State of Connecticut
Department of Developmental Services

DDS

M. Jodi Rell
Governor

Peter H. O'Meara
Commissioner

Kathryn du Pree
Deputy Commissioner

TESTIMONY OF THE
DEPARTMENT OF DEVELOPMENTAL SERVICES
TO THE
PUBLIC HEALTH COMMITTEE
March 12, 2010

Senator Harris, Representative Ritter and members of the Public Health Committee. I am Peter O'Meara, Commissioner of Developmental Services (DDS). Thank you for raising our agency bill this session and for the opportunity to testify in support of DDS's agency proposals in **House Bill 5448 – An Act Concerning the Administration of the Department of Developmental Services.** I will provide an overview of what is contained in the bill's various sections.

Sections 1 through 6 include several technical changes related to the Birth to Three Program. Section 1 provides a new, more inclusive definition of "parent" for purposes of Birth to Three services that mirrors the current definition of "parent" under Part C of the federal Individuals with Disabilities Education Act (IDEA) for purposes of early intervention services. Section 2 changes the language regarding the Department's responsibility for establishing local interagency coordinating councils (LICCs). DDS would no longer be held responsible for ensuring that there is at least one LICC in each region. Currently, there are only two LICCs, one in Danbury and one in Torrington, both in the Department's West Region. DDS will continue to support established LICCs. LICCs, as defined in statute, are only concerned with young children with disabilities and we have found that with all of the broader early childhood initiatives in the state, people may find it more effective to join local early childhood planning efforts in their communities. Sections 3 and 5 correct several references to federal law in the Birth to Three statutes. Section 4 eliminates an obsolete section of the Birth to Three statutes and acknowledges that the Birth to Three System establishes rates for services. Section 6 narrows the definition of "parent", for the purpose of charging fees for Birth to Three services, to include only a "natural or adoptive parent or legal guardian." Those parents in the new more inclusive definition who would not be subject to payment of monthly fees would be grandparents or other relatives who the child is living with or foster parents.

Section 7 allows members of the Council on Developmental Services, who have met the membership term limit of three consecutive two-year terms, to continue as members of the Council until a successor is appointed. If the appointing authority does not immediately select a successor, there is oftentimes a lag between when a member must stop serving and a new member is appointed. This proposal would allow a current DDS council member to serve until a successor is appointed even if the member has served for more than three consecutive terms.

Phone: 860 418-6000 ◆ TDD 860 418-6079 ◆ Fax: 860 418-6001
460 Capitol Avenue ◆ Hartford, Connecticut 06106
www.ct.gov/dds ◆ e-mail: ddsct.co@ct.gov
An Equal Opportunity Employer

Section 8 changes the membership of the Camp Harkness Advisory Committee to include a member representing a 501(c)(3) established to promote and support Camp Harkness and its camping programs in lieu of a member representing the Camp Harkness Booster Club. The Department understands that a member of the Camp Harkness Booster Club has not attended Advisory Committee meetings for several years and correspondence to this organization has gone repeatedly unanswered. The appointing authority for this member is the Senate Majority Leader.

Section 9 would permit designees to be appointed for certain members of the statutory Family Support Council. Current statute only permits commissioners to have designees. The Child Advocate, the executive director of the Office of Protection and Advocacy for Persons with Disabilities and the executive director of the Commission on Children would now be allowed to appoint designees.

Section 10 changes one appointment to DDS's three Regional Planning and Advisory Councils from "an attorney practicing law in the state of Connecticut who is familiar with issues in the field of mental retardation" to "an individual who is eligible for and receives services from the Department of Developmental Services." This would allow more consumer participation on the Regional Councils and eliminate a specific appointment of an attorney that was extremely difficult to fill. This section also updates a reference to the Arc of Connecticut.

Section 11 would allow the Department of Children and Families (DCF) to share DCF investigation summaries with DDS, without the consent of the subject of the investigations, for the purposes of eligibility, enrollment and service planning for children in the DDS Voluntary Services Program (VSP) when a child's annual individual plan is updated. Currently, DDS is allowed to receive these investigation summaries only when a child is applying for participation in VSP. This change would allow DDS to receive these investigation summaries for any child enrolled in VSP as part of the Department's on-going planning for the child's services. Access to DCF's investigation summaries is vital to ensure the development of an individual plan that addresses both the child's and family's needs with the goal of keeping children at home with the appropriate behavioral and in-home family supports. Information regarding previous DCF services or investigations is important to DDS in order to develop appropriate supports that will address any family dynamics or situations that might otherwise preclude the child from being able to stay at home.

Section 12 eliminates the sunset provision of the Department's Abuse and Neglect Registry. This registry is an important tool used by the Department, its providers and other state agencies to check that potential employees have not previously been referred to the registry for abuse or neglect of a DDS consumer. Without elimination of the sunset provision, the Abuse and Neglect Registry would sunset on July 1, 2012.

Thank you for allowing me the opportunity to testify today. I would be happy to answer any questions you might have at this time, or you may contact Rod O'Connor, DDS Legislative Liaison at 418-6130 with any questions.