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State of Connecticut
Department of Developmental Services

DDS

Peter H. O'Meara
Commissioner

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Deputy Commissioner

TESTIMONY OF THE
DEPARTMENT OF DEVELOPMENTAL SERVICES
TO THE
PLANNING AND DEVELOPMENT COMMITTEE

On Proposed Bills 5142 and 5259

ACTS REQUIRING PUBLIC HEARINGS
ON THE LOCATION OF GROUP HOMES

February 7, 2011

Senator Cassano, Representative Gentile and members of the Planning and Development Committee. I am Commissioner Peter O'Meara of the Department of Developmental Services (DDS). Thank you for the opportunity to express our opposition to Proposed Bills 5142 and 5259, which would require a public hearing prior to the approval by DDS or other state agencies of any "group home" within a municipality. I strongly oppose this proposed requirement.

The Department of Developmental Services (DDS) supports approximately 20,000 individuals with intellectual or developmental disabilities in Connecticut. They reside in family homes, community training homes and in more than 870 Community Living Arrangements (CLAs) (or "group homes") that DDS licenses, funds, or directly operates. These individuals live and work, go to school, and enjoy the many opportunities that our communities provide.

The Department understands the need for transparency in government, but these bills pose several problems that could weaken important programs for people with intellectual disabilities.

Legal Concerns

Federal HIPAA laws and state laws do not permit DDS to discuss the individuals to whom we provide services; however, each person has an individualized service plan that identifies their specific needs. As a result of their planned services and supports, staff decisions are made to assure the person is successful and receives the appropriate level of supervision and support.

Connecticut General Statute 8-3e requires that no zoning regulation shall treat "any community residence which houses six or fewer mentally retarded persons and necessary staff persons and which is licensed under the provisions of section 17a-227" in a manner different from any "single family residence"; and

The Connecticut Constitution, Article XXI of Amendments provides for equal protection and non-discrimination for persons with physical or mental disabilities.

Summary

In the more than 870 CLAs that are funded, licensed or directly operated by DDS, the Department will continue to encourage our providers to be good neighbors while respecting the legally protected privacy rights, and other legal rights, of individuals with intellectual disabilities. We respectfully request and encourage all members of the legislature, as representatives for all Connecticut cities and towns, to do the same; by not supporting these bills moving forward.

Thank you again for the opportunity to testify before you today and for hearing the Department's concerns on this issue. I would be happy to answer any questions that you might have, or you may contact Christine Pollio Cooney, DDS Director of Legislative Affairs at (860) 418-6066.