use of disposable and single-use products, in accordance with the plan adopted by the
Commissioner of Administrative Services pursuant to section 4a-67b, (2) separate and collect items designated as either suitable or required for recycling pursuant to section 22a-241b. Such plan shall establish a schedule for implementation of the policies recommended in the plan.

Sec. 279. Subsection (a) of section 4b-136 of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

(a) There is established a State-Wide Security Management Council. The council shall consist of the Commissioner of Public Safety, the Commissioner of Administrative Services, the Commissioner of Mental Health and Addiction Services, [the Commissioner of Public Works,] the Commissioner of Emergency Management and Homeland Security, the Secretary of the Office of Policy and Management, the Chief Court Administrator, an attorney appointed by the Commissioner of Public Works, the executive director of the Joint Committee on Legislative Management, a representative of the Governor, a representative of the State Employees Bargaining Agent Coalition and the president of the Connecticut State Police Union or the president's designee. The Commissioner of Public Works shall serve as chairperson of the council. Each council member shall provide technical assistance in the member's area of expertise, as required by the council.

Sec. 280. Subsection (a) of section 4d-90 of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

(a) There is established a Geospatial Information Systems Council consisting of the following members, or their designees: (1) The Secretary of the Office of Policy and Management; (2) the Commissioners of Environmental Protection, Economic and Community Development, Transportation, Public Safety, Public Health, [Public Works] Administrative Services, Agriculture, Emergency Management and Homeland Security and Social Services;
(3) the Chief Information Officer of the Department of Information Technology; (4) the Chancellor of the Connecticut State University System; (5) the president of The University of Connecticut; (6) the Executive Director of the Connecticut Siting Council; (7) one member who is a user of geospatial information systems appointed by the president pro tempore of the Senate representing a municipality with a population of more than sixty thousand; (8) one member who is a user of geospatial information systems appointed by the minority leader of the Senate representing a regional planning agency; (9) one member who is a user of geospatial information systems appointed by the Governor representing a municipality with a population of less than sixty thousand but more than thirty thousand; (10) one member who is a user of geospatial information systems appointed by the speaker of the House of Representatives representing a municipality with a population of less than thirty thousand; (11) one member appointed by the minority leader of the House of Representatives who is a user of geospatial information systems; (12) the chairperson of the Public Utility Control Authority; (13) the Adjutant General of the Military Department; and (14) any other persons the council deems necessary appointed by the council. The Governor shall select the chairperson from among the members. The chairperson shall administer the affairs of the council. Vacancies shall be filled by appointment by the authority making the appointment. Members shall receive no compensation for their services on said council, but shall be reimbursed for necessary expenses incurred in the performance of their duties. Said council shall hold one meeting each calendar quarter and such additional meetings as may be prescribed by council rules. In addition, special meetings may be called by the chairperson or by any three members upon delivery of forty-eight hours written notice to each member.

Sec. 281. Section 4e-8 of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

There is established a Contracting Standards Advisory Council, which shall consist of representatives from the Office of Policy and
Management, Departments of Administrative Services, Transportation,
[Public Works] and Information Technology and representatives of at
least three additional contracting agencies, including at least one
human services related state agency, designated by the Governor. The
Chief Procurement Officer shall be a member of the council and serve
as chairperson. The advisory council shall meet at least four times per
year to discuss state procurement issues and to make
recommendations for improvement of the procurement processes to
the State Contracting Standards Board. The advisory council may
conduct studies, research and analyses and make reports and
recommendations with respect to subjects or matters within the
jurisdiction of the State Contracting Standards Board.

Sec. 282. Subsection (d) of section 10-292 of the general statutes is
repealed and the following is substituted in lieu thereof (Effective
October 1, 2010):

(d) If the Department of Administrative Services [or the Department
of Public Works] makes a state contract available for use by towns or
regional school districts, a town or regional school district may use
such contract, provided the actual estimate for the school building
project under the state contract is not given until receipt by the town or
regional school district of approval of the plan pursuant to this section.

Sec. 283. Subsection (b) of section 16a-35c of the general statutes is
repealed and the following is substituted in lieu thereof (Effective
October 1, 2010):

(b) The Secretary of the Office of Policy and Management, in
consultation with the Commissioners of Economic and Community
Development, Environmental Protection, [Public Works]
Administrative Services, Agriculture, Transportation, the chairman of
the Transportation Strategy Board, the regional planning agencies in
the state and any other persons or entities the secretary deems
necessary shall develop recommendations for delineation of the
boundaries of priority funding areas in the state and for revisions
thereafter. In making such recommendations the secretary shall consider areas designated as regional centers, growth areas, neighborhood conservation areas and rural community centers on the state plan of conservation and development, redevelopment areas, distressed municipalities, as defined in section 32-9p; targeted investment communities, as defined in section 32-222; public investment communities, as defined in section 7-545, enterprise zones, designated by the Commissioner of Economic and Community Development under section 32-70, corridor management areas identified in the state plan of conservation and development and the principles of the Transportation Strategy Board approved under section 13b-57h. The secretary shall submit the recommendations to the Continuing Legislative Committee on State Planning and Development established pursuant to section 4-60d for review when the state plan of conservation and development is submitted to such committee in accordance with section 16a-29. The committee shall report its recommendations to the General Assembly at the time said state plan is submitted to the General Assembly under section 16a-30. The boundaries shall become effective upon approval of the General Assembly.

Sec. 284. Section 22a-26a of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

The Department of Environmental Protection, in consultation with the Departments of Transportation and [Public Works] Administrative Services, The University of Connecticut and other state agencies with jurisdiction over state-owned properties, shall identify state-owned properties which provide public access to the waters of Long Island Sound and, in addition, identify other properties which the state may acquire to provide public access to the waters of Long Island Sound. The properties to be identified shall include highway easements, bridge crossings, university-owned lands, railroad rights-of-way and other coastal or riverfront properties owned or controlled by the state or by others. State-owned properties which are used for non-water-dependent activities shall be assessed for reclassification to public
water-dependent use or shared use. The department shall submit a report of its findings to the joint standing committee of the General Assembly having cognizance of matters concerning the environment on or before October 1, 1992, and the Comptroller shall cause such findings to be added to and made a part of the inventory of state property required pursuant to the provisions of section 4-36.

Sec. 285. Subsection (c) of section 31-57c of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

(c) The Commissioner of [Public Works] Administrative Services may disqualify any contractor, for up to two years, from bidding on, applying for, or participating as a subcontractor under, contracts with the state, acting through any of its departments, commissions or other agencies, except [the Department of Administrative Services,] the Department of Transportation and the constituent units of the state system of higher education, for one or more causes set forth under subsection (d) of this section. The commissioner may initiate a disqualification proceeding only after consulting with the contract awarding agency, if any, and the Attorney General and shall provide notice and an opportunity for a hearing to the contractor who is the subject of the proceeding. The hearing shall be conducted in accordance with the contested case procedures set forth in chapter 54. The commissioner shall issue a written decision within ninety days of the last date of such hearing and state in the decision the reasons for the action taken and, if the contractor is being disqualified, the period of such disqualification. The existence of a cause for disqualification shall not be the sole factor to be considered in determining whether the contractor shall be disqualified. In determining whether to disqualify a contractor, the commissioner shall consider the seriousness of the contractor's acts or omissions and any mitigating factors. The commissioner shall send the decision to the contractor by certified mail, return receipt requested. The written decision shall be a final decision for the purposes of sections 4-180 and 4-183.
Sec. 286. Section 31-390 of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

(a) The Labor Commissioner and the Commissioners of Economic and Community Development and [Public Works] Administrative Services shall have the right of inspection of any such project at any time.

(b) The Labor Commissioner and the Commissioners of Economic and Community Development and [Public Works] Administrative Services and the Secretary of the Office of Policy and Management are authorized to make orders, establish guidelines and adopt regulations under the provisions of chapter 54 with respect to the implementation of this chapter.

(c) At the request of the commissioners, any agency or department of the executive branch shall advise and assist the commissioners in the implementation of this chapter.

Sec. 287. (NEW) (Effective October 1, 2010) (a) The Department of Transportation shall assume all responsibilities of the Department of Motor Vehicles pursuant to any provision of the general statutes. The transfer of functions, powers, duties, obligations, including, but not limited to, contract obligations, the continuance of orders and regulations, the effect upon pending actions and proceedings, the completion of unfinished business, and the transfer of records and property between the Department of Motor Vehicles, as said department existed immediately prior to October 1, 2010, and the Department of Transportation shall be governed by the provisions of subsections (a) to (d), inclusive, and subsection (f) of section 4-38d of the general statutes and sections 4-38e and 4-39 of the general statutes.

(b) On and after October 1, 2010, wherever the term "Department of Motor Vehicles" is used or referred to in any public or special acts, the term "Department of Transportation" shall be substituted in lieu thereof.
(c) On and after October 1, 2010, wherever the term "Commissioner of Motor Vehicles" is used or referred to in any public or special acts, the term "Commissioner of Transportation" shall be substituted in lieu thereof.

(d) Any order or regulation of the Department of Motor Vehicles, which is in force on October 1, 2010, shall continue in force and effect as an order or regulation of the Department of Transportation until amended, repealed or superseded pursuant to law. Where any order or regulation of said departments conflict, the Commissioner of Transportation may implement policies and procedures consistent with the provisions of this section, section 502 of this act and section 4-5, 4-38c, 12-430, 12-431, 13a-37, 13b-69, 13b-92, 14-11c, 14-21w, 14-96p, 14-100a, 14-108a, 14-212e, 14-267a, 14-270e, 14-298, 15-140c and 17a-667 of the general statutes, as amended by this act, while in the process of adopting the policy or procedure in regulation form, provided notice of intention to adopt regulations is printed in the Connecticut Law Journal within twenty days of implementation. The policy or procedure shall be valid until the time final regulations are effective.

Sec. 288. (NEW) (Effective October 1, 2010) On and after October 1, 2010, "Commissioner of Transportation" shall be substituted for "Commissioner of Motor Vehicles" and "Department of Transportation" shall be substituted for "Department of Motor Vehicles" in the following sections of the general statutes: 1-1h, 1-1i, 1-17a, 1-84, 1-217, 2-50a, 5-142, 5-145b, 7-152b, 9-19b, 9-19h, 9-19i, 9-23g, 9-35, 10-145, 10-221c, 10-298, 12-41, 12-57, 12-57a, 12-71b, 12-241, 12-412, 12-458d, 12-458g, 12-475, 12-491, 12-692, 13b-59, 13b-61, 13b-61b, 13b-83, 13b-89, 13b-96, 13b-97, 13b-99, 13b-106, 13b-410a, 13b-410b, 14-1, 14-2, 14-3, 14-4, 14-4a, 14-5, 14-5b, 14-5c, 14-7, 14-9a, 14-10, 14-11a, 14-11b, 14-11d, 14-11i, 14-12, 14-12a, 14-12g, 14-12h, 14-12i, 14-12j, 14-12k, 14-12q, 14-12r, 14-15, 14-16a, 14-16c, 14-19a, 14-19b, 14-20, 14-20a, 14-20b, 14-20c, 14-21d, 14-21e, 14-21f, 14-21g, 14-21h, 14-21i, 14-21j, 14-21k, 14-21l, 14-21m, 14-21o, 14-21q, 14-21r, 14-21s, 14-21u, 14-21v, 14-22f, 14-24, 14-25a, 14-25c, 14-25d, 14-29, 14-33, 14-33a, 14-34a, 14-35a, 14-36, 14-36d, 14-36e, 14-36f, 14-36g, 14-36h, 14-36i, 14-36j, 14-36k, 14-37a, 14-37b,
Sec. 289. Section 4-5 of the 2010 supplement to the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

As used in sections 4-6, 4-7 and 4-8, the term "department head" means Secretary of the Office of Policy and Management, Commissioner of Administrative Services, Commissioner of Revenue Services, Banking Commissioner, Commissioner of Children and Families, Commissioner of Consumer Protection, Commissioner of...
Correction, Commissioner of Economic and Community Development, State Board of Education, Commissioner of Emergency Management and Homeland Security, Commissioner of Environmental Protection, Commissioner of Agriculture, Commissioner of Public Health, Insurance Commissioner, Labor Commissioner, Liquor Control Commission, Commissioner of Mental Health and Addiction Services, Commissioner of Public Safety, Commissioner of Social Services, Commissioner of Developmental Services, [Commissioner of Motor Vehicles,] Commissioner of Transportation, Commissioner of Public Works, Commissioner of Veterans' Affairs, Chief Information Officer, the chairperson of the Public Utilities Control Authority, the executive director of the Board of Education and Services for the Blind, the executive director of the Connecticut Commission on Culture and Tourism, and the executive director of the Office of Military Affairs. As used in sections 4-6 and 4-7, "department head" also means the Commissioner of Education.

Sec. 290. Section 4-38c of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

There shall be within the executive branch of state government the following departments: Office of Policy and Management, Department of Administrative Services, Department of Revenue Services, Department of Banking, Department of Agriculture, Department of Children and Families, Department of Consumer Protection, Department of Correction, Department of Economic and Community Development, State Board of Education, Department of Emergency Management and Homeland Security, Department of Environmental Protection, Department of Public Health, Board of Governors of Higher Education, Insurance Department, Labor Department, Department of Mental Health and Addiction Services, Department of Developmental Services, Department of Public Safety, Department of Social Services, Department of Transportation, [Department of Motor Vehicles,] Department of Veterans' Affairs, Department of Public Works and Department of Public Utility Control.
Sec. 291. Subdivision (3) of section 12-430 of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

(3) Each person before obtaining an original or transferral registration for a motor vehicle, vessel, snowmobile or aircraft in this state shall furnish evidence that any tax due thereon pursuant to the provisions of this chapter has been paid in accordance with regulations prescribed by the Commissioner of Revenue Services, and on forms approved by, in the case of a motor vehicle, vessel, [or] snowmobile [.] or aircraft, the Commissioner of Revenue Services and the [Commissioner of Motor Vehicles, and, in the case of an aircraft, the Commissioner of Revenue Services and the] Commissioner of Transportation. The Commissioner of [Motor Vehicles] Transportation shall, upon the request of the Commissioner of Revenue Services, after hearing by the Commissioner of Revenue Services, suspend or revoke a motor vehicle, vessel, [or] snowmobile or aircraft registration of any person who fails to pay any tax due in connection with the sale, storage, use or other consumption of such motor vehicle, vessel, [or] snowmobile or aircraft pursuant to the provisions of this chapter. [The Commissioner of Transportation shall, upon the request of the Commissioner of Revenue Services, after a hearing by the Commissioner of Revenue Services, suspend or revoke an aircraft registration of any person who fails to pay any tax due in connection with the sale, storage, use or other consumption of such aircraft pursuant to the provisions of this chapter.]

Sec. 292. Subdivision (1) of subsection (a) of section 12-431 of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

(a) (1) Except as otherwise provided in subdivision (2) of this subsection, in case of the purchase of any motor vehicle, snowmobile, vessel or aircraft other than from a licensed motor vehicle dealer or licensed motor vehicle lessor, a snowmobile dealer, a licensed marine dealer or a retailer of aircraft, respectively, the receipts therefrom shall
not be included in the measure of the sales tax, but the purchaser thereof shall pay a use tax on the total purchase price thereof to the Commissioner of Revenue Services, as provided in section 12-411, in the case of tangible personal property purchased from a retailer, and, in the case of motor vehicles, vessels, snowmobiles and aircraft, before obtaining an original or transferal registration, in accordance with regulations prescribed by the Commissioner of Revenue Services and on forms approved by the Commissioner of Revenue Services and the Commissioner of Motor Vehicles, and, in the case of aircraft, before obtaining an original or transferal registration, in accordance with regulations prescribed by the Commissioner of Revenue Services and on forms approved by the Commissioner of Revenue Services and the Commissioner of Transportation.

Sec. 293. Section 13a-37 of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

If, in the opinion of the commissioner, the boundary lines or limits of any state highway have become lost or uncertain, he may cause a map or maps of such highway to be made and may reestablish such boundary lines or limits as, in his opinion, they were originally established. Said commissioner shall, by written notice to the selectmen of the town in which any such highway is situated and to each known adjoining proprietor on any such highway, by registered or certified mail to the last-known address, give a description of such boundaries or limits as reestablished and file with the town clerk of such town a copy of such map or maps which shall clearly define the lines of such highway and the bounds thereof. The lines, boundaries and limits so defined shall be the lines, boundaries and limits of such highway, unless any person or town claiming to be aggrieved thereby has taken an appeal to the Superior Court within sixty days from the filing of such map or maps, and said court has, after full hearing, found and determined new lines for such highway and rendered judgment defining the same. If said commissioner is unable to prove the location of any such boundaries or limits, he may purchase or
condemn such right-of-way over land adjoining the traveled portion of the highway as is, in his opinion, necessary for highway purposes under the provisions of part IV of this chapter, or may make written agreements with the owners thereof concerning such lines, such agreements to be executed in the manner required for deeds and recorded in the office of the town clerk in which such land is located by the commissioner. Said commissioner shall mark such boundaries or limits by a uniform and distinctive type of marker. [The expenses, costs and fees of the commissioner for legal, engineering or other services, land damage or other damages in reestablishing or locating such boundary lines shall be paid from the funds received from the Commissioner of Motor Vehicles.]

Sec. 294. Subsection (b) of section 13b-69 of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

(b) The remaining resources of the Special Transportation Fund shall, pursuant to appropriation thereof in accordance with chapter 50 and subject to approval by the Governor of allotment thereof, be applied and expended for (1) payment of the principal of and interest on "general obligation bonds of the state issued for transportation purposes", as defined in subsection (c) of this section, or any obligations refunding the same, (2) payment of state budget appropriations made to or for the Department of Transportation, [and the Department of Motor Vehicles,] and (3) payment of state budget appropriations made to or for the Department of Public Safety for members of the Division of State Police designated by the Commissioner of Public Safety for motor patrol work pursuant to section 29-4, except that (A) for the fiscal years commencing on or after July 1, 1998, excluding the highway motor patrol budgeted expenses, and (B) for the fiscal years commencing on or after July 1, 1999, excluding the highway motor patrol fringe benefits.

Sec. 295. Section 13b-92 of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):
The Department of Transportation, upon written application of any person authorized by the United States government to carry mail by motor vehicle, or of any person desiring to carry passengers for hire to and from any rural section where there is no other agency of public transportation of passengers, may authorize such applicant to transport passengers for hire in such motor vehicle over a prescribed route if, in the opinion of the department, public convenience and necessity require the same. The department shall also determine the registration fee, if any, to be charged such applicant and shall forward to the Commissioner of Motor Vehicles a certified copy of its findings concerning the requirements of public convenience and necessity and the registration fee, and, thereupon, said commissioner may register such applicant's vehicle for such service. The department may, at any time, amend or revoke any such authorization. Any such authorization issued by the Division of Public Utility Control within the Department of Business Regulation prior to October 1, 1979, shall remain valid unless revoked by the Department of Transportation. Said department may make rules, regulations and orders relating to such passenger service and fixing rates and schedules therefor, provided such rules, regulations and orders shall not be inconsistent with federal regulations pertaining to carriers of United States mail.

Sec. 296. Subsection (b) of section 14-11c of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

(b) The Motor Carrier Advisory Council shall consist of the following voting members: The Commissioners of Transportation, Motor Vehicles, Public Safety, Revenue Services, Economic and Community Development and Environmental Protection, or their designees, and any other commissioner of a state agency, or such commissioner's designee, invited to participate. The Commissioner of Motor Vehicles, Transportation or the commissioner's designee shall organize and serve as chairperson of the council. The council shall only make recommendations or take actions by a unanimous vote of all members present and voting. The council may make recommendations
as the council deems appropriate to the United States Congress, the
Governor or the General Assembly.

Sec. 297. Section 14-21w of the 2010 supplement to the general
statutes is repealed and the following is substituted in lieu thereof
(Effective October 1, 2010):

(a) On and after January 1, 2010, the Commissioner of Motor
Vehicles may issue, within available appropriations, Share the Road commemorative number plates of a design to enhance public awareness of the rights and responsibilities of both motorists and bicyclists while jointly using the highways of this state. The design shall be determined by agreement between the Department of Transportation, and the Commissioner of Motor Vehicles, in consultation with an organization advocating on behalf of bicyclists. No use shall be made of such plates except as official registration marker plates.

(b) A fee of sixty dollars shall be charged for Share the Road commemorative number plates, in addition to the regular fee or fees prescribed for the registration of a motor vehicle. Fifteen dollars of such fee shall be deposited in an account controlled by the Department of Motor Vehicles Transportation to be used for the cost of producing, issuing, renewing and replacing such number plates and forty-five dollars of such fee shall be deposited in the account established under subsection (d) of this section. No additional fee shall be charged in connection with the renewal of such number plates. No transfer fee shall be charged for transfer of an existing registration to or from a registration with Share the Road commemorative number plates. Such number plates shall have letters and numbers selected by the Commissioner of Motor Vehicles Transportation. The commissioner may establish a higher fee for: (1) Number plates that contain the numbers and letters from a previously issued number plate; (2) number plates that contain letters in place of numbers as authorized by section 14-49, in addition to the fee or fees prescribed for registration under said section; and (3) number plates that are low
number plates issued in accordance with section 14-160, in addition to
the fee or fees prescribed for registration under said section. All fees
established and collected pursuant to this section, except the amount
deposited in the account controlled by the department, shall be
deposited in the Share the Road account established under subsection
(d) of this section.

(c) The Commissioner of [Motor Vehicles, in consultation with the
Commissioner of] Transportation, may adopt regulations, in
accordance with the provisions of chapter 54, to establish standards
and procedures for the issuance, renewal and replacement of Share the
Road commemorative number plates.

(d) There is established a Share the Road account which shall be a
separate, nonlapsing account within the General Fund. The account
shall contain any moneys required by law to be deposited in the
account. The funds in the account shall be expended by the
Department of Transportation to enhance public awareness of the
rights and responsibilities of bicyclists and motorists while jointly
using the highways of this state and to promote bicycle use and safety
in this state. The Commissioner of Transportation may receive private
donations to said account and any such receipts shall be deposited in
said account.

(e) The Commissioner of [Motor Vehicles] Transportation may
provide for the reproduction and marketing of the Share the Road
commemorative number plate image for use on clothing, recreational
equipment, posters, mementoes or other products or programs
deemed by the commissioner to be suitable as a means of supporting
the Share the Road account established under subsection (d) of this
section. Any moneys received by the commissioner from such
marketing shall be deposited in said account.

Sec. 298. Subdivision (1) of subsection (a) of section 14-96p of the
general statutes is repealed and the following is substituted in lieu
thereof (Effective October 1, 2010):
(a) (1) No person shall display upon any motor vehicle any light visible from the front thereof other than white, yellow or amber, or any light other than red, yellow, amber or white visible from the rear thereof, except a light used with any school bus, without a special permit from the commissioner, in accordance with the provisions of subsection (c) of section 14-96q. [If the Department of Transportation obtains from the commissioner such a permit covering more than one motor vehicle operated by the department, it may display the lights allowed under the permit on each such vehicle without placing a copy of the permit in each vehicle.]

Sec. 299. Section 14-100a of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

(a) No new passenger motor vehicle may be sold or registered in this state unless equipped with at least two sets of seat safety belts for the front and rear seats of the motor vehicle, which belts comply with the requirements of subsection (b) of this section. The anchorage unit at the attachment point shall be of such construction, design and strength as to support a loop load strength of not less than four thousand pounds for each belt.

(b) No seat safety belt may be sold for use in connection with the operation of a motor vehicle on any highway of this state unless it is so constructed and installed as to have a loop strength through the complete attachment of not less than four thousand pounds, and the buckle or closing device shall be of such construction and design that after it has received the aforesaid loop belt load it can be released with one hand with a pull of less than forty-five pounds.

(c) (1) The operator of and any front seat passenger in a motor vehicle with a gross vehicle weight rating not exceeding ten thousand pounds or fire fighting apparatus originally equipped with seat safety belts complying with the provisions of the Code of Federal Regulations, Title 49, Section 571.209, as amended from time to time, shall wear such seat safety belt while the vehicle is being operated on
any highway, except as follows:

(A) A child six years of age and under shall be restrained as provided in subsection (d) of this section;

(B) The operator of such vehicle shall secure or cause to be secured in a seat safety belt any passenger seven years of age or older and under sixteen years of age; and

(C) If the operator of such vehicle is under eighteen years of age, such operator and each passenger in such vehicle shall wear such seat safety belt while the vehicle is being operated on any highway.

(2) The provisions of subdivision (1) of this subsection shall not apply to (A) any person whose physical disability or impairment would prevent restraint in such safety belt, provided such person obtains a written statement from a licensed physician containing reasons for such person's inability to wear such safety belt and including information concerning the nature and extent of such condition. Such person shall carry the statement on his or her person or in the motor vehicle at all times when it is being operated, or (B) an authorized emergency vehicle, other than fire fighting apparatus, responding to an emergency call or a motor vehicle operated by a rural letter carrier of the United States postal service while performing his or her official duties or by a person engaged in the delivery of newspapers.

(3) Failure to wear a seat safety belt shall not be considered as contributory negligence nor shall such failure be admissible evidence in any civil action.

(4) Any operator of a motor vehicle, who is eighteen years of age or older, and any passenger in such motor vehicle, who violates any provision of this subsection shall have committed an infraction and shall be fined fifteen dollars. Any operator of a motor vehicle who is under eighteen years of age and any passenger in such motor vehicle who violates any provision of this subsection shall have committed an
infraction and shall be fined seventy-five dollars. Points may not be assessed against the operator's license of any person convicted of such violation.

(d) (1) Any person who transports a child six years of age and under or weighing less than sixty pounds, in a motor vehicle on the highways of this state shall provide and require the child to use a child restraint system approved pursuant to regulations adopted by the Department of [Motor Vehicles] Transportation in accordance with the provisions of chapter 54. Any person who transports a child seven years of age or older and weighing sixty or more pounds, in a motor vehicle on the highways of this state shall either provide and require the child to use an approved child restraint system or require the child to use a seat safety belt. As used in this subsection, "motor vehicle" does not mean a bus having a tonnage rating of one ton or more. Failure to use a child restraint system shall not be considered as contributory negligence nor shall such failure be admissible evidence in any civil action.

(2) Any person who transports a child under one year of age or weighing less than twenty pounds in a motor vehicle on the highways of this state shall provide and require the child to ride rear-facing in a child restraint system approved pursuant to regulations that the Department of [Motor Vehicles] Transportation shall adopt in accordance with the provisions of chapter 54.

(3) Notwithstanding the provisions of subdivision (1) of this subsection, any person who transports a child four years of age or older in a student transportation vehicle, as defined in section 14-212, on the highways of this state shall either provide and require the child to use an approved child restraint system or require the child to use a seat safety belt. Any person who transports a child under four years of age weighing less than forty pounds in a student transportation vehicle on the highways of this state shall provide and require the child to use a child restraint system approved pursuant to regulations adopted by the Department of [Motor Vehicles] Transportation in accordance with the provisions of chapter 54.
(4) No person shall restrain a child in a booster seat unless the motor
vehicle is equipped with a safety seat belt that includes a shoulder belt
and otherwise meets the requirement of subsection (b) of this section.

(5) Any person who violates the provisions of subdivision (1), (2),
(3) or (4) of this subsection shall, for a first violation, have committed
an infraction; for a second violation, be fined not more than one
hundred ninety-nine dollars; and, for a third or subsequent violation,
be guilty of a class A misdemeanor. The commissioner shall require
any person who has committed a first or second violation of the
provisions of this subsection to attend a child car seat safety course
offered or approved by the Department of [Motor Vehicles]
Transportation. The commissioner may, after notice and an
opportunity for a hearing, suspend for a period of not more than two
months the motor vehicle operator's license of any person who fails to
attend or successfully complete the course.

(e) (1) Any person who transports an individual who remains in a
wheelchair while being transferred into and out of a vehicle, in any
motor vehicle on the highways of this state, shall provide and require
the use of a device designed to secure individuals in wheelchairs while
transferring such individuals from the ground to the vehicle and from
the time the motor vehicle is brought to a stop until such individuals
are transferred from the vehicle to the ground. Such device shall be
located in the motor vehicle at all times. The Commissioner of [Motor
Vehicles] Transportation may, after consultation with the
[Departments of Transportation and] Department of Public Health,
establish regulations to implement the provisions of this section and
sections 13b-105 and 14-102a, subsection (d) of section 14-103,
subsection (a) of section 14-275 and subsection (a) of section 19a-180.

(2) The following motor vehicles registered in this state for the first
time on or after October 1, 2007, that transport individuals who remain
in wheelchairs while being transported, shall, in addition to the
requirements of subdivision (1) of this subsection, install or provide
and require the use of a device that secures the wheelchair to the motor
vehicle's mechanical lift or otherwise prevents or seeks to prevent an
individual in a wheelchair from falling from such mechanical lift or
motor vehicle: (A) Motor vehicles in livery service, as defined in
section 13b-101, (B) service buses, as defined in section 14-1, (C) invalid
coaches, as defined in subdivision (11) of section 19a-175, (D) vanpool
vehicles, as defined in section 14-1, (E) school buses, as defined in
section 14-1, (F) motor buses, as defined in section 14-1, (G) student
transportation vehicles, as defined in section 14-212, and (H) camp
vehicles, as defined in section 14-1. The provisions of this subsection
shall also apply to all motor vehicles used by municipal, volunteer and
commercial ambulance services, rescue services and management
services, as defined in subdivision (19) of section 19a-175.

(3) Violation of any provision of this subsection is an infraction.

(f) The commissioner shall administer the provisions of this section.

Sec. 300. Subdivision (2) of subsection (a) of section 14-108a of the
general statutes is repealed and the following is substituted in lieu
thereof (Effective October 1, 2010):

(2) In each motor vehicle accident in which any person is killed or
injured or in which damage to the property of any one individual,
including the operator, in excess of one thousand dollars is sustained,
the police officer, agency or individual who, in the regular course of
duty, investigates such accident, either at the time of or at the scene of
the accident or thereafter, by interviewing the participants or
witnesses, shall, within five days after completing such investigation,
complete and forward one copy of such report to the Commissioner of
Transportation. Such report shall call for and contain all available
detailed information to disclose the location and cause of the accident,
the conditions then existing, the persons and vehicles involved and the
names of the insurance companies issuing their automobile liability
policies, as well as the enforcement action taken. [The Commissioner of
Transportation shall forward to the Commissioner of Motor Vehicles
one copy of each report of any accident involving a school bus. The
Commissioner of Motor Vehicles may inquire into or investigate any accident reported pursuant to this subsection and may request the assistance of the Division of State Police within the Department of Public Safety for such purposes.]

Sec. 301. Subsection (b) of section 14-212e of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

(b) The council shall be comprised of the following members: The Commissioners of Transportation [and Public Safety,] or their designees; the president of the Connecticut Employees Union Independent, or such person's designee; the president of the Connecticut State Police Union, or such person's designee; and a representative of the Connecticut Construction Industries Association, designated by the president of said association. Appointees should be persons with knowledge and experience concerning highway work zones. Appointments to the council shall be made not later than November 1, 2008. The chairperson of the council shall be appointed by the Governor and shall convene the first meeting of the council not later than December 1, 2008.

Sec. 302. Subsections (e) to (l), inclusive, of section 14-267a of the general statutes are repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

(e) No person shall operate any commercial motor vehicle, nor shall the owner or lessee of any commercial motor vehicle allow such motor vehicle to be operated, on any public highway or bridge, when the combined weight of vehicle and load exceeds the gross weight, as registered with the Department of [Motor Vehicles] Transportation, the tire capacity or the axle load, except that the gross vehicle weight shall not exceed eighty thousand pounds, or as provided by statute, or, in the case of a vehicle registered in any other state or country, as so registered or provided in such state or country or as designated as legal for a like motor vehicle of Connecticut registration, whichever is
the lesser, without a written permit from the Commissioner of Transportation, which shall prescribe the condition under which such vehicle shall be operated.

(f) (1) The penalties provided for in this subsection shall be assessed against the owner of a commercial motor vehicle when the owner, the owner's agent or employee is the operator, or against the lessee of such vehicle when the lessee, the lessee's agent or employee is the operator of a leased or rented commercial motor vehicle.

(2) Any person who violates any provision of this section shall be subject to the following penalties: (A) For an overweight violation of not more than five per cent of the gross weight or axle weight limits in subsection (b) of this section, a fine of three dollars per hundred pounds or fraction thereof of such excess weight; (B) for an overweight violation of more than five per cent and not more than ten per cent of either such weight limit, a fine of five dollars per hundred pounds or fraction thereof of such excess weight or a minimum fine of fifty dollars; (C) for an overweight violation of more than ten per cent but not more than fifteen per cent of either such weight limit, a fine of six dollars per hundred pounds or fraction thereof of such excess weight or a minimum fine of one hundred dollars; (D) for an overweight violation of more than fifteen per cent but not more than twenty per cent of either such weight limit, a fine of seven dollars per hundred pounds or fraction thereof of such excess weight or a minimum fine of two hundred dollars; (E) for an overweight violation of more than twenty per cent but not more than twenty-five per cent of either such weight limit, a fine of ten dollars per hundred pounds or fraction thereof of such excess weight or a minimum fine of three hundred dollars; (F) for an overweight violation of more than twenty-five per cent but not more than thirty per cent of either such overweight limit, a fine of twelve dollars per hundred pounds or fraction thereof of such excess weight or a minimum fine of five hundred dollars; and (G) for an overweight violation of more than thirty per cent of either such overweight limit, a fine of fifteen dollars per one hundred pounds or fraction thereof of such excess weight or a minimum fine of one
thousand dollars.

(3) The court shall note on the record any conviction for an overweight violation in excess of fifteen per cent of the gross weight limits in subsection (b) of this section with respect to any vehicle with a gross vehicle weight of eighteen thousand pounds or more and shall cause such information to be transmitted to the Commissioner of [Motor Vehicles] Transportation. Upon receipt of such information with respect to a third or subsequent conviction for such overweight violation in a calendar year, the commissioner may schedule a hearing, in accordance with the provisions of chapter 54, to review the record of the motor vehicle registrant and shall notify the registrant of the hearing. In such cases, the Commissioner of [Motor Vehicles] Transportation may review information and evidence presented at the hearing including, but not limited to, frequency of the registrant's commercial vehicle operations, the size of the registrant's fleet and the culpability, if any, of the shipper. After the hearing, the commissioner may impose a civil penalty on the owner or lessee of such motor vehicle in the amount of two thousand dollars or revoke the registration, for a period of thirty days, of any commercial motor vehicle so operated and may refuse to issue a registration for such motor vehicle during such further time as the commissioner deems reasonable.

(4) An owner or lessee who is assessed penalties pursuant to this subsection for an overweight violation in excess of fifteen per cent of the gross weight limits in subsection (b) of this section five times during any calendar year shall be assessed by the court an additional five thousand dollars for the fifth violation and an additional five thousand dollars for each subsequent overweight violation in excess of fifteen per cent of such limits in such calendar year.

(5) No more than twenty-five per cent of any fine imposed pursuant to this subsection may be remitted unless the court determines that there are mitigating circumstances and specifically states such circumstances for the record.
(g) For the purpose of enforcing the provisions of this section, any state police officer, Department of Public Safety employee designated by the Commissioner of Public Safety, local police officer, [Department of Motor Vehicles inspector,] or Department of Transportation employee designated by the Commissioner of Transportation, may require the driver to stop and submit to a weighing by means of either portable or stationary scales and may require that such vehicle be driven to a scale or safety inspection site.

(h) Whenever signs are displayed on a public highway, indicating that a scale is in operation and directing the driver of a commercial vehicle to stop at the weighing area, the driver shall stop and, in accordance with the directions of any state police officer, Department of Public Safety employee designated by the Commissioner of Public Safety, local police officer, [Department of Motor Vehicles inspector,] or Department of Transportation employee designated by the Commissioner of Transportation, allow the vehicle to be weighed or inspected.

(i) The driver of a vehicle which is weighed may remove from such vehicle any material, including, but not limited to, sand, debris, ice or snow, which may have accumulated on the outside of such vehicle, before any such official determines that the weight of such vehicle is unlawful.

(j) Whenever such an official, upon weighing a vehicle and load, determines that the weight is unlawful, such official may require the driver to remove from the vehicle that portion of the load that may be necessary to reduce the gross or axle weight of such vehicle to the limit permitted under this chapter, provided if the vehicle is in violation of an axle weight limit in subsection (b) of this section but not a gross weight limit under said subsection, such official shall allow the driver to manually shift the load in order to comply with such axle weight limit without penalty.

(k) (1) Any driver of a vehicle who fails or refuses when directed by
such official, upon a weighing of the vehicle, to comply with such
official's directions shall be fined not less than one hundred dollars or
more than two hundred dollars for the first offense and not less than
two hundred dollars or more than five hundred dollars for each
subsequent offense. (2) Any driver of a vehicle who (A) exits a limited
access highway on which a scale or safety inspection site is in
operation with intent to circumvent the provisions of subsection (h) of
this section, without a bona fide business purpose, or (B) fails to
comply with the provisions of subsection (h) of this section shall be
fined not less than two hundred fifty dollars or more than five
hundred dollars for the first offense and not less than five hundred
dollars or more than one thousand dollars for each subsequent offense.

(l) The Commissioner of Transportation may adopt regulations in
accordance with chapter 54 necessary to implement the purposes of
this section. The Commissioner of Transportation, after consultation
with the Commissioner of Public Safety, [and the Commissioner of
Motor Vehicles,] shall adopt regulations in accordance with chapter 54
defining safety standards and inspection procedures to assure
compliance with the safety requirements of 10 CFR 71 and 49 CFR 100
through 199 and the fines for noncompliance. The Department of
Transportation shall coordinate development of state policy and
regulations concerning the trucking industry.

Sec. 303. Section 14-270e of the general statutes is repealed and the
following is substituted in lieu thereof (Effective October 1, 2010):

On or before January 1, 2004, the Commissioner of Transportation,
in consultation with the Department of Public Safety, [and the
Department of Motor Vehicles,] shall establish a program to
implement regularly scheduled and enforced hours of operation for
weigh stations. Not later than October 1, 2004, and annually thereafter,
the commissioner shall submit a report, in accordance with section 11-
4a, on the planned program to the joint standing committee of the
General Assembly having cognizance of matters relating to
transportation.
Sec. 304. Section 14-298 of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

There shall be within the Department of Transportation a State Traffic Commission. Said Traffic Commission shall consist of the Commissioner of Transportation and the Commissioner of Public Safety. For the purpose of standardization and uniformity, said commission shall adopt and cause to be printed for publication regulations establishing a uniform system of traffic control signals, devices, signs and markings consistent with the provisions of this chapter for use upon the public highways. The commissioner shall make known to the General Assembly the availability of such regulations and any requesting member shall be sent a written copy or electronic storage media of such regulations by the commissioner. Taking into consideration the public safety and convenience with respect to the width and character of the highways and roads affected, the density of traffic thereon and the character of such traffic, said commission shall also adopt regulations, in cooperation and agreement with local traffic authorities, governing the use of state highways and roads on state-owned properties, and the operation of vehicles including but not limited to motor vehicles, as defined by section 14-1, and bicycles, as defined by section 14-286, thereon. A list of limited-access highways shall be published with such regulations and said list shall be revised and published once each year. The commissioner shall make known to the General Assembly the availability of such regulations and list and any requesting member shall be sent a written copy or electronic storage media of such regulations and list by the commissioner. A list of limited-access highways opened to traffic by the Commissioner of Transportation in the interim period between publications shall be maintained in the office of the State Traffic Commission and such regulations shall apply to the use of such listed highways. Said commission shall also make regulations, in cooperation and agreement with local traffic authorities, respecting the use by through truck traffic of streets and highways within the limits of, and under the jurisdiction of, any city, town or
borough of this state for the protection and safety of the public. If said
commission determines that the prohibition of through truck traffic on
any street or highway is necessary because of an immediate and
imminent threat to the public health and safety and the local traffic
authority is precluded for any reason from acting on such prohibition,
the commission, if it is not otherwise precluded from so acting, may
impose such prohibition. Said commission may place and maintain
traffic control signals, signs, markings and other safety devices, which
it deems to be in the interests of public safety, upon such highways as
come within the jurisdiction of said commission as set forth in section
14-297. The traffic authority of any city, town or borough may place
and maintain traffic control signals, signs, markings and other safety
devices upon the highways under its jurisdiction, and all such signals,
devices, signs and markings shall conform to the regulations
established by said commission in accordance with this chapter, and
such traffic authority shall, with respect to traffic control signals,
conform to the provisions of section 14-299.

Sec. 305. Subsection (b) of section 15-140c of the general statutes is
repealed and the following is substituted in lieu thereof (Effective
October 1, 2010):

(b) Any officer authorized to enforce the provisions of this chapter
upon discovery of any vessel apparently abandoned, whether situated
on or out of the waters of the state, may take such vessel into his
custody and may cause the same to be taken to and stored in a suitable
place. There shall be no liability attached to such officer for any
damages to such vessel while in his custody. All charges necessarily
incurred by such officer in the performance of such duty shall be a lien
upon such vessel. The owner or keeper of any marina or other place
where such vessel is stored shall have a lien upon the same for his
storage charges and if such vessel has been stored for a period of not
less than sixty days, such owner or keeper may sell the same for
storage charges owed thereon, provided a notice of intent to sell shall
be sent to the Commissioner of Environmental Protection, the
[Commissioner of Motor Vehicles,] Commissioner of Transportation
and the owner of such vessel, if known, five days before the sale of such vessel. If the owner is unknown, such sale shall be advertised in a newspaper published or having a circulation in the town where such marina or other place is located three times, commencing at least five days before the sale. The proceeds of such sale, after deducting the amount due such marina owner or keeper and all expenses of the officer who placed such vessel in storage, shall be paid to the owner of such vessel or his legal representatives, if claimed by him or them at any time within one year from the date of such sale. If such balance is not claimed within said period, it shall escheat to the state.

Sec. 306. Subsection (b) of section 17a-667 of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

(b) The council shall consist of the following members: (1) The Secretary of the Office of Policy and Management, or the secretary's designee; (2) the Commissioners of Children and Families, Consumer Protection, Correction, Education, Higher Education, Mental Health and Addiction Services, [Motor Vehicles,] Public Health, Public Safety, Social Services and Transportation and the Insurance Commissioner, or their designees; (3) the Chief Court Administrator, or the Chief Court Administrator's designee; (4) the chairperson of the Board of Pardons and Paroles, or the chairperson's designee; (5) the Chief State's Attorney, or the Chief State's Attorney's designee; (6) the Chief Public Defender, or the Chief Public Defender's designee; and (7) the cochairpersons and ranking members of the joint standing committees of the General Assembly having cognizance of matters relating to public health, criminal justice and appropriations, or their designees. The Commissioner of Mental Health and Addiction Services and the Commissioner of Children and Families shall be cochairpersons of the council. The Office of Policy and Management shall, within available appropriations, provide staff for the council.

Sec. 307. (NEW) (Effective October 1, 2010) (a) The Department of Economic and Community Development shall assume all
responsibilities of the Labor Department pursuant to any provision of
the general statutes. The transfer of functions, powers, duties,
obligations, including, but not limited to, contract obligations, the
continuance of orders and regulations, the effect upon pending actions
and proceedings, the completion of unfinished business, and the
transfer of records and property between the Labor Department, as
said department existed immediately prior to October 1, 2010, and the
Department of Economic and Community Development shall be
governed by the provisions of subsections (a) to (d), inclusive, and
subsection (f) of section 4-38d and sections 4-38e and 4-39 of the
general statutes.

(b) Wherever the term "Labor Department" is used or referred to in
any public or special acts, the term "Department of Economic and
Community Development" shall be substituted in lieu thereof.

(c) Wherever the terms "Labor Commissioner" or "Commissioner of
Labor" are used or referred to in any public or special act, the term
"Commissioner of Economic and Community Development" shall be
substituted in lieu thereof.

(d) Any order or regulation of the Labor Department, which is in
force on October 1, 2010, shall continue in force and effect as an order
or regulation of the Department of Economic and Community
Development until amended, repealed or superseded pursuant to law.
Where any order or regulation of said departments conflict, the
Commissioner of Economic and Community Development may
implement policies and procedures consistent with the provisions of
this act while in the process of adopting the policy or procedure in
regulation form, provided notice of intention to adopt regulations is
printed in the Connecticut Law Journal within twenty days of
implementation. The policy or procedure shall be valid until the time
final regulations are effective.

Sec. 308. (NEW) (Effective October 1, 2010) "Commissioner of
Economic and Community Development" shall be substituted for

Sec. 309. Section 4-5 of the 2010 supplement to the general statutes is repealed and the following is substituted in lieu thereof (Effective
As used in sections 4-6, 4-7 and 4-8, the term "department head" means Secretary of the Office of Policy and Management, Commissioner of Administrative Services, Commissioner of Revenue Services, Banking Commissioner, Commissioner of Children and Families, Commissioner of Consumer Protection, Commissioner of Correction, Commissioner of Economic and Community Development, State Board of Education, Commissioner of Emergency Management and Homeland Security, Commissioner of Environmental Protection, Commissioner of Agriculture, Commissioner of Public Health, Insurance Commissioner, Labor Commissioner, Liquor Control Commission, Commissioner of Mental Health and Addiction Services, Commissioner of Public Safety, Commissioner of Social Services, Commissioner of Developmental Services, Commissioner of Motor Vehicles, Commissioner of Transportation, Commissioner of Public Works, Commissioner of Veterans' Affairs, Chief Information Officer, the chairperson of the Public Utilities Control Authority, the executive director of the Board of Education and Services for the Blind, the executive director of the Connecticut Commission on Culture and Tourism, and the executive director of the Office of Military Affairs. As used in sections 4-6 and 4-7, "department head" also means the Commissioner of Education.

Sec. 310. Section 4-38c of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

There shall be within the executive branch of state government the following departments: Office of Policy and Management, Department of Administrative Services, Department of Revenue Services, Department of Banking, Department of Agriculture, Department of Children and Families, Department of Consumer Protection, Department of Correction, Department of Economic and Community Development, State Board of Education, Department of Emergency Management and Homeland Security, Department of Environmental Protection, Department of Public Health, Board of Governors of
Higher Education, Insurance Department, [Labor Department,] Department of Mental Health and Addiction Services, Department of Developmental Services, Department of Public Safety, Department of Social Services, Department of Transportation, Department of Motor Vehicles, Department of Veterans' Affairs, Department of Public Works and Department of Public Utility Control.

Sec. 311. Subsection (a) of section 4-67x of the 2010 supplement to the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

(a) There shall be a Child Poverty and Prevention Council consisting of the following members or their designees: The Secretary of the Office of Policy and Management, the president pro tempore of the Senate, the speaker of the House of Representatives, the minority leader of the Senate and the minority leader of the House of Representatives, the Commissioners of Children and Families, Social Services, Correction, Developmental Services, Mental Health and Addiction Services, Transportation, Public Health, Education, Economic and Community Development and Health Care Access, [the Labor Commissioner,] the Chief Court Administrator, the chairperson of the Board of Governors of Higher Education, the Child Advocate, the chairperson of the Children's Trust Fund Council and the executive directors of the Commission on Children and the Commission on Human Rights and Opportunities. The Secretary of the Office of Policy and Management, or the secretary's designee, shall be the chairperson of the council. The council shall (1) develop and promote the implementation of a ten-year plan, to begin June 8, 2004, to reduce the number of children living in poverty in the state by fifty per cent, and (2) within available appropriations, establish prevention goals and recommendations and measure prevention service outcomes in accordance with this section in order to promote the health and well-being of children and families.

Sec. 312. Subsection (a) of section 4-124z of the general statutes is repealed and the following is substituted in lieu thereof (Effective
(a) The Office of Workforce Competitiveness, [the Labor Commissioner,] the Commissioners of Economic and Community Development, Education and Social Services, the Secretary of the Office of Policy and Management and the Chancellor of the regional community-technical colleges, in consultation with the superintendent of the vocational-technical school system and one member of industry representing each of the economic clusters identified by the Commissioner of Economic and Community Development pursuant to section 32-1m shall (1) review, evaluate and, as necessary, recommend improvements for certification and degree programs offered by the vocational-technical school system and the community-technical college system to ensure that such programs meet the employment needs of business and industry, and (2) develop strategies to strengthen the linkage between skill standards for education and training and the employment needs of business and industry.

Sec. 313. Subsection (b) of section 4-124ff of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

(b) There is established a Council of Advisors on Strategies for the Knowledge Economy to promote the formation of university-industry partnerships, identify benchmarks for technology-based workforce innovation and competitiveness and advise the award process (1) for innovation challenge grants to public postsecondary schools and their business partners, and (2) grants under section 4-124hh. The council shall be chaired by the director of the Office of Workforce Competitiveness and shall include the Secretary of the Office of Policy and Management, the Commissioners of Economic and Community Development and Higher Education, [the Labor Commissioner,] the executive directors of Connecticut Innovations, Incorporated and the Connecticut Development Authority and four representatives from the technology industry, one of whom shall be appointed by the president pro tempore of the Senate, one of whom shall be appointed by the
speaker of the House of Representatives, one of whom shall be appointed by the minority leader of the Senate and one of whom shall be appointed by the minority leader of the House of Representatives.

Sec. 314. Subsection (a) of section 4-124uu of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

(a) The Office of Workforce Competitiveness, in consultation with the Labor Commissioner, the Commissioners of Education and Economic and Community Development, and the Connecticut Commission on Culture and Tourism, shall establish a program that is designed to develop a trained workforce for the film industry in the state. Such program shall have three components: (1) An unpaid intern training program for high school and college students; (2) a production assistant training program open to any state resident; and (3) a workforce training program that would include classroom training, on-set training and a mentor program.

Sec. 315. Subsection (a) of section 10-20d of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

(a) The Commissioner of Education, in consultation with the Labor Commissioner and the Commissioners of Economic and Community Development and Higher Education, shall, within the limits of available appropriations, provide grants to postsecondary institutions, regional workforce development boards, regional educational service centers and other appropriate agencies and organizations to support the development of educators administering programs leading to a Connecticut career certificate pursuant to section 10-20a.

Sec. 316. Section 10-95h of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

There is established a state-wide advisory committee, which shall meet at least semiannually, to (1) identify emerging state and national
workforce needs and trade technology programs for the regional vocational-technical school system to meet such needs; (2) identify the workforce skills that will be needed for the next thirty years and ensure that the curriculum of the regional vocational-technical school system is incorporating such skills into the regional vocational-technical schools; (3) ensure that all students who graduate from the regional vocational-technical school system have communication, leadership, teamwork and problem-solving skills, in addition to expertise in a trade technology; (4) assess the adequacy of the resources available to the regional vocational-technical school system as the system develops and refines programs to meet existing and emerging workforce needs; and (5) advise and make recommendations to the State Board of Education to carry out the provisions of subdivisions (1) to (4), inclusive, of this section. The committee shall consist of nineteen members as follows: (A) Two appointed by the speaker of the House of Representatives, who shall be representatives of business, holding the title of chief executive officer, president, chief operating officer or the equivalents thereof, drawn from key industry, service and manufacturing firms with five hundred or more full-time employees; (B) two appointed by the president pro tempore of the Senate, one of whom shall be a representative of business, holding the title of chief executive officer, president, chief operating officer or the equivalents thereof, drawn from key industry, service and manufacturing firms with five hundred or more full-time employees and one of whom shall be a teacher in the regional vocational-technical school system; (C) one appointed by the majority leader of the House of Representatives who shall be a representative of business, holding the title of chief executive officer, president, chief operating officer or the equivalents thereof, drawn from key industry, service and manufacturing firms with more than fifty, but fewer than five hundred full-time employees; (D) one appointed by the majority leader of the Senate who shall be a representative of business, holding the title of chief executive officer, president, chief operating officer or the equivalents thereof, drawn from key industry, service and manufacturing firms with more than fifty, but fewer than five hundred
full-time employees; (E) one appointed by the minority leader of the House of Representatives who shall be a representative of business, holding the title of chief executive officer, president, chief operating officer or the equivalents thereof, drawn from key industry, service and manufacturing firms with more than fifty, but fewer than five hundred full-time employees; (F) one appointed by the minority leader of the Senate who shall be a representative of business, holding the title of chief executive officer, president, chief operating officer or the equivalents thereof, drawn from key industry, service and manufacturing firms with fifty or fewer full-time employees; (G) two persons appointed by the Governor who shall be representatives of business, holding the title of chief executive officer, president, chief operating officer or the equivalents thereof, drawn from key industry, service and manufacturing firms with fifty or fewer full-time employees; (H) the Commissioner of Education, or the commissioner's designee; (I) the Labor Commissioner, or the commissioner's designee; (J) the Commissioner of Economic and Community Development, or the commissioner's designee; [(K)] a representative from the Office of Workforce Competitiveness; [(L)] the chairperson of the State Board of Education, or the chairperson's designee; and [(M)] the cochairpersons and ranking members of the joint standing committee of the General Assembly having cognizance of matters relating to education. The committee membership shall reflect the state's geographic, racial and ethnic diversity.

Sec. 317. Subdivision (2) of subsection (a) of section 10a-11b of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

(2) The following persons shall serve as ex-officio nonvoting members on the commission: (A) The Commissioners of Higher Education, Education and Economic and Community Development, [and the Labor Commissioner,] or their designees; (B) the chairpersons of the boards of trustees and the chief executive officers of each constituent unit of the state system of higher education, or their designees; (C) the chairperson of the board and president of the
Connecticut Conference of Independent Colleges, or their designees; (D) the director of the Office of Workforce Competitiveness, or the director's designee; (E) the chairpersons and ranking members of the joint standing committee of the General Assembly having cognizance of matters relating to higher education and employment advancement; and (F) the Secretary of the Office of Policy and Management, or the secretary's designee.

Sec. 318. Section 10a-12a of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

There shall be a Technical Education Coordinating Council. The council shall consist of the following members: The chairpersons and ranking members of the joint standing committees of the General Assembly having cognizance of matters relating to education and commerce, or their designees; the Commissioners of Higher Education and Economic and Community Development, the Labor Commissioner or the Labor Commissioner’s designees; the chief executive officers of each constituent unit of the state system of higher education, or their designees; the president of the Connecticut Conference of Independent Colleges; the superintendent of the vocational-technical school district; one member who is a teacher at a regional vocational-technical school designated by the exclusive representative of the vocational-technical school teachers' bargaining unit; two members who are parents of students enrolled in vocational-technical schools designated by the vocational-technical schools parents' association; one member representing each of the economic clusters identified pursuant to section 32-1m designated by the Commissioner of Economic and Community Development; one member designated by the Connecticut Business and Industry Association; one member designated by the Manufacturing Assistance Council; and one member designated by the Connecticut Technology Council. The cochairpersons of the joint standing committee of the General Assembly having cognizance of matters relating to education, or their designees, shall jointly convene a meeting of the council not later than October 1, 1998. The council shall meet at least six times a year to review and evaluate the coordinated...
delivery of technical and technological education to meet the employment needs of business and industry. The council shall also explore ways to: (1) Encourage students to pursue technical careers, including the development or expansion of alternative training methods that may improve the delivery and accessibility of vocational-technical training; (2) ensure a successful transition for students from the regional vocational-technical schools to post secondary education; and (3) improve public awareness regarding manufacturing careers. On or before January 1, 1999, and annually thereafter, the Commissioner of Education shall report, in accordance with section 11-4a, to the joint standing committees of the General Assembly having cognizance of matters relating to education and commerce on the activities of the council in the prior year.

Sec. 319. Section 10a-72c of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

There is established a council to advise the Board of Trustees of the Community-Technical Colleges in the performance of its statutory functions relating to technical and technological education. The council shall consist of: (1) The Commissioner of Economic and Community Development, and the Labor Commissioner, (2) one technical or technological education faculty member from each of the community-technical colleges appointed by the chief executive officer of each such institution, (3) one technical or technological education student from each of the community-technical colleges elected by the student body of each such institution.

Sec. 320. Subsection (a) of section 12-217z of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

(a) There is established a Business Tax Credit and Tax Policy Review Committee which shall be comprised of the following members: (1) The chairpersons and ranking members of the joint standing committee of the General Assembly having cognizance of matters
relating to finance, revenue and bonding, or their designees; (2) one
member appointed by each of the following: The Governor, the
president pro tempore of the Senate, the speaker of the House of
Representatives, the majority leader of the Senate, the majority leader
of the House of Representatives, the minority leader of the House of
Representatives and the minority leader of the Senate; and (3) the
Commissioners of Revenue Services and Economic and Community
Development, [and the Labor Commissioner,] or their designees.

Sec. 321. Subsection (b) of section 31-3b of the general statutes is
repealed and the following is substituted in lieu thereof (Effective
October 1, 2010):

(b) The Labor Commissioner is authorized to establish an
interagency program coordinating committee to coordinate the
application of all available resources for the purposes of this section.
Said committee shall consist of representatives of various employment
and training agencies within the [Labor] Department of Economic and
Community Development and representatives of the Department of
Education, [and the Department of Economic and Community
Development.]

Sec. 322. Section 31-3c of the general statutes is repealed and the
following is substituted in lieu thereof (Effective October 1, 2010):

The [Labor] Commissioner of Economic and Community
Development, with the approval of the [Commissioners of Economic
and Community Development and] Commissioner of Education, shall
establish a customized job training program for preemployment and
postemployment job training for the purpose of meeting the labor
requirements of manufacturing or economic base businesses, as
defined in subsection (l) of section 32-222, and shall implement such
job training program. Such job training program shall include training
designed to increase the basic skills of employees, including, but not
limited to, training in written and oral communication, mathematics or
science, or training in technical and technological skills. The Labor
Commissioner shall use funds appropriated to the Labor Department for vocational and manpower training in carrying out such job training program, except that not more than four per cent of such funds may be used to pay the cost of its administration. Upon receipt of a request for job training pursuant to this section, the Labor Commissioner shall notify the chancellor of the regional community-technical colleges, or his designee, of such request. The chancellor, or his designee, shall determine if a training program exists or can be designed at a regional community-technical college to meet such training need and shall notify the Labor Commissioner of such determination. The Labor Commissioner shall to the extent possible make arrangements for the participation of the regional community-technical colleges, the Connecticut State University System, other institutions of higher education, other postsecondary institutions, adult education programs, opportunities industrialization centers and state regional vocational-technical schools in implementing the program. Nothing in this section shall preclude the Labor Commissioner from considering or choosing other providers to meet such training need. Nothing in this section shall preclude an employer from considering or choosing other providers to meet the training needs of such employer, provided the Labor Commissioner approves such employer’s use of such other providers. For the period from July 1, 1996, to June 30, 1999, the Labor Commissioner, or his designee, the chancellor of the community-technical colleges and the chairpersons of the joint standing committee of the General Assembly having cognizance of matters relating to education shall meet semiannually to review actions taken pursuant to this section and section 32-6j.

Sec. 323. Section 31-3u of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

(a) The Commissioner of Economic and Community Development may allocate the funds authorized for the purposes of this section by subsection (b) of section 32-235 [to the Labor Commissioner] for the purpose of providing assistance to employers (1) for the job training or retraining of (A) current employees or (B) prospective employees in
newly-created jobs and (2) including, but not limited to, meeting ISO 9000 quality standards. The [Labor Commissioner, upon the recommendation of the] Commissioner of Economic and Community Development, shall provide for such training or retraining through customized job training programs authorized under this chapter. The [Labor] Commissioner of Economic and Community Development may use vouchers for the purposes of this subsection.

(b) The [Labor Commissioner and the] Commissioner of Economic and Community Development shall [jointly] develop criteria for the evaluation and assessment of the assistance provided under subsection (a) of this section.

(c) The [Labor Commissioner, in consultation with the] Commissioner of Economic and Community Development, shall submit an annual report to the joint standing committees of the General Assembly having cognizance of matters relating to the Department of Economic and Community Development [and the Labor Department] on the assistance provided under subsection (a) of this section.

Sec. 324. Section 31-3w of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

(a) Notwithstanding any provision of the general statutes, the [Labor] Commissioner of Economic and Community Development, in exercise of any duties including any duties as administrator under chapter 567, shall, within available resources, maintain a state-wide network of job centers which provide to workers, students and employers comprehensive workforce development assistance, including, but not limited to, the following:

(1) Unemployment compensation, retraining allowances and other forms of federal and state income support;

(2) Career, labor market, educational and job training information, and consumer reports on local training providers;
(3) Career planning and job search assistance;

(4) Applicant recruitment and screening, assessment of training needs, customized job training pursuant to this chapter, apprenticeship programs pursuant to chapter 557 and related consultative services to employers based on their employment needs;

(5) Eligibility determinations and referrals to providers of employment and training services; and

(6) Access to information regarding job openings and, where appropriate, referral to such openings.

(b) In carrying out responsibilities under this section, the commissioner shall:

(1) Collaborate with the Connecticut Employment and Training Commission established pursuant to section 31-3h and the regional workforce development boards established pursuant to section 31-3k;

(2) Promote coordination of service delivery and collaboration with other public and private providers of education, human services and employment and training services, including, but not limited to, adult education and literacy providers;

[(3) Consult with the Commissioner of Economic and Community Development to ensure coordination of service delivery to employers.]

[(4)] (3) Conduct outreach to employers and trade associations to ensure that services meet the needs of business and industry; and

[(5)] (4) Develop a comprehensive job training assistance application for employer-based training services and programs that allows the applicant to apply for any such assistance offered by the state in one application.

Sec. 325. Section 31-3dd of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):
The Connecticut Employment and Training Commission, in consultation with [the Labor Department,] the Department of Economic and Community Development and the regional workforce development boards, shall recommend to the Office of Policy and Management and the joint standing committee of the General Assembly having cognizance of matters relating to appropriations, budget targets for assisting state employers with their training needs.

Sec. 326. Subsection (a) of section 31-3ll of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

(a) The [Labor] Commissioner of Economic and Community Development, in consultation with [the Commissioner of Economic and Community Development and] the Commissioner of Education, shall, within available appropriations, establish and operate the Twenty-First Century Skills Training Program, the purposes of which shall be to: (1) Sustain high growth occupation and economically vital industries identified by such commissioners; and (2) assist workers in obtaining skills to start or move up their career ladders. Such job training program may include training designed to increase the basic skills of employees, including, but not limited to, training in written and oral communication, mathematics or science, or training in technical and technological skills and such other training as such commissioners determine is necessary to meet the needs of the employer. No more than five per cent of the appropriation for the program may be used for administrative purposes.

Sec. 327. Subdivision (2) of subsection (a) of section 31-11cc of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

(2) The ex-officio nonvoting members shall consist of the following members, or their designees: The Commissioners of Correction, Education, Higher Education, Economic and Community Development and Social Services, [the Labor Commissioner,] the
director of the Office of Workforce Competitiveness, the Secretary of the Office of Policy and Management, the chancellor of the regional community-technical colleges and the State Librarian.

Sec. 328. Subsection (b) of section 31-11dd of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

(b) The Office of Workforce Competitiveness, in accordance with subsection (c) of section 4-124w, may request other state agencies, including, but not limited to, the Departments of Education, Higher Education, Economic and Community Development and Social Services, [the Labor Department,] and the Board of Trustees of the Community-Technical Colleges to provide information, reports and other assistance to the board in carrying out its duties, pursuant to subsection (a) of this section and sections 31-11cc and 31-11ee, and to the Connecticut Employment and Training Commission in carrying out its duties pursuant to subsection (d) of this section.

Sec. 329. Section 31-386 of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

When used in this chapter, unless the context otherwise requires:

(a) ["Commissioners"] "Commissioner" means the Commissioner of Economic and Community Development; [and the Labor Commissioner;]

(b) "Unemployment rate" means the rate of unemployment within any labor market area in the state as determined by the [Labor] Commissioner of Economic and Community Development by computing the percentage of the work force within such labor market area which was unemployed during the month of March, 1975;

(c) "Eligible municipality" means any municipality with an unemployment rate equal to or greater than seven per cent of its work force in March, 1975, as certified by the [Labor] Commissioner of
Economic and Community Development;

(d) "Eligible labor market area" means a labor market area, as determined by the [Labor] Commissioner of Economic and Community Development, with an unemployment rate equal to or greater than seven per cent of its work force in March, 1975, as certified by said [Labor] Commissioner of Economic and Community Development; and

(e) "Emergency municipal public works employment project" means any municipal public works project considered by said [commissioners] commissioner for state financial assistance under this chapter.

Sec. 330. Subsection (a) of section 31-389 of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

(a) The state, acting by and in the discretion of the commissioners, and with the approval of the Secretary of the Office of Policy and Management, may enter into a contract with an eligible municipality for state financial assistance for any eligible emergency municipal public works employment project in the form of a grant to such eligible municipality. Any such grant shall be in an amount not in excess of the cost of the project for which such grant is made, as determined and approved by [the Labor Commissioner and] the Commissioners of Economic and Community Development and Administrative Services. In accordance with any such contract, the state may make temporary advances to such municipality for the cost of such project.

Sec. 331. Section 31-390 of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

(a) The [Labor Commissioner and the] Commissioners of Economic and Community Development and Public Works shall have the right of inspection of any such project at any time.
(b) The [Labor Commissioner and the] Commissioners of Economic and Community Development and Public Works and the Secretary of the Office of Policy and Management are authorized to make orders, establish guidelines and adopt regulations under the provisions of chapter 54 with respect to the implementation of this chapter.

(c) At the request of the commissioners, any agency or department of the executive branch shall advise and assist the commissioners in the implementation of this chapter.

Sec. 332. Subsection (a) of section 32-1o of the 2010 supplement to the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

(a) On or before July 1, 2009, and every five years thereafter, the Commissioner of Economic and Community Development, within available appropriations, shall prepare an economic strategic plan for the state in consultation with the Secretary of the Office of Policy and Management, the Commissioners of Environmental Protection and Transportation, [the Labor Commissioner,] the executive directors of the Connecticut Housing Finance Authority, the Connecticut Development Authority, the Connecticut Innovations, Inc., the Commission on Culture and Tourism and the Connecticut Health and Educational Facilities Authority, and the president of the Office of Workforce Competitiveness, or their respective designees, and any other agencies the Commissioner of Economic and Community Development deems appropriate.

Sec. 333. Subsection (a) of section 32-6i of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

(a) There is established the Connecticut Economic Information System Steering Committee. The committee shall consist of the following members: (1) The Secretary of the Office of Policy and Management, the Secretary of the State, the executive director of the office of the Joint Committee on Legislative Management, the State
Librarian, the Labor Commissioner] and the Commissioners of Economic and Community Development, Revenue Services, Higher Education, and Education, or their designees, and (2) six members appointed as follows: One by the president pro tempore of the Senate, who shall represent regional planning organizations; one by the majority leader of the Senate, who shall represent academic institutions; one by the minority leader of the Senate, who shall represent private businesses; one by the speaker of the House of Representatives, who shall represent public libraries; one by the majority leader of the House of Representatives, who shall represent the staff of the State Occupational Information Coordinating Committee; and one by the minority leader of the House of Representatives, who shall represent municipalities. The cochairpersons of the committee shall be the Secretary of the Office of Policy and Management and the Labor Commissioner until October 1, 1994. Thereafter, the cochairpersons shall be elected by the membership for terms of two years.

Sec. 334. Section 32-6j of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

In the assessment and provision of job training for employers, [the Commissioner of Economic and Community Development and] the executive director of the Connecticut Development Authority shall request the assistance of the [Labor] Commissioner of Economic and Community Development. Upon receipt of a request for job training pursuant to this section, the [Labor] Commissioner of Economic and Community Development shall notify the chancellor of the regional community-technical colleges, or his designee, of such request. The chancellor, or his designee, shall determine if a training program exists or can be designed at a regional community-technical college to meet such training need and shall notify the [Labor] Commissioner of Economic and Community Development of such determination. The [Labor] Commissioner of Economic and Community Development shall to the extent possible make arrangements for the participation of the regional community-technical colleges, the Connecticut State
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University System, other institutions of higher education, other postsecondary institutions, adult education programs and state regional vocational-technical schools in implementing the program. Nothing in this section shall preclude the [Labor] Commissioner of Economic and Community Development from considering or choosing other providers to meet such training need.

Sec. 335. Subsection (c) of section 32-23ww of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

(c) There is established a grant program to be administered by the commissioner [, in consultation with the Labor Commissioner,] for the purpose of awarding grants under section 32-327 to agencies seeking to contract for educational and job placement assistance for displaced defense workers. The grant program shall be administered in a manner consistent with the state work force development plan and the job training plan of the regional work force development board established pursuant to section 31-3k in each region seeking a grant under such grant program.

Sec. 336. Section 32-59 of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

There is established within the Department of Economic and Community Development a defense readjustment task force which shall consist of the Commissioner of Economic and Community Development [and the Labor Commissioner] and the Secretary of the Office of Policy and Management, or their designees. The Commissioner of Economic and Community Development shall serve as chairman. The defense readjustment task force shall advise and assist the Governor and the Department of Economic and Community Development with respect to economic planning for any municipality or region which is or may be severely impacted by prime defense contract cutbacks. The defense readjustment task force shall design procedures for expedient and effective aid to businesses and their
employees that are severely impacted by prime defense contract

cutbacks. Such procedures shall include, but not be limited to: (1)

Expediting unemployment claims; (2) finding alternative employment

for affected employees; (3) recommending priority in such state

assistance as job training programs; and (4) technical assistance. The

procedures developed by the defense readjustment task force may be

implemented at the direction of the Governor.

Sec. 337. Subsection (b) of section 32-245 of the general statutes is

repealed and the following is substituted in lieu thereof (Effective

October 1, 2010):

(b) The commission shall consist of the following members: The

Commissioners of Economic and Community Development, Education

and Higher Education, [and the Labor Commissioner] or their

designees; the chairpersons and ranking members of the joint standing

committee of the General Assembly having cognizance of matters

relating to commerce and exportation, or their designees; the president

of the Connecticut Academy of Science and Engineering, or his

designee; the president of the Connecticut Business and Industries

Association or his designee; the president of the Connecticut AFL-CIO

or his designee; one member representing a large manufacturing

concern and one member representing a financial institution,

appointed by the president pro tempore of the Senate; one member

representing a large business that is heavily dependent on prime

defense contracts or subcontracts and one member representing a

small business that is heavily dependent on prime defense contracts or

subcontracts appointed by the speaker of the House of

Representatives; one member representing a small manufacturing

concern appointed by the majority leader of the Senate; one member

representing a large service-related business appointed by the majority

leader of the House of Representatives; one member representing a

small service-related business appointed by the minority leader of the

Senate; and one member representing an educational institution

appointed by the minority leader of the House of Representatives. The

members who are not serving ex-officio shall serve for a term of two
years, commencing July 1, 1990, and biennially thereafter, and until their successors have been duly qualified. The Governor shall appoint a chairperson for the commission from its membership.

Sec. 338. Subsection (a) of section 32-290a of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

(a) The Commissioner of Economic and Community Development, in consultation with the Commissioner of Social Services, [and the Labor Commissioner,] may establish, within available appropriations, an entrepreneurial training program for the purpose of training and preparing former recipients of temporary family assistance, general assistance, state-administered general assistance and aid to families with dependent children, ex-offenders and high school drop-outs for self-employment and entrepreneurial opportunities.

Sec. 339. Section 32-479 of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

Not later than July 1, 1996, the Commissioner of Economic and Community Development, the Labor Commissioner, the Connecticut Development Authority and Connecticut Innovations, Incorporated shall jointly develop goals and objectives and quantifiable outcome measures related to the percentage of financial assistance which is being provided to high performance work organizations. The Commissioner of Economic and Community Development, the Connecticut Development Authority and Connecticut Innovations, Incorporated shall submit an annual report concerning such goals, objectives and measures to the joint standing committee of the General Assembly having cognizance of matters relating to labor and public employees and the joint standing committee having cognizance of matters relating to commerce.

Sec. 340. Section 32-480 of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):
The Department of Economic and Community Development, [the Labor Department,] the Connecticut Development Authority and Connecticut Innovations, Incorporated shall, when appropriate, encourage persons, firms and corporations which contact said departments or authorities for financial assistance to utilize high performance work practices in their business operations.

Sec. 341. (NEW) (Effective October 1, 2010) (a) On the effective date of this section, the Department of Public Safety shall assume all responsibilities of the Department of Emergency Management and Homeland Security pursuant to any provision of the general statutes. The transfer of functions, powers, duties, obligations, including, but not limited to, contract obligations, the continuance of orders and regulations, the effect upon pending actions and proceedings, the completion of unfinished business, and the transfer of records and property between the Department of Emergency Management and Homeland Security, as said department existed immediately prior to the effective date of this section, and the Department of Public Safety shall be governed by the provisions of subsections (a) to (d), inclusive, and subsection (f) of section 4-38d of the general statutes and sections 4-38e and 4-39 of the general statutes.

(b) Wherever the term "Department of Emergency Management and Homeland Security" are used or referred to in any public or special acts, the term "Department of Public Safety" shall be substituted in lieu thereof.

(c) Wherever the term "Commissioner of Emergency Management and Homeland Security" is used or referred to in any public or special acts, the term "Commissioner of Public Safety" shall be substituted in lieu thereof.

(d) Any order or regulation of the Department of Emergency Management and Homeland Security, which is in force on the effective date of this section, shall continue in force and effect as an order or regulation of the Department of Public Safety until amended, repealed
or superseded pursuant to law. Where any order or regulation of said
departments conflict, the Commissioner of Public Safety may
implement policies and procedures consistent with the provisions of
this section and sections 1-210, 4-5, 4-38c, 4-66f, 4b-136, 4d-90, 5-182, 5-
213, 7-521, 10a-55a, 16-32e, 16-245n, 16-245aa, 16a-13b, 16a-106, 19a-
131g, 19a-487, 21a-70c, 22a-601, 22a-603, 28-1, 28-1a, 28-1b, 28-1i, 28-1j,
28-1k, 28-14a, 28-22a, 28-28a, 28-29a, 28-31, 29-1p and 54-142q of the
general statutes, as amended by this act, while in the process of
adopting the policy or procedure in regulation form, provided notice
of intention to adopt regulations is printed in the Connecticut Law
Journal within twenty days of implementation. The policy or
procedure shall be valid until the time final regulations are effective.

Sec. 342. Subdivision (19) of subsection (b) of section 1-210 of the
2010 supplement to the general statutes is repealed and the following
is substituted in lieu thereof (Effective October 1, 2010):

(19) Records when there are reasonable grounds to believe
disclosure may result in a safety risk, including the risk of harm to any
person, any government-owned or leased institution or facility or any
fixture or appurtenance and equipment attached to, or contained in,
such institution or facility, except that such records shall be disclosed
to a law enforcement agency upon the request of the law enforcement
agency. Such reasonable grounds shall be determined (A) (i) by the
Commissioner of Public Works, after consultation with the chief
executive officer of an executive branch state agency, with respect to
records concerning such agency; and (ii) by the Commissioner of
consultation with the chief executive officer of a municipal, district or
regional agency, with respect to records concerning such agency; (B)
by the Chief Court Administrator with respect to records concerning
the Judicial Department; and (C) by the executive director of the Joint
Committee on Legislative Management, with respect to records
concerning the Legislative Department. As used in this section,
"government-owned or leased institution or facility" includes, but is
not limited to, an institution or facility owned or leased by a public
service company, as defined in section 16-1, a certified telecommunications provider, as defined in section 16-1, a water company, as defined in section 25-32a, or a municipal utility that furnishes electric, gas or water service, but does not include an institution or facility owned or leased by the federal government, and "chief executive officer" includes, but is not limited to, an agency head, department head, executive director or chief executive officer. Such records include, but are not limited to:

(i) Security manuals or reports;

(ii) Engineering and architectural drawings of government-owned or leased institutions or facilities;

(iii) Operational specifications of security systems utilized at any government-owned or leased institution or facility, except that a general description of any such security system and the cost and quality of such system, may be disclosed;

(iv) Training manuals prepared for government-owned or leased institutions or facilities that describe, in any manner, security procedures, emergency plans or security equipment;

(v) Internal security audits of government-owned or leased institutions or facilities;

(vi) Minutes or records of meetings, or portions of such minutes or records, that contain or reveal information relating to security or other records otherwise exempt from disclosure under this subdivision;

(vii) Logs or other documents that contain information on the movement or assignment of security personnel;

(viii) Emergency plans and emergency preparedness, response, recovery and mitigation plans, including plans provided by a person to a state agency or a local emergency management agency or official; and
(ix) With respect to a water company, as defined in section 25-32a, that provides water service: Vulnerability assessments and risk management plans, operational plans, portions of water supply plans submitted pursuant to section 25-32d that contain or reveal information the disclosure of which may result in a security risk to a water company, inspection reports, technical specifications and other materials that depict or specifically describe critical water company operating facilities, collection and distribution systems or sources of supply;

Sec. 343. Subsection (d) of section 1-210 of the 2010 supplement to the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

(d) Whenever a public agency, except the Judicial Department or Legislative Department, receives a request from any person for disclosure of any records described in subdivision (19) of subsection (b) of this section under the Freedom of Information Act, the public agency shall promptly notify the Commissioner of Public Works or the Commissioner of [Emergency Management and Homeland Security] Public Safety, as applicable, of such request, in the manner prescribed by such commissioner, before complying with the request as required by the Freedom of Information Act and for information related to a water company, as defined in section 25-32a, the public agency shall promptly notify the water company before complying with the request as required by the Freedom of Information Act. If the commissioner, after consultation with the chief executive officer of the applicable agency or after consultation with the chief executive officer of the applicable water company for information related to a water company, as defined in section 25-32a, believes the requested record is exempt from disclosure pursuant to subdivision (19) of subsection (b) of this section, the commissioner may direct the agency to withhold such record from such person. In any appeal brought under the provisions of section 1-206 of the Freedom of Information Act for denial of access to records for any of the reasons described in subdivision (19) of subsection (b) of this section, such appeal shall be against the chief
Sec. 344. Section 4-5 of the 2010 supplement to the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

As used in sections 4-6, 4-7 and 4-8, the term "department head" means Secretary of the Office of Policy and Management, Commissioner of Administrative Services, Commissioner of Revenue Services, Banking Commissioner, Commissioner of Children and Families, Commissioner of Consumer Protection, Commissioner of Correction, Commissioner of Economic and Community Development, State Board of Education, [Commissioner of Emergency Management and Homeland Security.] Commissioner of Environmental Protection, Commissioner of Agriculture, Commissioner of Public Health, Insurance Commissioner, Labor Commissioner, Liquor Control Commission, Commissioner of Mental Health and Addiction Services, Commissioner of Public Safety, Commissioner of Social Services, Commissioner of Developmental Services, Commissioner of Motor Vehicles, Commissioner of Transportation, Commissioner of Public Works, Commissioner of Veterans' Affairs, Chief Information Officer, the chairperson of the Public Utilities Control Authority, the executive director of the Board of Education and Services for the Blind, the executive director of the Connecticut Commission on Culture and Tourism, and the executive director of the Office of Military Affairs. As used in sections 4-6 and 4-7, "department head" also means the Commissioner of Education.

Sec. 345. Section 4-38c of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):
There shall be within the executive branch of state government the following departments: Office of Policy and Management, Department of Administrative Services, Department of Revenue Services, Department of Banking, Department of Agriculture, Department of Children and Families, Department of Consumer Protection, Department of Correction, Department of Economic and Community Development, State Board of Education, Department of Emergency Management and Homeland Security, Department of Environmental Protection, Department of Public Health, Board of Governors of Higher Education, Insurance Department, Labor Department, Department of Mental Health and Addiction Services, Department of Developmental Services, Department of Public Safety, Department of Social Services, Department of Transportation, Department of Motor Vehicles, Department of Veterans' Affairs, Department of Public Works and Department of Public Utility Control.

Sec. 346. Section 4-66f of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

Notwithstanding any provision of the general statutes or the regulations adopted thereunder, disaster assistance funds received by the Department of Emergency Management and Homeland Security from the Federal Emergency Management Agency for administration may be maintained in a separate fund or separate account within the General Fund and used for any administrative functions. The balance of any such funds remaining at the end of each fiscal year shall be carried forward for the fiscal year next succeeding.

Sec. 347. Subsection (a) of section 4b-136 of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

(a) There is established a State-Wide Security Management Council. The council shall consist of the Commissioner of Public Safety, the Commissioner of Administrative Services, the Commissioner of Mental Health and Addiction Services, the Commissioner of Public
Works, [the Commissioner of Emergency Management and Homeland Security,] the Secretary of the Office of Policy and Management, the Chief Court Administrator, an attorney appointed by the Commissioner of Public Works, the executive director of the Joint Committee on Legislative Management, a representative of the Governor, a representative of the State Employees Bargaining Agent Coalition and the president of the Connecticut State Police Union or the president's designee. The Commissioner of Public Works shall serve as chairperson of the council. Each council member shall provide technical assistance in the member's area of expertise, as required by the council.

Sec. 348. Subsection (a) of section 4d-90 of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

(a) There is established a Geospatial Information Systems Council consisting of the following members, or their designees: (1) The Secretary of the Office of Policy and Management; (2) the Commissioners of Environmental Protection, Economic and Community Development, Transportation, Public Safety, Public Health, Public Works, Agriculture [, Emergency Management and Homeland Security] and Social Services; (3) the Chief Information Officer of the Department of Information Technology; (4) the Chancellor of the Connecticut State University System; (5) the president of The University of Connecticut; (6) the Executive Director of the Connecticut Siting Council; (7) one member who is a user of geospatial information systems appointed by the president pro tempore of the Senate representing a municipality with a population of more than sixty thousand; (8) one member who is a user of geospatial information systems appointed by the minority leader of the Senate representing a regional planning agency; (9) one member who is a user of geospatial information systems appointed by the Governor representing a municipality with a population of less than sixty thousand but more than thirty thousand; (10) one member who is a user of geospatial information systems appointed by the speaker of the
House of Representatives representing a municipality with a population of less than thirty thousand; (11) one member appointed by the minority leader of the House of Representatives who is a user of geospatial information systems; (12) the chairperson of the Public [Utility] Utilities Control Authority; (13) the Adjutant General of the Military Department; and (14) any other persons the council deems necessary appointed by the council. The Governor shall select the chairperson from among the members. The chairperson shall administer the affairs of the council. Vacancies shall be filled by appointment by the authority making the appointment. Members shall receive no compensation for their services on said council, but shall be reimbursed for necessary expenses incurred in the performance of their duties. Said council shall hold one meeting each calendar quarter and such additional meetings as may be prescribed by council rules. In addition, special meetings may be called by the chairperson or by any three members upon delivery of forty-eight hours written notice to each member.

Sec. 349. Subsection (d) of section 5-182 of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

(d) Any employee of the radiological maintenance and calibration facility shall be credited for retirement purposes under this chapter with his period of full-time service commencing with the date upon which such employee began work at said facility under individual contract with the Commissioner of [Emergency Management and Homeland Security] Public Safety upon payment into the State Employees Retirement Fund of such contributions as he would have paid if he had been a state employee during the period of such service and his salary for such service had been paid by the state, with five percent interest on such contribution from the date of his entry into such service to the date of payment.

Sec. 350. Subsection (d) of section 5-213 of the general statutes is repealed and the following is substituted in lieu thereof (Effective
October 1, 2010):

(d) The term of employment in state service shall be construed to include, in the case of an employee of the radiological maintenance and calibration facility, the term of his service from the date upon which he began work at said facility under individual contract with the Commissioner of [Emergency Management and Homeland Security] Public Safety, upon receipt of data satisfactory to the Commissioner of Administrative Services showing the time such employee worked for said facility. All records of the state which show the length of service in the employment of the state of any employee of said facility shall be maintained to show the length of such service and the total time of state service.

Sec. 351. Section 7-521 of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

(a) There is established a Local Emergency Relief Advisory Committee comprised of: The Secretary of the Office of Policy and Management, the Commissioner of Administrative Services, the Commissioner of Transportation, the Commissioner of Public Safety, and the Adjutant General of the Military Department, [and the Commissioner of Emergency Management and Homeland Security,] or their designees; the president pro tempore of the Senate, the minority leader of the Senate, the speaker of the House of Representatives, and the minority leader of the House of Representatives, or their designees; a member of the Senate who shall be appointed by the president pro tempore of the Senate and a member of the House of Representatives who shall be appointed by the speaker of the House of Representatives.

(b) The Commissioner of [Emergency Management and Homeland Security] Public Safety shall serve as the chairman of the Local Emergency Relief Advisory Committee. The committee may adopt such bylaws and guidelines and shall adopt such eligibility standards as it deems advisable to carry out the purposes of sections 7-520 to
7-522, inclusive. The Local Emergency Relief Advisory Committee shall not be deemed to be an agency for the purposes of chapter 54.

Sec. 352. Subsection (c) of section 10a-55a of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

(c) On or before October 1, 2007, each institution of higher education and private occupational school, as defined in section 10a-22a shall have an emergency response plan. On or before October 1, 2007, and annually thereafter, each institution of higher education and private occupational school shall submit a copy of its emergency response plan to (1) the Commissioner of Public Safety, and (2) local first responders. Such plan shall be developed in consultation with such first responders and shall include a strategy for notifying students and employees of the institution or school and visitors to such institution or school of emergency information.

Sec. 353. Subsection (b) of section 16-32e of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

(b) Not later than June 1, 1996, and every five years thereafter, each public service company, as defined in section 16-1, each telecommunications company, as defined in said section, that installs, maintains, operates or controls poles, wires, conduits or other fixtures under or over any public highway for the provision of telecommunications service authorized by section 16-247c, and each municipal utility furnishing electric, gas or water service shall file with the Department of Public Utility Control, the Department of [Emergency Management and Homeland Security] Public Safety and each municipality located within the service area of the public service company, telecommunications company or municipal utility an updated plan for restoring service which is interrupted as a result of an emergency, except no such plan shall be required of a public service
company or municipal utility that submits a water supply plan pursuant to section 25-32d. Plans filed by public service companies and municipal utilities furnishing water shall be prepared in accordance with the memorandum of understanding entered into pursuant to section 4-67e. Not later than September 15, 1996, and every five years thereafter, the Department of Public Utility Control may conduct public hearings on such plans and, in consultation with the Department of [Emergency Management and Homeland Security] Public Safety, the Department of Public Health and the joint standing committee of the General Assembly having cognizance of matters relating to public utilities, revise such plans to the extent necessary to provide properly for the public convenience, necessity and welfare. If the Department of Public Utility Control revises the emergency plan of a public service company, telecommunications company or municipal utility, such company or municipal utility shall file a copy of the revised plan with each municipality located within the service area of the company.

Sec. 354. Subsection (e) of section 16-245n of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

(e) The Renewable Energy Investments Board shall include not more than fifteen individuals with knowledge and experience in matters related to the purpose and activities of the Renewable Energy Investment Fund. The board shall consist of the following members:
(1) One person with expertise regarding renewable energy resources appointed by the speaker of the House of Representatives; (2) one person representing a state or regional organization primarily concerned with environmental protection appointed by the president pro tempore of the Senate; (3) one person with experience in business or commercial investments appointed by the majority leader of the House of Representatives; (4) one person representing a state or regional organization primarily concerned with environmental protection appointed by the majority leader of the Senate; (5) one person with experience in business or commercial investments
appointed by the minority leader of the House of Representatives; (6) the Commissioner of [Emergency Management and Homeland Security] Public Safety or the commissioner's designee; (7) one person with expertise regarding renewable energy resources appointed by the Governor; (8) two persons with experience in business or commercial investments appointed by the board of directors of Connecticut Innovations, Incorporated; (9) a representative of a state-wide business association, manufacturing association or chamber of commerce appointed by the minority leader of the Senate; (10) the Consumer Counsel; (11) the Secretary of the Office of Policy and Management or the secretary's designee; (12) the Commissioner of Environmental Protection or the commissioner's designee; (13) a representative of organized labor appointed by the Governor; and (14) a representative of residential customers or low-income customers appointed by Governor. On a biennial basis, the board shall elect a chairperson and vice-chairperson from among its members and shall adopt such bylaws and procedures it deems necessary to carry out its functions. The board may establish committees and subcommittees as necessary to conduct its business.

Sec. 355. Subsection (b) of section 16-245aa of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

(b) Connecticut Innovations, Incorporated, in consultation with the Department of Public Utility Control, the Department of Education and the Department of [Emergency Management and Homeland Security] Public Safety, shall establish a municipal renewable energy and efficient energy generation grant program. Connecticut Innovations, Incorporated, shall make grants under said program to municipalities for the purchase of (1) renewable energy sources, including solar energy, geothermal energy and fuel cells or other energy-efficient hydrogen-fueled energy, or (2) energy-efficient generation sources, including units providing combined heat-and-power operations with greater than sixty-five per cent efficiency or such higher efficiency level as Connecticut Innovations, Incorporated,
may prescribe, for municipal buildings. Connecticut Innovations, Incorporated, shall give priority to applications for grants for disaster relief centers and high schools. Each grant shall be in an amount that makes the cost of purchasing and operating the renewable energy or energy-efficient generation source competitive with the municipality's current electricity expenses.

Sec. 356. Section 16a-13b of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

(a) The secretary shall: (1) Be responsible for the conduct and administration of energy emergency planning and preparedness activities generally, including the coordination of such activities under this title with other state emergency planning conducted under any other provisions of the general statutes or special acts and with energy emergency planning or preparedness activities undertaken by the federal government, other states and regional or interstate organizations, and (2) coordinate, under the direction of the office of the Governor, the adoption and implementation of emergency measures by state departments during any energy emergency proclaimed under section 16a-11 or section 16a-12, including the coordination of state, federal, regional and interstate activities.

(b) In exercising the responsibilities under subsection (a) of this section, the secretary shall consult with [the Department of Emergency Management and Homeland Security,] the Department of Public Safety, the Department of Public Utility Control, the Department of Transportation and such other state agencies as the secretary deems appropriate. Each state agency shall assist the secretary in carrying out the responsibilities assigned by sections 16a-9 to 16a-13d, inclusive.

Sec. 357. Subsection (c) of section 16a-106 of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

(c) The Commissioner of Transportation shall, not later than November 1, 1976, and after consultation with the Commissioners of
Environmental Protection [and Public Safety,] [and Emergency Management and Homeland Security,] the Secretary of the Office of Policy and Management, representatives of the federal Nuclear Regulatory Commission and the United States Department of Transportation, adopt regulations pursuant to chapter 54, to carry out the provisions of this section. The Commissioner of Transportation shall, after consultation with the Commissioner of Public Safety, establish by regulations adopted pursuant to chapter 54 a permit fee schedule commensurate with the cost of administering the provisions of this section.

Sec. 358. Section 19a-131g of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

The Commissioner of Public Health shall establish a Public Health Preparedness Advisory Committee. The advisory committee shall consist of the Commissioner of Public Health, the Commissioner of [Emergency Management and Homeland Security] Public Safety, the president pro tempore of the Senate, the speaker of the House of Representatives, the majority and minority leaders of both houses of the General Assembly and the chairpersons and ranking members of the joint standing committees of the General Assembly having cognizance of matters relating to public health, public safety and the judiciary, and representatives of town, city, borough and district directors of health, as appointed by the commissioner, and any other organization or persons that the commissioner deems relevant to the issues of public health preparedness. The Public Health Preparedness Advisory Committee shall develop the plan for emergency responses to a public health emergency. Such plan may include an emergency notification service. Not later than January 1, 2004, and annually thereafter, the committee shall submit a report, in accordance with section 11-4a, to the Governor and the joint standing committees of the General Assembly having cognizance of matters relating to public health and public safety, on the status of a public health emergency plan and the resources needed for implementation of such plan.
Sec. 359. Subsection (a) of section 19a-487 of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

(a) There is established a board of directors to advise the Department of Public Health on the operations of the mobile field hospital. The board shall consist of the following members: The Commissioners of Public Health, [Emergency Management and Homeland Security,] Public Safety and Social Services, or their designees, the Secretary of the Office of Policy and Management, or the secretary's designee, the Adjutant General, or the Adjutant General's designee, one representative of a hospital in this state with more than five hundred licensed beds and one representative of a hospital in this state with five hundred or fewer licensed beds, both appointed by the Commissioner of Public Health. The Commissioner of Public Health shall be the chairperson of the board. The board shall adopt bylaws and shall meet at such times as specified in such bylaws and at such other times as the Commissioner of Public Health deems necessary.

Sec. 360. Subsection (a) of section 21a-70c of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

(a) The Commissioner of Consumer Protection shall convene a working group comprised of the [Commissioners] Commissioner of Consumer Protection, [and Emergency Management and Homeland Security, or their designees] or the commissioner's designee, a member of the Commission of Pharmacy, the chairpersons of the joint standing committee of the General Assembly having cognizance of matters relating to public health, or their designees, and representatives of retail drug establishments, independent pharmacies and pharmaceutical manufacturers. The working group shall be responsible for submitting recommendations to the Governor and to the joint standing committee of the General Assembly having cognizance of matters relating to public health concerning the development and implementation of a program to authenticate the
pedigree of prescription drugs distributed in this state.

Sec. 361. Subsection (a) of section 22a-601 of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

(a) There is established a Connecticut Emergency Response Commission which shall be within the Department of Environmental Protection. The commission shall consist of [nineteen] eighteen members as follows: The Commissioners of Environmental Protection, [Emergency Management and Homeland Security,] Public Safety, Public Health and Transportation, the Labor Commissioner, the Secretary of the Office of Policy and Management, the Adjutant General of the Military Department, the State Fire Marshal and the State Fire Administrator, or their designees, and nine members appointed by the Governor, four of whom shall represent the public, three of whom shall represent owners or operators of facilities, one of whom shall be the fire chief of a municipal fire department whose employees are compensated for their services and one of whom shall be the fire chief of a volunteer fire department. Members of the commission appointed by the Governor shall serve for two years. The Governor shall fill any vacancy in the office of an appointed member for the unexpired portion of the term. Members of the commission shall serve without compensation but shall be reimbursed for necessary expenses incurred in the performance of their duties. The chairperson of the commission shall be appointed by the Governor and shall serve at his pleasure.

Sec. 362. Section 22a-603 of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):


Sec. 363. Section 28-1 of the general statutes is repealed and the
following is substituted in lieu thereof (Effective October 1, 2010):

As used in this chapter:

(1) "Attack" means any attack or series of attacks by an enemy of the United States causing, or which may cause, substantial damage or injury to civilian property or persons in the United States in any manner by sabotage or by the use of bombs, shellfire or atomic, radiological, chemical, bacteriological or biological means or other weapons or processes.

(2) "Major disaster" means any catastrophe including, but not limited to, any hurricane, tornado, storm, high water, wind-driven water, tidal wave, tsunami, earthquake, volcanic eruption, landslide, mudslide, snowstorm or drought, or, regardless of cause, any fire, flood, explosion, or manmade disaster in any part of this state that, in the determination of the President, causes damage of sufficient severity and magnitude to warrant major disaster assistance under the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 USC 5121 et seq., as amended from time to time, to supplement the efforts and available resources of this state, local governments thereof, and disaster relief organizations in alleviating the damage, loss, hardship, or suffering caused thereby.

(3) "Emergency" means any occasion or instance for which, in the determination of the President, federal assistance is needed to supplement state and local efforts and capabilities to save lives and protect property, public health and safety or to avert or lessen the threat of a disaster or catastrophe in any part of this state.

(4) "Civil preparedness" means all those activities and measures designed or undertaken (A) to minimize or control the effects upon the civilian population of major disaster, (B) to minimize the effects upon the civilian population caused or which would be caused by an attack upon the United States, (C) to deal with the immediate emergency conditions which would be created by any such attack, major disaster or emergency, and (D) to effectuate emergency repairs to, or the
emergency restoration of, vital utilities and facilities destroyed or
damaged by any such attack, major disaster or emergency. Such term
shall include, but shall not be limited to, (i) measures to be taken in
preparation for anticipated attack, major disaster or emergency,
including the establishment of appropriate organizations, operational
plans and supporting agreements; the recruitment and training of
personnel; the conduct of research; the procurement and stockpiling of
necessary materials and supplies; the provision of suitable warning
systems; the construction and preparation of shelters, shelter areas and
control centers; and, when appropriate, the nonmilitary evacuation of
the civilian population, pets and service animals; (ii) measures to be
taken during attack, major disaster or emergency, including the
enforcement of passive defense regulations prescribed by duly
established military or civil authorities; the evacuation of personnel to
shelter areas; the control of traffic and panic; and the control and use of
lighting and civil communication; and (iii) measures to be taken
following attack, major disaster or emergency, including activities for
fire fighting; rescue, emergency medical, health and sanitation
services; monitoring for specific hazards of special weapons;
unexploded bomb reconnaissance; essential debris clearance;
emergency welfare measures; and immediately essential emergency
repair or restoration of damaged vital facilities.

(5) "Civil preparedness forces" means any organized personnel
engaged in carrying out civil preparedness functions in accordance
with the provisions of this chapter or any regulation or order adopted
pursuant to this chapter. All the police and fire forces of the state or
any political subdivision of the state, or any part of any political
subdivision, including all the auxiliaries of these forces and emergency
medical service personnel licensed or certified pursuant to section 19a-
179, shall be construed to be a part of the civil preparedness forces. The
Connecticut Disaster Medical Assistance Team and the Medical
Reserve Corps, under the auspices of the Department of Public Health,
the Connecticut Urban Search and Rescue Team, under the auspices of
the Department of [Emergency Management and Homeland Security]
Public Safety, and the Connecticut behavioral health regional crisis response teams, under the auspices of the Department of Mental Health and Addiction Services and the Department of Children and Families, and their members, shall be construed to be a part of the civil preparedness forces while engaging in authorized civil preparedness duty or while assisting or engaging in authorized training for the purpose of eligibility for immunity from liability as provided in section 28-13 and for death, disability and injury benefits as provided in section 28-14. Any member of the civil preparedness forces who is called upon either by civil preparedness personnel or state or municipal police personnel to assist in any emergency shall be deemed to be engaging in civil preparedness duty while assisting in such emergency or while engaging in training under the auspices of [the Department of Emergency Management and Homeland Security,] the Department of Public Safety, the Division of State Police within the Department of Public Safety or a municipal police department, for the purpose of eligibility for death, disability and injury benefits as provided in section 28-14.

(6) "Mobile support unit" means an organization of civil preparedness forces created in accordance with the provisions of this chapter to be dispatched by the Governor or Commissioner of [Emergency Management and Homeland Security] Public Safety to supplement civil preparedness forces in a stricken or threatened area.

(7) "Civil preparedness emergency" or "disaster emergency" means an emergency declared by the Governor under the provisions of this chapter in the event of serious disaster or of enemy attack, sabotage or other hostile action within the state or a neighboring state, or in the event of the imminence thereof.

(8) "Local civil preparedness emergency" or "disaster emergency" means an emergency declared by the chief executive officer of any town or city in the event of serious disaster affecting such town or city.

(9) "Governor" means the Governor or anyone legally administering
the office of Governor.


(11) "Department" means the Department of [Emergency Management and Homeland Security] Public Safety.

(12) "Political subdivision" means any city, town, municipality, borough or other unit of local government.

Sec. 364. Section 28-1a of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

(a) [There is established a Department of Emergency Management and Homeland Security. Said department] The Department of Public Safety shall be the designated emergency management and homeland security agency for the state. [The department head shall be the commissioner, who shall be appointed by the Governor in accordance with the provisions of sections 4-5, 4-6, 4-7 and 4-8 with the powers and duties prescribed in said sections. The commissioner shall possess professional training and knowledge consisting of not less than five years of managerial or strategic planning experience in matters relating to public safety, security, emergency services and emergency response. No person possessing a record of any criminal, unlawful or unethical conduct shall be eligible for or hold such position. Any person with any present or past political activities or financial interests that may substantially conflict with the duties of the commissioner or expose such person to potential undue influence or compromise such person's ability to be entrusted with necessary state or federal security clearances or information shall be deemed unqualified for such position and shall not be eligible to hold such position. The commissioner shall be the chief administrative officer of the department and] The Commissioner of Public Safety shall have the responsibility for providing a coordinated, integrated program for state-wide emergency management and homeland security. The commissioner may do all things necessary to apply for, qualify for and
accept any federal funds made available or allotted under any federal
act relative to emergency management or homeland security.

(b) With reasonable conformance to applicable federal statutes and
administrative regulations of the Federal Emergency Management
Agency and the requirements of the Connecticut emergency
operations plan, the commissioner shall organize the department and
the personnel of the department as may be necessary for the effective
discharge of the authorized emergency management, civil
preparedness and homeland security missions, including, but not
limited to, the provisions of the Connecticut emergency operations
plan and the national plan for civil preparedness. Any department
personnel may be removed by the commissioner for security reasons
or for incompetence, subject to reinstatement by the Employees'
Review Board. The commissioner may enter into contracts for the
furnishing by any person or agency, public or private, of services
necessary for the proper execution of the duties of the department.
Any such contract that has a cost of three thousand dollars or more
shall be subject to the approval of the Attorney General.

(c) The commissioner shall be responsible for: (1) Coordinating with
state and local government personnel, agencies and authorities and the
private sector to ensure adequate planning, equipment, training and
exercise activities by such personnel, agencies and authorities and the
private sector with regard to homeland security; (2) coordinating, and
as may be necessary, consolidating homeland security
communications and communications systems of the state government
with state and local government personnel, agencies and authorities,
the general public and the private sector; (3) distributing and, as may
be appropriate, coordinating the distribution of information and
security warnings to state and local government personnel, agencies
and authorities and the general public; and (4) establishing standards
and security protocols for the use of any intelligence information.

(d) The commissioner may adopt such regulations, in accordance
with the provisions of chapter 54, as necessary to implement the duties
The commissioner shall, in consultation with the bargaining unit representing state police, enter into an interagency memorandum of understanding with [the Department of Public Safety and] the Military Department to provide for (1) the temporary assignment and retrenchment rights of [state police and] employees of the Military Department to work in the department, and (2) interagency information sharing. Any such personnel temporarily assigned shall act under the direction of the commissioner. The Military Department [of Public Safety and the Military Department, respectively,] shall retain administrative control over such personnel.

(f) The commissioner may request and may receive from any federal, state or local agency, cooperation and assistance in the performance of the duties of the department, including the temporary assignment of personnel necessary to perform the functions of the department. Any such personnel temporarily assigned shall act under the direction of the commissioner. The federal, state or local agency shall retain administrative control over such personnel. For purposes of section 5-141d, such personnel temporarily assigned shall be deemed to be acting as state employees while assigned to, and performing the duties of, the department.

(g) The functions, powers, duties and, as determined to be necessary by the commissioner, personnel of [the Division of Homeland Security within the Department of Public Safety and] the Office of Emergency Management within the Military Department shall be transferred to the Department of [Emergency Management and Homeland Security] Public Safety in accordance with the provisions of sections 4-38d, 4-38e and 4-39.

Sec. 365. Section 28-1b of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

(a) There is established a state-wide Emergency Management and Homeland Security Coordinating Council to advise the Department of
Public Safety, the Office of Emergency Management and, on and after January 1, 2005, the Department of Emergency Management and Homeland Security] with respect to: (1) Application and distribution of federal or state funds for emergency management and homeland security; (2) planning, design, implementation and coordination of state-wide emergency response systems; (3) assessing the state's overall emergency management and homeland security preparedness, policies and communications; (4) the recommendation of strategies to improve emergency response and incident management including, but not limited to, training and exercises, volunteer management, communications and use of technology, intelligence gathering, compilation and dissemination, the development, coordination and implementation of state and federally required emergency response plans, and the assessment of the state's use of regional management structures; and (5) strengthening consultation, planning, cooperation and communication among federal, state and local governments, the Connecticut National Guard, police, fire, emergency medical and other first responders, emergency managers, public health officials, private industry and community organizations. The council shall advise the Governor and the General Assembly on its findings and efforts to secure the state from all disasters and emergencies and to enhance the protection of the citizens of the state.

(b) The council shall consist of: (1) The [Commissioner of Emergency Management and Homeland Security; the] Secretary of the Office of Policy and Management; the Commissioner of Public Safety; the Commissioner of Public Health; the Commissioner of Mental Health and Addiction Services; the Commissioner of Environmental Protection; the Commissioner of Public Works; the Commissioner of Transportation; the Adjutant General of the Military Department; the chairperson of the Department of Public Utility Control; the Chief Information Officer [as defined in section 4d-1] of the Department of Information Technology; the State Fire Administrator; or their designees; and (2) the following members appointed as follows: Two municipal police chiefs, one appointed by the speaker of the House of
Representatives and one appointed by the Governor; two municipal fire chiefs, one appointed by the president pro tempore of the Senate and one appointed by the Governor; one volunteer fire chief appointed by the minority leader of the Senate; one representative of the Connecticut Conference of Municipalities appointed by the majority leader of the Senate; one representative of the Council of Small Towns appointed by the minority leader of the House of Representatives; two local or regional emergency management directors, one appointed by the speaker of the House of Representatives and one designated, not later than July 1, 2007, by the president of the Connecticut Emergency Management Association; one local or regional health director appointed by the president pro tempore of the Senate; one emergency medical services professional appointed by the Governor; one nonprofit hospital administrator appointed by the majority leader of the House of Representatives; and one manager or coordinator of 9-1-1 public safety answering points appointed by the Governor. Each member appointed under this subdivision shall serve for a term of three years from July 1, 2004, or three years from the time of appointment if appointed after July 1, 2004, or until a qualified successor has been appointed to replace such member. No member appointed under this subdivision shall receive any compensation for such member's service on the council.

(c) [The Secretary of the Office of Policy and Management, or the secretary's designee who shall be an employee of said office, shall serve as chairperson of the council until January 1, 2005. On and after January 1, 2005, the Commissioner of Emergency Management and Homeland Security shall serve as chairperson.] The Commissioner of Public Safety shall serve as chairperson of the council.

(d) The council shall hold its first meeting not later than August 1, 2004, and shall meet at least quarterly thereafter.

(e) The chairperson of the council may request the participation of other representatives of federal, state, regional and local agencies as nonvoting members for purposes of consultation, planning and
communication.

(f) Any vacancy on the council shall be filled for the unexpired portion of the term by the appointing authority having the power to make the original appointment. Any vacancy occurring on the council shall be filled within thirty days.

(g) The council shall submit a report to the General Assembly not later than January 1, 2005, and annually thereafter.

Sec. 366. Section 28-1i of the general statutes is repealed and the following is substituted in lieu thereof (Effective from passage):

Not later than January [1, 2006, and] first annually, [thereafter,] the Commissioner of [Emergency Management and Homeland Security] Public Safety shall submit a report to the joint standing committee of the General Assembly having cognizance of matters relating to public safety that specifies and evaluates state-wide emergency management and homeland security activities during the preceding calendar year.

Sec. 367. Subsection (a) of section 28-1j of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

(a) The Attorney General, in consultation with the Commissioner of [Emergency Management and Homeland Security] Public Safety, shall make written recommendations to the United States Coast Guard regarding the designation of a hazard zone in relation to a liquefied natural gas terminal located or proposed to be located on Long Island Sound that will impact Connecticut waters or land, and shall submit such recommendations to the Governor and the General Assembly in accordance with section 11-4a.

Sec. 368. Subsection (a) of section 28-1k of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

(a) The Attorney General, in consultation with the Commissioner of
[Emergency Management and Homeland Security] Public Safety, shall make written recommendations to the federal government regarding the designation of a security zone in relation to a liquefied natural gas terminal located or proposed to be located on Long Island Sound that will impact Connecticut waters or land, and shall submit such recommendations to the Governor and the General Assembly in accordance with section 11-4a.

Sec. 369. Subsection (b) of section 28-14a of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

(b) The Department of [Emergency Management and Homeland Security] Public Safety shall compensate each volunteer with any volunteer organization that conducts a homeland security drill authorized by said department that exceeds twenty-four consecutive hours in length who participates in such drill and is otherwise employed, at the same rate as such volunteer is compensated in his or her employment in the public or private sector, provided the payment by said department shall be reduced by any amount of compensation such volunteer receives from his or her employer for such drill.

Sec. 370. Section 28-22a of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

Intrastate Mutual Aid Compact.

Article I. Purposes

This compact shall be known as the Intrastate Mutual Aid Compact and is made and entered into by and between the participating political subdivisions of this state. The purpose of this compact is to create a system of intrastate mutual aid between participating political subdivisions in the state. Each participant of this system recognizes that emergencies transcend political jurisdictional boundaries and that intergovernmental coordination is essential for the protection of lives and property and for best use of available assets. The system shall
provide for mutual assistance among the participating political subdivisions in the prevention of, response to, and recovery from, any disaster that results in a declaration of a local civil preparedness emergency in a participating political subdivision, subject to that participating political subdivision's criteria for declaration. The system shall provide for mutual cooperation among the participating subdivisions in conducting disaster-related exercises, testing or training activities.

Article II. General Provisions

(1) For purposes of this compact: (A) "Participating political subdivision" means each political subdivision of the state whose legislative body has not adopted a resolution withdrawing from this compact in accordance with the provisions of this article; and (B) "chief executive officer" means the elected or appointed officer granted the authority to declare a local civil preparedness emergency by the charter or ordinance of his or her political subdivision.

(2) On and after October 1, 2007, each political subdivision within the state shall automatically be a participating member of this compact. A participating political subdivision may withdraw from this compact by adopting a resolution indicating its intent to do so. The political subdivision shall automatically be deemed to have withdrawn from this compact upon adoption of such a resolution. The chief executive officer of such political subdivision shall submit a copy of such resolution to the Commissioner of [Emergency Management and Homeland Security] Public Safety not later than ten days after the adoption of the resolution. Nothing in this article shall preclude a participating political subdivision from entering into a supplementary mutual aid agreement with another political subdivision or affect any other inter-local municipal agreement, including any other mutual aid agreement, to which a political subdivision may be a party or become a party.

(3) In the event of a serious disaster affecting any political
subdivision of the state, the chief executive officer of that political subdivision may declare a local civil preparedness emergency. The chief executive officer of such political subdivision shall notify the Commissioner of [Emergency Management and Homeland Security] Public Safety of such declaration not later than twenty-four hours after such declaration. Such a declaration shall activate the emergency plan of operations of that political subdivision, as established under subsection (a) of section 28-7, and authorize the request or furnishing of aid and assistance, including any aid and assistance provided under the intrastate mutual aid system described in this section. No immunity, rights or privileges shall be provided for any individual who self-dispatches in response to a declaration, without authorization by such individual's participating political subdivision.

Article III. Responsibilities of the Local and Joint Organizations of Participating Political Subdivisions

The participating political subdivisions shall ensure that the duties of their local or joint organizations, as described in subsection (a) of section 28-7, include the following:

(1) Identifying potential hazards that could affect the participating political subdivisions using an identification system common to all participating jurisdictions;

(2) Conducting of joint planning, intelligence sharing and threat assessment development with contiguous participating political subdivisions, and conducting joint training at least biennially;

(3) Identifying and inventorying the current services, equipment, supplies, personnel and other resources related to planning, prevention, mitigation, response and recovery activities of the participating political subdivisions; and

(4) Adopting and implementing the standardized incident management system approved by the Department of [Emergency
Any request for assistance made by the chief executive officer of a participating political subdivision who has declared a local civil preparedness emergency shall be made to the chief executive officers of other participating political subdivisions or their designees. Requests may be oral or in writing, and shall be reported to the Commissioner of [Emergency Management and Homeland Security] Public Safety not later than twenty-four hours after the request. Oral requests shall be reduced to writing not later than forty-eight hours after the request.

A participating political subdivision's obligation to provide assistance in the case of a declared local civil preparedness emergency is subject to the following conditions:

1. A participating political subdivision shall have declared a local civil preparedness emergency;

2. A responding participating political subdivision may withhold or recall resources to the extent it deems necessary to provide reasonable protection and services for its own jurisdiction;

3. Personnel of a responding participating political subdivision shall continue under the command and control of their responding jurisdiction, including emergency medical treatment protocols, standard operating procedures and other protocols, but shall be under the operational control of the appropriate officials within the incident management system of the participating political subdivision receiving assistance; and

4. Assets and equipment of a responding participating political subdivision shall continue under the control of the responding jurisdiction, but shall be under the operational control of the
appropriate officials within the incident management system of the participating political subdivision receiving assistance.

Article VI. Licenses, Certificates and Permits

(1) If a person or entity holds a license, certificate or other permit issued by a participating political subdivision or the state evidencing qualification in a profession, mechanical skill or other skill, and the assistance of that person or entity is requested by a participating political subdivision, such person or entity shall be deemed to be licensed, certified or permitted in the political subdivision requesting assistance for the duration of the declared local civil preparedness emergency, subject to any limitations and conditions as may be prescribed by the chief executive officer of the participating political subdivisions, by executive order or otherwise; or by the person or entity’s sponsor hospital.

(2) The officers, members and employees of the responding political subdivision, including, but not limited to, public works personnel, firefighters, police or other assigned personnel rendering aid or assistance pursuant to the compact and this section shall have the same duties, rights, privileges and immunities as if they were performing their duties in the responding political subdivision.

Article VII. Reimbursement

(1) Participating political subdivisions shall maintain documentation of all assets provided. In the event of federal reimbursement to a requesting political subdivision, any political subdivision providing assistance under the compact and this section shall receive its appropriate share of said reimbursement.

(2) A participating political subdivision may donate assets of any kind to a requesting participating political subdivision. Unless requested in writing, no reimbursement shall be sought by a responding political subdivision from a requesting political subdivision that has declared a local civil preparedness emergency.
Any written request for reimbursement must be made not later than thirty calendar days after the response, except that notice of intent to seek reimbursement shall be given at the time the aid is rendered, or as soon as possible thereafter.

(3) Any dispute between political subdivisions regarding reimbursement shall be resolved by the parties not later than thirty days after written notice of the dispute by the party asserting noncompliance. If the dispute is not resolved within ninety days of the notice of the claim, either party may request that the dispute be resolved through arbitration. Any such arbitration shall be conducted under the commercial arbitration rules of the American Arbitration Association.

Article VIII. Liability

For the purposes of liability, all persons from a responding political subdivision under the operational control of the requesting political subdivision are deemed to be employees of the responding political subdivision. Neither the participating political subdivisions nor their employees, except in cases of wilful misconduct, gross negligence or bad faith, shall be liable for the death of or injury to persons or for damage to property when complying or attempting to comply with the intrastate mutual aid system.

Sec. 371. Subsection (b) of section 28-28a of the 2010 supplement to the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

(b) Each month, the provider of the enhanced 9-1-1 service database shall provide to the Office of State-Wide Emergency Telecommunications an electronic copy of the current subscriber information maintained in the enhanced 9-1-1 service database. The office shall make such subscriber information available to the Department of [Emergency Management and Homeland Security] Public Safety and to each public safety answering point pursuant to a memorandum of understanding consistent with the provisions of this
section. Each public safety answering point that has entered into such
a memorandum of understanding shall make such subscriber
information available to one or more of the municipalities within the
public safety answering point's jurisdiction at such a municipality's
request.

Sec. 372. Section 28-29a of the general statutes is repealed and the
following is substituted in lieu thereof (Effective October 1, 2010):

There is established an E 9-1-1 Commission to advise the office in
the planning, design, implementation and coordination of the
state-wide emergency 9-1-1 telephone system to be created pursuant to
sections 28-25, 28-25a, 28-25b, 28-26, 28-27, 28-27a, 28-28, 28-28a,
28-28b, 28-29 and 28-29b. The commission shall be appointed by the
Governor on or before October 1, 1984, and shall consist of the
following members: (1) One representative of the technical support
services unit of the Division of State Police within the Department of
Public Safety; (2) the State Fire Administrator; (3) one representative
from the Office of Emergency Medical Services; (4) one representative
from the Department of [Emergency Management and Homeland
Security] Public Safety; (5) one municipal police chief; (6) one
municipal fire chief; (7) one volunteer fireman; (8) one representative
of the Connecticut Conference of Municipalities; (9) one representative
of the Council of Small Towns; (10) one manager or coordinator of 9-1-
1 public safety answering points serving areas of differing population
concentration; and (11) one representative of providers of commercial
mobile radio services, as defined in 47 Code of Federal Regulations
20.3, as amended. Each member shall serve for a term of three years
from July 1, 1984, or until a successor has been appointed and
qualified. No member of the commission shall receive compensation
for such member's services.

Sec. 373. Section 28-31 of the 2010 supplement to the general statutes
is repealed and the following is substituted in lieu thereof (Effective
October 1, 2010):
(a) The Department of Public Utility Control shall establish a nuclear safety emergency preparedness account, which shall be a separate, nonlapsing account within the General Fund, and which shall be financed through assessments of all Nuclear Regulatory Commission licensees that own or operate nuclear power generating facilities in the state. The department shall initially assess the licensees for a total of two million dollars. The department may assess licensees for such amounts as necessary for the purposes of the account, provided the balance in the account at the end of the fiscal year may not exceed three hundred thousand dollars. The department shall annually assess the licensees, upon the request of the Commissioner of [Emergency Management and Homeland Security] Public Safety, for funding to support annual expenses of five staff positions in the Department of Environmental Protection and three staff positions in the Department of [Emergency Management and Homeland Security] Public Safety. Personnel shall be assigned to said staff positions solely for the purposes of the program established pursuant to subsection (b) of this section. Federal reimbursements and grants obtained in support of the nuclear safety emergency preparedness program shall be paid into the General Fund and credited to the account. The department shall develop an equitable method of assessing the licensees for their reasonable pro rata share of such assessments. All such assessments shall be included as operating expenses of the licensees for purposes of rate-making. All moneys within the account shall be invested by the State Treasurer in accordance with established investment practices and all interest earned by such investments shall be returned to the account.

(b) Moneys in the account shall be expended by the Commissioner of [Emergency Management and Homeland Security] Public Safety, in conjunction with the Commissioner of Environmental Protection, only to support the activities of a nuclear safety emergency preparedness program and only in accordance with the plan approved by the Secretary of the Office of Policy and Management under subsection (c) of this section. The program shall include, but not necessarily be
limited to: (1) Development of a detailed fixed facility nuclear emergency response plan for areas surrounding each nuclear electrical generation facility and each away-from-reactor spent fuel storage facility, (2) annual training of state and local emergency response personnel, (3) development of accident scenarios and exercising of fixed facility nuclear emergency response plans, (4) provision of specialized response equipment necessary to accomplish this task, (5) support for the operations and personal services costs of the radiological instrument maintenance and calibration facility, as necessary to replace any reduction in current federal funding, and (6) any other measures as may be required by the Nuclear Regulatory Commission and the Federal Emergency Management Agency of the United States Department of Homeland Security. Moneys in the account shall be distributed as follows to carry out the purposes of the program: The Commissioner of [Emergency Management and Homeland Security] Public Safety may expend not more than twenty-five per cent of the proceeds of the maximum annual assessment for administrative functions incident to the program. The Commissioner of [Emergency Management and Homeland Security] Public Safety may expend such additional funds as are necessary to assure and maintain emergency operations center capabilities and specialized response equipment necessary to implement the fixed facility nuclear emergency response plans. The remaining moneys in the account may be allocated to other state agencies and used to reimburse municipalities for costs incurred in the purchase and maintenance of equipment and for services rendered in carrying out the purposes of the program.

(c) Not later than May first, annually, the Commissioner of [Emergency Management and Homeland Security] Public Safety, in consultation with the Commissioner of Environmental Protection, shall submit to the Secretary of the Office of Policy and Management a plan for carrying out the purposes of the nuclear safety emergency preparedness program during the next state fiscal year. The plan shall include proposed itemized expenditures and measures for the
program. The secretary shall review the plan and, not later than June first, annually, approve the plan if it conforms to the provisions of this section.

(d) All moneys within the nuclear safety emergency preparedness account may be expended only in accordance with the provisions of this section.

(e) Notwithstanding the provisions of subsection (a) of this section, the Department of Public Utility Control may allow an additional assessment of the licensees to supplement the initial assessment of such licensees if either the Nuclear Regulatory Commission or the Federal Emergency Management Agency of the United States Department of Homeland Security disapproves or informs, in writing, the Commissioner of Emergency Management and Homeland Security that it is likely to disapprove the nuclear safety emergency preparedness plan and additional funds are or would be needed to conform the plan to acceptable standards.

Sec. 374. Section 29-1p of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

[(a)] The Commissioner of Public Safety may assess threats to public safety to determine when a threat qualifies as a genuine terrorist threat. The commissioner may consult with whatever agencies or officials the commissioner deems appropriate for such evaluation.

[(b) When the Commissioner of Public Safety determines that there is a genuine terrorist threat, the commissioner shall immediately notify the Commissioner of Emergency Management and Homeland Security of such threat.]

Sec. 375. Subsection (c) of section 54-142q of the 2010 supplement to the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

(c) The governing board shall be composed of the Chief Court
Administrator, the Commissioner of Public Safety, [the Commissioner of Emergency Management and Homeland Security,] the Secretary of the Office of Policy and Management, the Commissioner of Correction, the chairperson of the Board of Pardons and Paroles, the Chief State's Attorney, the Chief Public Defender, the Chief Information Officer of the Department of Information Technology, the Victim Advocate, the Commissioner of Motor Vehicles, the chairpersons and ranking members of the joint standing committee of the General Assembly on judiciary and the president of the Connecticut Police Chiefs Association. The Chief Court Administrator and a person appointed by the Governor from among the membership shall serve as cochairpersons. Each member of the governing board may appoint a designee who shall have the same powers as such member.

Sec. 376. Section 20-280 of the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2010):

(a) There shall be a State Board of Accountancy which shall consist of nine members, to be appointed by the Governor, all of whom shall be residents of this state, five of whom shall hold current, valid licenses to practice public accountancy and four of whom shall be public members. Any persons serving on the board prior to October 1, 1992, shall continue to serve until a successor is appointed. Whenever an appointment of a licensee to the state board is to be made, the Connecticut Society of Certified Public Accountants shall submit to the Governor the names of five persons qualified for membership on the board and the Governor shall appoint one of such persons to said board, subject to the provisions of section 4-10. The Governor shall select a chairperson pursuant to section 4-9a. The term of each member of the board shall be coterminous with that of the Governor. Vacancies occurring during a term shall be filled by appointment by the Governor for the unexpired portion of the term. Upon the expiration of a member's term of office, such member shall continue to serve until his successor has been appointed. Any member of the board whose license under section 20-281d is revoked or suspended shall automatically cease to be a member of the board. No person who has
served two successive complete terms shall be eligible for
reappointment to the board. Appointment to fill an unexpired term
shall not be considered to be a complete term. Any member who,
without just cause, fails to attend fifty per cent of all meetings held
during any calendar year shall not be eligible for reappointment.

(b) The board shall meet at such times and places as may be fixed by
the board and shall meet at least once in every quarter of a calendar
year. A majority of the board members then serving shall constitute a
quorum at any meeting duly called. The board shall have a seal which
shall be judicially noticed. The board shall maintain a registry of the
names and addresses of all licensees and registrants under sections 20-
279b to 20-281m, inclusive, and shall have responsibility for the
administration and enforcement of said sections.

(c) Each member of the board shall be reimbursed for his actual and
necessary expenses incurred in the discharge of his official duties.

(d) The board shall annually cause to be printed a directory which
shall contain the names, arranged alphabetically, of all licensees and
registrants under sections 20-279b to 20-281m, inclusive.

(e) The board [\(\text{subject to the provisions of chapter 67, may employ}
\)] an executive director and such other personnel as may be necessary to
carry out the provisions of sections 20-279b to 20-281m, inclusive. The
board may enter into such contractual agreements as may be necessary
for the discharge of its duties, within the limit of its appropriated
funds and in accordance with established procedures, as it deems
necessary in its administration and enforcement of said sections. It
may appoint committees or persons to advise or assist the board in
such administration and enforcement as it may see fit; \(\text{shall be within}
\) the Department of Consumer Protection. Said department shall
provide staff support for the board.

(f) The board shall have the power to take all action that is necessary
and proper to effectuate the purposes of sections 20-279b to 20-281m,
inclusive, including the power to issue subpoenas to compel the
attendance of witnesses and the production of documents; to administer oaths; to take testimony and to receive evidence concerning all matters within its jurisdiction. In case of disobedience of a subpoena, the board may invoke the aid of any court of this state in requiring the attendance and testimony of witnesses and the production of documentary evidence. The board, its members, and its agents shall be immune from personal liability for actions taken in good faith in the discharge of the board's responsibilities, and the state shall indemnify and hold harmless the board, its members, and its agents from all costs, damages, and attorneys' fees arising from claims and suits against them with respect to matters to which such immunity applies.

(g) The board may adopt rules, in accordance with chapter 54, governing its administration and enforcement of sections 20-279b to 20-281m, inclusive, and the conduct of licensees and registrants, including, but not limited to:

(1) Regulations governing the board's meetings and the conduct of its business;

(2) Regulations concerning procedures governing the conduct of investigations and hearings by the board;

(3) Regulations specifying the educational qualifications required for the issuance of certificates under section 20-281c, the experience required for initial issuance of certificates under section 20-281c and the continuing professional education required for renewal of licenses under subsection (e) of section 20-281d;

(4) Regulations concerning professional conduct directed to controlling the quality and probity of the practice of public accountancy by licensees, and dealing among other things with independence, integrity, objectivity, competence, technical standards, responsibilities to the public and responsibilities to clients;

(5) Regulations specifying actions and circumstances that shall be
deemed to constitute holding oneself out as a licensee in connection
with the practice of public accountancy;

(6) Regulations governing the manner and circumstances of use by
holders of certificates who do not also hold licenses under sections 20-
279b to 20-281m, inclusive, of the titles "certified public accountant"
and "CPA";

(7) Regulations regarding quality reviews that may be required to
be performed under the provisions of sections 20-279b to 20-281m,
inclusive;

(8) Regulations implementing the provisions of section 20-281l,
including, but not limited to, specifying the terms of any disclosure
required by subsection (d) of said section 20-281l, the manner in which
such disclosure is made and any other requirements the board imposes
with regard to such disclosure. Such regulations shall require that any
disclosure: (A) Be in writing and signed by the recipient of the product
or service; (B) be clear and conspicuous; (C) state the amount of the
commission or the basis on which the commission will be calculated;
(D) identify the source of the payment of the commission and the
relationship between such source and the person receiving payment;
and (E) be presented to the client at or prior to the time the
recommendation of the product or service is made;

(9) Regulations establishing the due date for any fee charged
pursuant to sections 20-281c, 20-281d and 20-281e. Such regulations
may establish the amount and due date of a late fee charged for the
failure to remit payment of any fee charged pursuant to sections 20-
281c, 20-281d and 20-281e; and

(10) Such other regulations as the board may deem necessary or
appropriate for implementing the provisions and the purposes of
sections 20-279b to 20-281m, inclusive.

Sec. 377. Subsection (a) of section 29-32b of the general statutes is
repealed and the following is substituted in lieu thereof (Effective July
1, 2010):

(a) There shall be established a Board of Firearms Permit Examiners, within the Department of Public Safety, [for administrative purposes only,] hereinafter referred to as the board, to be comprised of seven members appointed by the Governor to serve during his term and until their successors are appointed and qualify. With the exception of public members, the members shall be appointed from nominees of the Commissioner of Public Safety, the Connecticut State Association of Chiefs of Police, the Commissioner of Environmental Protection, The Connecticut State Rifle and Revolver Association, Inc., and The Connecticut Gun Guild, Inc., and each of said organizations shall be entitled to representation on the board. At least one member of the board shall be a lawyer licensed to practice in this state, who shall act as chairman of the board during the hearing of appeals brought under this section.

Sec. 378. Section 46a-13k of the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2010):

[(a)] There is established [an Office of the] a Child Advocate within the Office of the Attorney General. The Governor, with the approval of the General Assembly, shall appoint a person with knowledge of the child welfare system and the legal system [to fill the Office of] as the Child Advocate. [Such person shall be qualified by training and experience to perform the duties of the office as set forth in section 46a-13l. The appointment shall be made from a list of at least three persons prepared and submitted by the advisory committee established pursuant to section 46a-13q. Upon any vacancy in the position of Child Advocate, the advisory committee shall meet to consider and interview successor candidates and shall submit to the Governor a list of no less than five and no more than seven of the most outstanding candidates, not later than sixty days after the occurrence of said vacancy. Such list shall rank the candidates in the order of committee preference. Upon receipt of the list of candidates from the advisory committee, the Governor shall designate a candidate for Child
Advocate from among the choices within eight weeks of receipt of such list. If at any time any of the candidates withdraw from consideration prior to confirmation by the General Assembly, the designation shall be made from the remaining candidates on the list submitted to the Governor. If a candidate has not been designated by the Governor within the eight-week time period, the candidate ranked first shall receive the designation and be referred to the General Assembly for confirmation.] If the General Assembly is not in session, the designated candidate shall serve as acting Child Advocate and be entitled to the compensation, privileges and powers of the Child Advocate until the General Assembly meets to take action on said appointment. The person appointed Child Advocate shall serve for a term of [four] two years and may be reappointed or shall continue to hold office until such person's successor is appointed and qualified. [Upon any vacancy in the position of Child Advocate and until such time as a candidate has been confirmed by the General Assembly or, if the General Assembly is not in session, has been designated by the Governor, the Associate Child Advocate shall serve as the acting Child Advocate and be entitled to the compensation, privileges and powers of the Child Advocate.]

[(b) The Office of the Child Advocate shall be in the Department of Administrative Services for administrative purposes only.

(c) Notwithstanding any other provision of the general statutes, the Child Advocate shall act independently of any state department in the performance of his duties.

(d) The Child Advocate may, within available funds, appoint such staff as may be deemed necessary provided, for the fiscal years ending June 30, 1996, and June 30, 1997, such staff shall not exceed one and one-half full-time positions or the equivalent thereof. The duties of the staff may include the duties and powers of the Child Advocate if performed under the direction of the Child Advocate.

(e) The General Assembly shall annually appropriate such sums as
necessary for the payment of the salaries of the staff and for the
payment of office expenses and other actual expenses incurred by the
Child Advocate in the performance of his duties. Any legal or court
fees obtained by the state in actions brought by the Child Advocate
shall be deposited in the General Fund.

(f) The Child Advocate shall annually submit to the Governor and
the General Assembly a detailed report analyzing the work of the
Office of the Child Advocate.

Sec. 379. Section 46a-13l of the 2010 supplement to the general
statutes is repealed and the following is substituted in lieu thereof
(Effective July 1, 2010):

(a) The Child Advocate [shall] may:

(1) Evaluate the delivery of services to children by state agencies
and those entities that provide services to children through funds
provided by the state and recommend changes to policies, procedures
and systems with a view toward the rights of children;

(2) Review periodically the procedures established by any state
agency providing services to children to carry out the provisions of
sections 46a-13k to 46a-13q, inclusive, with a view toward the rights of
the children and recommend revisions to such procedures;

(3) Review complaints of persons concerning the actions of any
state or municipal agency providing services to children and of any
entity that provides services to children through funds provided by the
state, make appropriate referrals and investigate those where the Child
Advocate determines that a child or family may be in need of
assistance from the Child Advocate or that a systemic issue in the
state's provision of services to children is raised by the complaint;

(4) Pursuant to an investigation, provide assistance to a child or
family who the Child Advocate determines is in need of such
assistance including, but not limited to, advocating with an agency,
provider or others on behalf of the best interests of the child;

(5) Periodically review the facilities and procedures of any and all institutions or residences, public or private, where a juvenile has been placed by any agency or department;

(6) Recommend changes in state policies concerning children including changes in the system of providing juvenile justice, child care, foster care and treatment;

(7) Take all possible action including, but not limited to, conducting

(4) Conduct programs of public education, [undertaking] undertake legislative advocacy and [making] make proposals for systemic reform and formal legal action, in order to secure and ensure the legal, civil and special rights of children who reside in this state; and

(8) Provide training and technical assistance to attorneys representing children and guardians ad litem appointed by the Superior Court;

(9) Periodically review the number of special needs children in any foster care or permanent care facility and recommend changes in the policies and procedures for the placement of such children;

(10) Serve or designate a person to serve as a member of the child fatality review panel established in subsection (b) of this section; and

(11) Take appropriate steps to advise the public of the services of the Office of the Child Advocate, the purpose of the office and procedures to contact the office.

(b) There is established a child fatality review panel composed of thirteen permanent members as follows: The Child Advocate, [or a designee;] the Commissioners of Children and Families, Public Health and Public Safety, or their designees; the Chief Medical Examiner, or a designee; the Chief State's Attorney, or a designee; a pediatrician, appointed by the Governor; a representative of law enforcement,
appointed by the president pro tempore of the Senate; an attorney, appointed by the majority leader of the Senate; a social work professional, appointed by the minority leader of the Senate; a representative of a community service group appointed by the speaker of the House of Representatives; a psychologist, appointed by the majority leader of the House of Representatives; and an injury prevention representative, appointed by the minority leader of the House of Representatives. A majority of the panel may select not more than three additional temporary members with particular expertise or interest to serve on the panel. Such temporary members shall have the same duties and powers as the permanent members of the panel. The chairperson shall be elected from among the panel's permanent members. The panel shall, to the greatest extent possible, reflect the ethnic, cultural and geographic diversity of the state.

(c) The child fatality review panel shall review the circumstances of the death of a child placed in out-of-home care or whose death was due to unexpected or unexplained causes to facilitate development of prevention strategies to address identified trends and patterns of risk and to improve coordination of services for children and families in the state. Members of the panel shall not be compensated for their services, but may be reimbursed for necessary expenses incurred in the performance of their duties.

(d) On or before January 1, [2000] 2011, and annually thereafter, the child fatality review panel shall issue an annual report which shall include its findings and recommendations to the Governor and the General Assembly on its review of child fatalities for the preceding year.

[(e) Upon request of two-thirds of the members of the panel and within available appropriations, the Governor, the General Assembly or at the Child Advocate's discretion, the Child Advocate shall conduct an in-depth investigation and review and issue a report with recommendations on the death or critical incident of a child. The report shall be submitted to the Governor, the General Assembly and]
the commissioner of any state agency cited in the report and shall be
made available to the general public.

(f) Any state agency cited in a report issued by the Office of the
Child Advocate, pursuant to the Child Advocate's responsibilities
under this section, shall submit a written response to the report and
recommendations made in the report to the Governor and the General
Assembly not later than ninety days after receipt of such report and
recommendations. The General Assembly shall submit a copy of such
response to the Office of the Child Advocate immediately upon
receipt.]

[(g)] (e) The Chief Medical Examiner shall provide timely notice to
[the Child Advocate and to] the chairperson of the child fatality review
panel of the death of any child that is to be investigated pursuant to
section 19a-406.

[(h)] (f) Any agency having responsibility for the custody or care of
children shall provide timely notice to [the Child Advocate and] the
chairperson of the child fatality review panel of the death of a child or
a critical incident involving a child in its custody or care.

Sec. 380. Section 46a-13n of the general statutes is repealed and the
following is substituted in lieu thereof (Effective July 1, 2010):

(a) The name, address and other personally identifiable information
of a person who makes a complaint to the Child Advocate as provided
in section 46a-13l, as amended by this act, all information obtained or
generated by the office in the course of an investigation and all
confidential records obtained by the Child Advocate or a designee
shall be confidential and shall not be subject to disclosure under the
Freedom of Information Act or otherwise, except that such information
and records, other than confidential information concerning a pending
law enforcement investigation or a pending prosecution, may be
disclosed if the Child Advocate determines that disclosure is (1) in the
general public interest, or (2) necessary to enable the Child Advocate
to perform his responsibilities under subsection (a) of section 46a-13l.
as amended by this act. If the Child Advocate determines that disclosure of confidential information is not in the public interest but is necessary to enable the Child Advocate to perform responsibilities under subsection (a) of section 46a-13l, as amended by this act, or to identify, prevent or treat the abuse or neglect of a child, the Child Advocate may disclose such information to the appropriate agency responsible for the welfare of such child.

(b) No state or municipal agency shall discharge, or in any manner discriminate or retaliate against, any employee who in good faith makes a complaint to the Child Advocate or cooperates with [the Office of] the Child Advocate in an investigation.

Sec. 381. Section 46a-13o of the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2010):

(a) In addition to the powers set forth in section 46a-13m, and notwithstanding section 3-125, the Child Advocate, [or his designee,] may represent, appear, intervene in or bring an action on behalf of any child in any proceeding before any court, agency, board or commission in this state in which matters related to sections 46a-13k to 46a-13q, inclusive, as amended by this act, are in issue. Prior to the institution of any action brought pursuant to this subsection, the Child Advocate shall make a good faith effort to resolve issues or problems through mediation.

(b) Any judgment for compensation or order for settlement of the claim for compensation entered by the court pursuant to the provisions of subsection (a) of this section shall be considered as the estate of the child for whose benefit the judgment or order is entered, to be held by [the Office of] the Child Advocate as guardian of such compensation, and shall be deposited into a trust account established by the office for the purposes of distributing such funds to such child in accordance with the plan adopted by the Family Division of the Superior Court.

Sec. 382. Section 46a-13p of the general statutes is repealed and the
The state of Connecticut shall protect and hold harmless [any attorney, director, investigator, social worker or other person employed by the Office of] the Child Advocate and any volunteer appointed by the Child Advocate from financial loss and expense, including legal fees and costs, if any, arising out of any claim, demand or suit for damages resulting from acts or omissions committed in the discharge of his duties with the program within the scope of his employment or appointment which may constitute negligence but which acts are not wanton, malicious or grossly negligent as determined by a court of competent jurisdiction.

Sec. 383. Subsection (b) of section 17a-101 of the 2010 supplement to the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2010):

(b) The following persons shall be mandated reporters: Any physician or surgeon licensed under the provisions of chapter 370, any resident physician or intern in any hospital in this state, whether or not so licensed, any registered nurse, licensed practical nurse, medical examiner, dentist, dental hygienist, psychologist, coach of intramural or interscholastic athletics, school superintendent, school teacher, school principal, school guidance counselor, school paraprofessional, school coach, social worker, police officer, juvenile or adult probation officer, juvenile or adult parole officer, member of the clergy, pharmacist, physical therapist, optometrist, chiropractor, podiatrist, mental health professional or physician assistant, any person who is a licensed or certified emergency medical services provider, any person who is a licensed or certified alcohol and drug counselor, any person who is a licensed marital and family therapist, any person who is a sexual assault counselor or a battered women's counselor as defined in section 52-146k, any person who is a licensed professional counselor, any person who is a licensed foster parent, any person paid to care for a child in any public or private facility, child day care center, group day care home or family day care home licensed by the state, any
employee of the Department of Children and Families, any employee
of the Department of Public Health who is responsible for the licensing
of child day care centers, group day care homes, family day care
homes or youth camps, and the Child Advocate. [and any employee of
the Office of the Child Advocate.]

Sec. 384. Section 46a-153 of the general statutes is repealed and the
following is substituted in lieu thereof (Effective July 1, 2010):

Each local or regional board of education, institution or facility that
provides direct care, education or supervision of persons at risk shall
(1) record each instance of the use of physical restraint or seclusion on
a person at risk and the nature of the emergency that necessitated its
use, and (2) include such information in an annual compilation on its
use of such restraint and seclusion. The commissioner of the state
agency that has jurisdiction or supervisory control over each
institution or facility shall review the annual compilation prior to
renewing a license for or a contract with such institution or facility.
The State Board of Education may review the annual compilation of
each local and regional board of education, institution and facility that
provides special education for children and may produce an annual
summary report identifying the frequency of use of physical restraint
or seclusion on such children. If the use of such restraint or seclusion
results in physical injury to the person, (A) the local or regional board
of education, institution or facility that provides special education for a
child may report the incident to the State Board of Education, and (B)
the institution or facility shall report the incident to the commissioner
of the state agency that has jurisdiction or supervisory control over the
institution or facility. The State Board of Education and the
commissioner receiving a report of such an incident shall report any
incidence of serious injury or death to the director of the Office of
Protection and Advocacy for Persons with Disabilities and, if
appropriate, to the Child Advocate. [of the Office of Child Advocate.]

Sec. 385. (Effective October 1, 2010) Connecticut Innovations,
Incorporated, the Connecticut Development Authority, the
Connecticut Housing Finance Authority and the Department of Economic and Community Development shall be consolidated into one agency. Such consolidation shall eliminate at least three executive level positions from the Department of Economic and Community Development and shall achieve savings by aligning functions and services.

Sec. 386. (Effective from passage) Pursuant to section V of the agreement between the State of Connecticut and the State Employees Bargaining Agent Coalition (SEBAC) approved by the General Assembly on May 15, 2009, which requires the parties to negotiate additional savings in the event that projected revenue from all sources to the General Fund and Special Transportation Fund is three hundred million dollars or more below that in the final adopted budget and the Governor exercises any rescission authority, the state shall negotiate additional concessions totaling fifty million dollars or more that may include, but not be limited to, (1) additional furlough days, (2) elimination of longevity payments, (3) layoffs resulting from the consolidation, merger, closure or elimination of state agencies, offices, departments or programs, (4) increases in copayments for prescription drugs, office visits and hospitalizations, and (5) increased contributions for health insurance.

Sec. 387. Sections 2-120 to 2-122, inclusive, subdivision (25) of subsection (a) of section 2c-2b, sections 9-750, 17a-317, 17b-420, 46a-1, 46a-126 and 46a-127 of the general statutes are repealed. (Effective July 1, 2010)

Sec. 388. Sections 17a-26, 17a-31, 17a-33, 17a-92, 17a-128, 17a-146, 17b-23, 19a-45a, 19a-255 and 19a-530 of the general statutes are repealed. (Effective October 1, 2010)

Sec. 389. Section 17b-273 of the general statutes is repealed. (Effective from passage)

Sec. 390. Section 81 of public act 09-3 of the June special session and section 77 of public act 09-5 of the September special session, section 49
of public act 09-6 of the September special session and section 107 of public act 09-7 of the September special session are repealed. (Effective from passage)"

This act shall take effect as follows and shall amend the following sections:

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