ADMINISTRATIVE REGULATIONS

Regulations and notices published herein, pursuant to General Statutes Sections 4-168 and 4-173, are printed exactly as submitted by the forwarding agencies. These, being official documents submitted by the responsible agencies, are consequently not subject to editing by the Commission on Official Legal Publications.

A cumulative list of effective amendments to the Regulations of Connecticut State Agencies may be found in the Connecticut Law Journal dated May 1, 2012.

DEPARTMENT OF SOCIAL SERVICES

Notice of Intent to Amend Regulations

In accordance with provisions of subsection (a) of section 4-168 of the Connecticut General Statutes, as amended, notice is hereby given that the Commissioner of Social Services, under section 17b-3 the Connecticut General Statutes, intends to adopt regulations regarding the Long-Term Care Ombudsman Program pursuant to 17b-402 and 17b-411 of the Connecticut General Statutes.

Statement of purpose: The purpose of the regulation is to adopt new sections 17b-411-1 to 17b-411-6, inclusive of the Regulations of Connecticut State Agencies and repeal sections 17-136d-1 to 17-136d-5, inclusive, of the Regulations of Connecticut State Agencies. The proposed regulations update the regulations for the Long-Term Care Ombudsman Program and bring the program into compliance with the Older Americans Act, 42 USC § 3058g, and sections 17b-400 to 17b-1-406, inclusive, of the Connecticut General Statutes.

The issues that the regulations propose to address include; (1) An outline of the responsibilities of the State Ombudsman and Regional Ombudsmen; (2) define the organization of the program within the Department of Social Services; (3) set forth the program's advocacy role for long-term care residents; (4) the requirements for training and the curriculum for Volunteer Resident Advocates; (5) establish conflict of interest guidelines; and (6) prohibits long-term care facilities from interfering with contacts between residents and program representatives.

The main provisions of the regulation provide: (1) Definitions; (2) organization and administration of program; (3) program requirements; (4) establishment of a course of training for volunteer resident advocates; (5) conflict of interest guidelines; and (6) prohibits interference of long-term care facilities between residents and program representatives.

A copy of the complete text of this regulation is available at no cost upon request from the Department of Social Services, Office of Legal Counsel, Regulations & Administrative Hearings, 25 Sigourney Street, 12th Floor, Hartford, CT, 06106; e-mail sandie.prentiss@ct.gov.

All written comments, questions, and concerns regarding this regulation may be submitted within 30 days of the publication of this notice to the Department of Social Services, Office of Legal Counsel, Regulations & Administrative Hearings, 25 Sigourney Street, Hartford, CT, 06106. Attention: Brenda Parrella, Director. A

hearing will be scheduled on the proposed regulation if requested by fifteen persons, by a governmental subdivision or an agency or by an association having not less than fifteen members, if notice of the request is received by the Department within fourteen days after the date of publication of this notice.

When submitting comments please refer to regulation control # 08-06/NS.

STATE EMPLOYEES RETIREMENT COMMISSION

Time Frames for Filing Claims

The Regulations of Connecticut State Agencies are amended by adding Section 5-155a-2, as follows:

Sec. 5-155a-2. General rules – time frames for filing claims

(a) No action at law or in equity may be brought to recover under the State Employee Retirement System (SERS) or any of the retirement systems administered, supervised or managed by the State Employees Retirement Commission (''Commission'') any benefit, Tier transfer, service credit or any other related retirement benefit or payment (including but not limited to over or under payments) or claim challenging the alleged failure of the Commission to abide by a statutory dictate after the expiration of six (6) years after the member first knew or should have known with reasonable diligence of his or her entitlement to such a benefit, Tier transfer, service credit or other related retirement benefit or payment (including but not limited to over or under payments) or any claim challenging an alleged failure of the Commission to abide by a statutory dictate. Claims not brought within this time frame shall be denied as untimely.

(b) Before pursuing legal action, a person claiming retirement benefits or seeking redress related to the retirement system(s) shall first exhaust the Commission's claim, review and appeal procedures.

(c) A member or the member's designated beneficiary shall file a written claim to the Commission to appeal the final decision by the Retirement Service Division (''Division'') that adversely affects the personal interest of the member or the member's designated beneficiary within one (1) year of the date of the final decision by the Division regarding his or her claim. Claims not brought within this time frame shall be denied as untimely.

(d) The Division, on behalf of the Medical Examining Board (''Board''), shall accept applications for disability retirement or petitions for service connected disability retirement with appropriate medical documentation. The time period for filing an application for disability retirement benefits or petition for service connected disability retirement shall begin on the day after the applicant's last day of paid employment by the State of Connecticut and shall end at close of business on the date that is twenty-four months after the applicant's last day of paid employment.

(e) If the Board requires additional medical or other evidence in order to make a determination on an application for disability retirement benefits or petition for service connected disability retirement, the member shall have one (1) calendar year from the date of the letter requesting such information to provide it to the Board. If the requested information is not provided within this one (1) calendar year limitation, the application shall be denied. The decision of denial shall be brought before the Commission for its approval as administratively denied.