



House of Representatives

General Assembly

File No. 762

January Session, 2011

House Bill No. 6379

House of Representatives, May 5, 2011

The Committee on Appropriations reported through REP. WALKER of the 93rd Dist., Chairperson of the Committee on the part of the House, that the bill ought to pass.

AN ACT DELAYING THE ESTABLISHMENT OF THE DEPARTMENT ON AGING.

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

1 Section 1. Section 17a-317 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective July 1, 2011*):

3 (a) Effective July 1, [2011] 2013, there shall be established a
4 Department on Aging [which] that shall be under the direction and
5 supervision of the Commissioner on Aging who shall be appointed by
6 the Governor in accordance with the provisions of sections 4-5 to 4-8,
7 inclusive, with the powers and duties prescribed in said sections. The
8 commissioner shall be knowledgeable and experienced with respect to
9 the conditions and needs of elderly persons and shall serve on a full-
10 time basis.

11 (b) The Commissioner on Aging shall administer all laws under the
12 jurisdiction of the Department on Aging and shall employ the most
13 efficient and practical means for the provision of care and protection of

14 elderly persons. The commissioner shall have the power and duty to
15 do the following: (1) Administer, coordinate and direct the operation
16 of the department; (2) adopt and enforce regulations, in accordance
17 with chapter 54, as necessary to implement the purposes of the
18 department as established by statute; (3) establish rules for the internal
19 operation and administration of the department; (4) establish and
20 develop programs and administer services to achieve the purposes of
21 the department; (5) contract for facilities, services and programs to
22 implement the purposes of the department; (6) act as advocate for
23 necessary additional comprehensive and coordinated programs for
24 elderly persons; (7) assist and advise all appropriate state, federal, local
25 and area planning agencies for elderly persons in the performance of
26 their functions and duties pursuant to federal law and regulation; (8)
27 plan services and programs for elderly persons; (9) coordinate
28 outreach activities by public and private agencies serving elderly
29 persons; and (10) consult and cooperate with area and private
30 planning agencies.

31 (c) The functions, powers, duties and personnel of the Division of
32 Aging Services of the Department of Social Services, or any subsequent
33 division or portion of a division with similar functions, powers,
34 personnel and duties, shall be transferred to the Department on Aging
35 pursuant to the provisions of sections 4-38d, 4-38e and 4-39.

36 (d) The Department of Social Services shall administer programs
37 under the jurisdiction of the Department on Aging until the
38 Commissioner on Aging is appointed and administrative staff are
39 hired.

40 (e) The Governor may, with the approval of the Finance Advisory
41 Committee, transfer funds between the Department of Social Services
42 and the Department on Aging pursuant to subsection (b) of section 4-
43 87 during the fiscal year ending June 30, [2012] 2014.

44 (f) Any order or regulation of the Department of Social Services or
45 the Commission on Aging that is in force on July 1, [2011] 2013, shall
46 continue in force and effect as an order or regulation until amended,

47 repealed or superseded pursuant to law.

48 Sec. 2. Section 17b-1 of the general statutes is repealed and the
49 following is substituted in lieu thereof (*Effective July 1, 2013*):

50 (a) There is established a Department of Social Services. The
51 department head shall be the Commissioner of Social Services, who
52 shall be appointed by the Governor in accordance with the provisions
53 of sections 4-5 to 4-8, inclusive, with the powers and duties therein
54 prescribed.

55 (b) The Department of Social Services shall constitute a successor
56 department to the Department of Income Maintenance [] and the
57 Department of Human Resources [and the Department on Aging] in
58 accordance with the provisions of sections 4-38d and 4-39.

59 (c) Wherever the words "Commissioner of Income Maintenance" []
60 or "Commissioner of Human Resources" [or "Commissioner on
61 Aging"] are used in the general statutes, the words "Commissioner of
62 Social Services" shall be substituted in lieu thereof. Wherever the
63 words "Department of Income Maintenance" [] or "Department of
64 Human Resources" [or "Department on Aging"] are used in the general
65 statutes, "Department of Social Services" shall be substituted in lieu
66 thereof.

67 (d) [Any] Subject to the provisions of section 17a-317, as amended
68 by this act, any order or regulation of the Department of Income
69 Maintenance, the Department of Human Resources or the Department
70 on Aging which is in force on July 1, 1993, shall continue in force and
71 effect as an order or regulation of the Department of Social Services
72 until amended, repealed or superseded pursuant to law. Where any
73 order or regulation of said departments conflict, the Commissioner of
74 Social Services may implement policies and procedures consistent with
75 the provisions of public act 93-262 while in the process of adopting the
76 policy or procedure in regulation form, provided notice of intention to
77 adopt the regulations is printed in the Connecticut Law Journal within
78 twenty days of implementation. The policy or procedure shall be valid

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 12 \$	FY 13 \$
State Dept. on Aging	GF - Implements the Budget	(441,522)	(432,202)

Note: GF=General Fund

Municipal Impact: None

Explanation

This bill delays the implementation of the Department on Aging until July 1, 2013. This will result in savings of \$441,522 in FY 12 and \$432,202 in FY 13. These savings have been included in S.B. 1239 (the FY 12 & FY 13 biennial budget), as approved by the House and the Senate.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation.

OLR Bill Analysis**HB 6379*****AN ACT DELAYING THE ESTABLISHMENT OF THE DEPARTMENT ON AGING.*****SUMMARY:**

This act postpones the establishment of the Department on Aging for two years, from July 1, 2011 until July 1, 2013. The bill also makes conforming changes (1) permitting the governor, with Finance Advisory Committee approval, to transfer funds between the Department of Social Services (DSS) and the Aging Department in FY 14 and (2) specifying that any DSS or Commission on Aging order or regulation in effect on July 1, 2013, will remain so until amended, repealed, or superseded by law.

By law, DSS must administer aging programs until an aging commissioner is appointed and administrative staff hired.

EFFECTIVE DATE: July 1, 2011

COMMITTEE ACTION

Aging Committee

Joint Favorable Change of Reference

Yea 11 Nay 0 (03/10/2011)

Appropriations Committee

Joint Favorable

Yea 49 Nay 0 (04/25/2011)