



Senate

General Assembly

File No. 135

February Session, 2012

Substitute Senate Bill No. 337

Senate, March 27, 2012

The Committee on Public Safety and Security reported through SEN. HARTLEY of the 15th Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

AN ACT CONCERNING THE SILVER ALERT SYSTEM.

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

1 Section 1. Section 29-1f of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2012*):

3 (a) The clearinghouse established under section 29-1e shall collect,
4 process, maintain and disseminate information to assist in the location
5 of any missing person who (1) is eighteen years of age or older and has
6 a mental impairment, or (2) is sixty-five years of age or older, provided
7 a missing person report prepared by the Department of Emergency
8 Services and Public Protection has been filed by such missing person's
9 relative, guardian, conservator or attorney-in-fact appointed by the
10 missing person in accordance with chapter 7, any health care
11 representative appointed by the missing person in accordance with
12 section 19a-576 or a nursing home administrator, as defined in section
13 19a-511, or, pursuant to section 2 of this act, by an employee of the
14 Department of Mental Health and Addiction Services who is certified

15 under the provisions of sections 7-294a to 7-294e, inclusive. Such
16 relative, guardian, conservator, attorney-in-fact, health care
17 representative, [or] nursing home administrator or employee shall
18 attest under penalty of perjury that the missing person (A) is eighteen
19 years of age or older and has a mental impairment, or (B) is sixty-five
20 years of age or older. No other proof shall be required in order to
21 verify that the missing person meets the criteria to be eligible for
22 assistance under this subsection. Such relative, guardian, conservator,
23 attorney-in-fact, health care representative, [or] nursing home
24 administrator or employee who files a missing person report shall
25 immediately notify the clearinghouse or law enforcement agency if the
26 missing person's location has been determined.

27 (b) Subject to available resources, the clearinghouse established by
28 section 29-1e may collect, process, maintain and disseminate
29 information to assist in the location of missing persons other than
30 children and those persons who are eligible for assistance under
31 subsection (a) of this section.

32 Sec. 2. (NEW) (*Effective October 1, 2012*) A relative, guardian or
33 conservator of a person who is receiving inpatient services at a facility
34 of the Department of Mental Health and Addiction Services and is
35 missing from such facility may request the Commissioner of Mental
36 Health and Addiction Services to file a missing person report with the
37 Department of Emergency Services and Public Protection for purposes
38 of receiving assistance in locating such person under subsection (a) of
39 section 29-1f of the general statutes, as amended by this act.
40 Notwithstanding the provisions of sections 52-146c and 52-146e of the
41 general statutes, the Commissioner of Mental Health and Addiction
42 Services may authorize an employee of the department who is certified
43 under the provisions of sections 7-294a to 7-294e, inclusive, of the
44 general statutes to file a missing person report with the Department of
45 Emergency Services and Public Protection under subsection (a) of
46 section 29-1f of the general statutes, as amended by this act, with
47 respect to such person. Such report shall disclose only the minimal
48 amount of information concerning such person as is necessary for

49 purposes of the assistance provided under subsection (a) of section 29-
50 1f of the general statutes, as amended by this act.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2012	29-1f
Sec. 2	October 1, 2012	New section

Statement of Legislative Commissioners:

A technical change was made in section 2 for accuracy of reference.

PS *Joint Favorable Subst.-LCO*

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: None

Municipal Impact: None

Explanation

The bill has no fiscal impact. It allows employees of the Department of Mental Health and Addiction Services (DMHAS) who are certified by the Connecticut Police Officer Standards and Training (POST) Council to file a missing person report with the Department of Emergency Services and Public Protection (DESPP) for individuals missing from DMHAS facilities.

The Out Years

State Impact: None

Municipal Impact: None

OLR BILL ANALYSIS**sSB 337*****AN ACT CONCERNING THE SILVER ALERT SYSTEM.*****SUMMARY:**

This bill requires the state's clearinghouse for missing persons to collect, process, maintain, and disseminate information to help locate patients reported missing, in accordance with the bill's specifications, from any Department of Mental Health and Addiction Services (DMHAS) facility. It adds DMHAS employees certified as police officers to those individuals authorized under current law to file reports for clearinghouse action. It establishes separate procedures for DMHAS reports.

EFFECTIVE DATE: October 1, 2012

MISSING PERSONS CLEARINGHOUSE

By law, this clearinghouse serves as a repository of information on missing people. Under current law, when anyone age 65 or older or 18 or older with a mental impairment is reported missing by specified individuals, the clearinghouse must collect, process, maintain, and disseminate information to help locate him or her. (This is commonly referred to as the SILVER Alert system--see BACKGROUND.)

The people authorized to file reports under current law are: the missing person's relative, guardian; conservator, attorney, health care representative, or nursing home administrator. The department of Emergency Services and Public Protection (DESPP) must prepare the reports. (In practice, the people designated above make the reports to a police department, which makes the request to the clearinghouse.)

The bill allows relatives, guardians, or conservators of a missing person receiving inpatient services at a DMHAS facility to ask the

DMHAS commissioner to file a report with DESPP for clearinghouse purposes. And it allows DMHAS, notwithstanding current laws barring disclosure of certain information deemed confidential, to authorize DMHAS employees certified as police officers by the Police Officer Standards and Training Council to file the report. The report must disclose only the minimal amount of information necessary for receiving clearinghouse assistance.

BACKGROUND

Emergency Notification System

The clearing house disseminates information using an emergency notification system. In practice, an individual files a missing person report with a police department, which investigates and contacts the clearinghouse. Based on the report, the clearing house issues a SILVER Alert for people age 65 or older or 18 or older with a mental impairment or an AMBER Alert for children. This involves broadcasting local, regional, or statewide alerts on radio, television, and electronic highway signs.

COMMITTEE ACTION

Public Safety and Security Committee

Joint Favorable

Yea 23 Nay 0 (03/13/2012)