



# STATE OF CONNECTICUT

OFFICE OF PROTECTION AND ADVOCACY FOR  
PERSONS WITH DISABILITIES  
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## Testimony of the Office of Protection and Advocacy for Persons with Disabilities Before the Human Services Committee

Submitted by: James D. McGaughey  
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Good morning, and thank you for this opportunity to submit comments on two of the bills on your agenda today: S.B. No. 1012, AN ACT IMPLEMENTING THE GOVERNOR'S BUDGET RECOMMENDATIONS CONCERNING THE TRANSFER OF FUNCTIONS FROM THE BOARD OF EDUCATION AND SERVICES FOR THE BLIND AND THE COMMISSION ON THE DEAF AND HEARING IMPAIRED TO THE DEPARTMENTS OF EDUCATION AND SOCIAL SERVICES; and, S.B. No. 1013 AN ACT IMPLEMENTING THE GOVERNOR'S BUDGET RECOMMENDATIONS CONCERNING HUMAN SERVICES.

**S.B. 1012** would consolidate two independent, disability-specific agencies into larger social service and education agencies. More specifically, the Commission of the Deaf and Hearing Impaired (CDHI) would be absorbed into the Department of Social Services, as would the rehabilitation services program of the Board of Education and Services for the Blind (BESB). BESB's education program for school age children would be moved to the State Department of Education (SDE).

Each of these agencies has its own unique history and areas of expertise. Each serves a constituency that has struggled to overcome the tyranny of low expectations associated with their disabilities and to gain access to opportunities for contribution and inclusion in the larger community. And each has also served as a central touch point for policy advocacy in their respective spheres. There is understandable concern that consolidating these agencies into much larger bureaucratic structures will dilute or compromise the effectiveness with which they serve their clients; that their leadership will no longer be able to directly communicate with legislative leaders and the press; that their ongoing needs to develop, innovate and evolve will compete for resources and "air time" with similar priorities felt by other, existing programs within DSS or SDE.

As suggested by testimony provided by these agencies' constituencies at the Appropriation Committee hearing, these concerns could be mitigated somewhat by strengthening the roles and composition of the two "Boards" that oversee operations of their respective programs, and by specifying the location and leadership of the relocated programs so as to ensure that their expertise continues and they remain readily accessible to consumers. More specifically:

- A majority of the members of the respective boards should be people who have, or who are family members of people with relevant disabilities.

- The Boards should do more than “advise” the commissioners of social services and education; they should be charged in statute with accountability functions including measuring consumer satisfaction and service quality, conducting public forums, and issuing reports on issues affecting their respective communities.
- Language should be inserted to specify that each program remain intact within its new host agency; that each have discrete, readily identifiable access points; and, that each be directed by an individual who is qualified to lead it by virtue of his or her considerable experience in the program’s substantive area.

By including safeguards such as these, concerns that CDHI and BESB will become lost in the bureaucratic maze of DSS and SDE or that the quality of their services will diminish can be minimized.

**S.B. 1013** is a lengthy bill with many provisions affecting programs and services funded through Medicaid. Section 14 amends the statutory description of state-funded home and community based services for elders, restricting eligibility to “only persons who require the level of care provided in a nursing home”. That proviso would appear to exclude people who are at risk of entering a long term care facility, but who are not yet quite disabled enough to meet the requirements for admission. Home and community services can spell the difference between staying in one’s home and having to lose that home along with one’s privacy, possessions, neighborhood relationships and personal autonomy. Delaying the implementation of those services until a person reaches a point when he or she could be admitted is an ill-advised approach, particularly as completing application processes sometimes take considerable time.

Thank you for considering these comments. If there are any questions, please feel free to contact me.