



General Assembly

January Session, 2011

**Governor's Bill No. 6379**

LCO No. 3423

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Referred to Committee on Aging

Introduced by:

REP. DONOVAN, 84<sup>th</sup> Dist.

REP. SHARKEY, 88<sup>th</sup> Dist.

SEN. WILLIAMS, 29<sup>th</sup> Dist.

SEN. LOONEY, 11<sup>th</sup> Dist.

**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 Section 17a-317 of the general statutes is repealed and the  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  
79 until the time final regulations are effective.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2011</i>	17a-317
Sec. 2	<i>July 1, 2013</i>	17b-1

**Statement of Purpose:**

To implement the Governor's budget recommendations.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*