



General Assembly

January Session, 2013

Committee Bill No. 5898

LCO No. 5292



Referred to Committee on GOVERNMENT ADMINISTRATION
AND ELECTIONS

Introduced by:
(GAE)

***AN ACT IMPLEMENTING THE RECOMMENDATIONS OF THE
COMMISSION ON ENHANCING AGENCY OUTCOMES.***

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

1 Section 1. (*Effective from passage*) (a) The Commissioner of
2 Developmental Services, or the commissioner's designee, shall lead a
3 working group that shall develop a plan to deinstitutionalize the
4 residents of Southbury Training School. Such working group shall
5 include the Secretary of the Office of Policy and Management, or the
6 secretary's designee and four persons selected by the commissioner,
7 each of whom shall represent one of the following: (1) The residents of
8 the school, (2) state employees who work at the school or a union
9 representing such employees, (3) an advocacy group for the residents,
10 and (4) a private provider of services needed by such residents. The
11 plan to deinstitutionalize the residents of the school shall consider the
12 feasibility to safely move the residents into new settings in the
13 community. The group shall consider the following: (A) The
14 relationships built between the residents and the staff, and (B) whether
15 it is appropriate for state employees to continue to deliver services to
16 the residents or whether private providers should deliver such

17 services, or both. Any recommendations contained in the plan shall be
18 developed using a cost-benefit analysis that considers both financial
19 costs as well as quality of care issues.

20 (b) Not later than six months after the effective date of this section,
21 the Commissioner of Developmental Services shall report a plan to
22 deinstitutionalize the residents of Southbury Training School
23 developed under subsection (a) of this section, in accordance with the
24 provisions of section 11-4a of the general statutes, to the joint standing
25 committee of the General Assembly having cognizance of matters
26 relating to government administration and to the Governor.

27 Sec. 2. (*Effective from passage*) (a) The Commissioner of Children and
28 Families, or the commissioner's designee, shall lead a working group
29 that shall develop a plan to deinstitutionalize the patients of Riverview
30 Hospital for Children and Youth. Such working group shall include
31 the Secretary of the Office of Policy and Management, or the
32 secretary's designee, the Commissioners of Mental Health and
33 Addiction Services and Public Health, or the commissioners' designees,
34 the Child Advocate and four persons selected by the Commissioner of
35 Children and Families, each of whom shall represent one of the
36 following: (1) The patients of the hospital, (2) state employees who
37 work at the hospital or a union representing such employees, (3) an
38 advocacy group for the patients, and (4) a private provider of services
39 needed by such patients. The group shall consider the following: (A)
40 The quality of care provided to the patients, (B) the promotion of home
41 and community-based care, (C) whether it is appropriate for state
42 employees to continue to deliver services to the patients or whether
43 private providers should deliver such services, or both, (D) the
44 possibility of downsizing staff without compromising the quality of
45 care, and (E) alternative prevention and intervention treatment
46 programs that could result in an avoidance of inpatient care. Any
47 recommendations contained in the plan shall be developed using a
48 cost-benefit analysis that considers both financial costs as well as
49 quality of care issues.

50 (b) Not later than six months after the effective date of this section,
51 the Commissioner of Children and Families shall report the plan to
52 deinstitutionalize the patients of Riverview Hospital for Children and
53 Youth developed under subsection (a) of this section, in accordance
54 with the provisions of section 11-4a of the general statutes, to the joint
55 standing committee of the General Assembly having cognizance of
56 matters relating to government administration and to the Governor.

57 Sec. 3. (*Effective from passage*) (a) Not later than three months after
58 the effective date of this section, the Secretary of the Office of Policy
59 and Management shall (1) develop and implement a plan to reduce the
60 manager and supervisor-to-employee ratio for agencies in the
61 executive branch to not more than one manager or supervisor for
62 every ten employees, and (2) report such plan, in accordance with the
63 provisions of section 11-4a of the general statutes, to the joint standing
64 committee of the General Assembly having cognizance of matters
65 relating to government administration and to the Governor. The plan
66 shall ensure that such ratio is achieved as a bottom-line number spread
67 across all such agencies not later than nine months from the date of the
68 completion of the plan.

69 (b) Not later than nine months after the reporting of such plan
70 under subsection (a) of this section, any executive branch agency that
71 fails to comply with any goal established for such agency in such plan,
72 shall report the agency's reasons for lack of compliance, in accordance
73 with the provisions of section 11-4a of the general statutes, to the
74 Secretary of the Office of Policy and Management, the joint standing
75 committee of the General Assembly having cognizance of matters
76 relating to government administration and to the Governor.

77 (c) As used in this section, "executive branch agency" includes each
78 "budgeted agency", as defined in subparagraph (A) of subdivision (11)
79 of section 4-69 of the general statutes, except the offices of the Attorney
80 General, the State Treasurer, the State Comptroller and the Secretary of
81 the State.

82 Sec. 4. Section 3-119a of the general statutes is repealed and the
83 following is substituted in lieu thereof (*Effective from passage*):

84 (a) The Comptroller shall develop, implement and maintain a
85 comprehensive retirement data base system and shall regularly consult
86 and inform the State Employees Retirement Commission concerning
87 the system.

88 (b) The Comptroller, in conjunction with the Commissioner of
89 Administrative Services, shall develop, implement and maintain a
90 state-wide time and attendance system. The system shall be integrated
91 with the central payroll system and compatible with the development
92 of the comprehensive retirement data base system.

93 (c) On or before July 1, 2014, each agency shall implement and
94 maintain its employee time and attendance system in an electronic
95 format that is compatible with the state-wide time and attendance
96 system developed pursuant to subsection (b) of this section.

97 Sec. 5. (NEW) (*Effective from passage*) The state shall furnish a record
98 of hours worked and gross earnings as described in section 31-13a of
99 the general statutes, as amended by this act, in electronic format, to
100 each employee, unless the employee requests to receive such record in
101 writing.

102 Sec. 6. Section 31-13a of the general statutes is repealed and the
103 following is substituted in lieu thereof (*Effective from passage*):

104 [With] Except as provided in section 5 of this act, each wage
105 payment each employer shall furnish to each employee in writing a
106 record of hours worked, the gross earnings showing straight time and
107 overtime as separate entries, itemized deductions and net earnings,
108 except that the furnishing of a record of hours worked and the
109 separation of straight time and overtime earnings shall not apply in the
110 case of any employee with respect to whom the employer is
111 specifically exempt from the keeping of time records and the payment

112 of overtime under the Connecticut Minimum Wage Act or the Fair
113 Labor Standards Act.

114 Sec. 7. Section 1 of public act 09-206 is repealed and the following is
115 substituted in lieu thereof (*Effective from passage*):

116 (a) The Commissioners of Social Services and Administrative
117 Services and the Comptroller, in consultation with the Commissioner
118 of Public Health and the Insurance Commissioner, shall develop a plan
119 to (1) implement and maintain a prescription drug purchasing
120 program and procedures to aggregate or negotiate the purchase of
121 pharmaceuticals for pharmaceutical programs benefiting state-
122 administered general assistance, HUSKY Plan, Part B, Charter Oak
123 Health Plan and ConnPACE recipients, inmates of the Department of
124 Correction, and persons eligible for coverage under the group
125 hospitalization and medical and surgical insurance plans procured
126 under section 5-259 of the general statutes, and (2) have the state join
127 an existing multistate Medicaid pharmaceutical purchasing pool. Such
128 plan shall determine the feasibility of subjecting some or all of the
129 component programs set forth in subdivision (1) of this subsection to
130 the preferred drug lists adopted pursuant to section 17b-274d of the
131 general statutes.

132 (b) The Commissioner of Social Services shall submit the plan
133 authorized by subsection (a) of this section, including (1) a timetable
134 for its implementation, (2) anticipated costs or savings resulting from
135 its implementation and maintenance, (3) a timetable for achievement of
136 any such savings, and (4) proposed legislative recommendations
137 necessary to implement such plan to the joint standing committees of
138 the General Assembly having cognizance of matters relating to
139 government administration, public health and human services, not
140 later than [December 31, 2009] ninety days after the effective date of
141 this section, in accordance with the provisions of section 11-4a of the
142 general statutes. The commissioner shall submit to the Centers for
143 Medicare and Medicaid Services any proposed Medicaid state plan

144 amendment that may be required to implement the provisions of such
145 plan.

146 Sec. 8. Section 4a-60b of the general statutes is repealed and the
147 following is substituted in lieu thereof (*Effective July 1, 2013*):

148 (a) For the purposes of this section:

149 (1) "Reverse auction" means an on-line bidding process in which
150 qualified bidders or qualified proposers, anonymous to each other,
151 submit bids or proposals to provide services, goods or supplies
152 pursuant to an invitation to bid or request for proposals; [and]

153 (2) "Contracting agency" means a state agency with statutory
154 authority to award contracts for services, goods or supplies, or a
155 political subdivision of the state or school district; and

156 (3) "Services" means any (A) laundry and cleaning service, (B) pest
157 control service, (C) janitorial service, (D) security service, (E) rental,
158 repair or maintenance of equipment, machinery or other personal
159 property owned by the state, a political subdivision of the state or a
160 school district, (F) advertising, (G) photostating, (H) mimeographing,
161 or (I) other service arrangements, other than construction or
162 construction management services, where such services are provided
163 by persons other than employees of the state, a political subdivision of
164 the state or a school district.

165 (b) Notwithstanding any provision of the general statutes,
166 whenever a contracting agency determines that the use of a reverse
167 auction is advantageous to the contracting agency and will ensure a
168 competitive contract award, the contracting agency may use a reverse
169 auction to award a contract for services, goods or supplies, in
170 accordance with any applicable requirement of the general statutes
171 and policies of the contracting agency. The contracting agency may
172 contract with a third party to prepare and manage any such reverse
173 auction.

174 Sec. 9. (NEW) (*Effective from passage*) (a) All state agencies shall use
175 modern procurement practices in their routine purchasing in order to
176 achieve a ten per cent reduction in the cost of contracting for the state.
177 Such practices shall include, but not be limited to, reverse auctions as
178 described in section 4a-60b of the general statutes, as amended by this
179 act, job-order contracting, on-line submission of bids, membership in
180 purchasing cooperatives, as described in section 4a-53 of the general
181 statutes, performance-based contracting and contingency contracting.

182 (b) The Department of Administrative Services shall establish
183 guidelines concerning such modern procurement practices for state
184 agencies and shall post such guidelines on the Internet web site of the
185 department.

186 (c) For the purposes of this section, "job-order contracting" means a
187 method of contracting where the competitively bid contract uses a set
188 of customized, prepriced, common construction tasks contained in a
189 catalog and sets parameters such as the types of work that can be done,
190 location of the work, design criteria and maximum amount of work to
191 be awarded; "performance-based contracting" means a method of
192 contracting where the agency states the result it wants achieved and
193 allows contractors to make bids detailing their proposed solutions or
194 methods of achieving the result and where the agency is charged with
195 developing clear ways to measure the result as well as the contractors'
196 performance over the course of the contract; and "contingency
197 contracting" means a method of contracting where the contractor is
198 paid on a percentage basis of the savings or revenue collected by the
199 agency that is attributable to the contract.

200 Sec. 10. (*Effective from passage*) Not later than ninety days after the
201 effective date of this section, the Commissioner of Social Services shall
202 submit a report, in accordance with the provisions of section 11-4a of
203 the general statutes, to the joint standing committee of the General
204 Assembly having cognizance of matters relating to government
205 administration concerning the return of unused prescription drugs by

206 long-term care facilities to vendor pharmacies in accordance with
207 section 17b-363a of the general statutes. Such report shall include, but
208 not be limited to: (1) The name of each long-term care facility that the
209 commissioner has notified of a failure to comply with the provisions of
210 section 17b-363a of the general statutes and the amount of each penalty
211 assessed by the commissioner pursuant to subsection (f) of section 17b-
212 363a of the general statutes; (2) the total number of long-term care
213 facilities that the commissioner has reason to suspect have failed to
214 comply with the provisions of section 17b-363a of the general statutes
215 and the reasons that a long-term care facility may have failed to
216 comply with such provisions; (3) a description of efforts made by the
217 commissioner to increase compliance with the provisions of section
218 17b-363a of the general statutes; and (4) recommendations for
219 increasing compliance with section 17b-363a of the general statutes.

220 Sec. 11. (NEW) (*Effective from passage*) Not later than ninety days
221 after the effective date of this section, the Commissioner of Social
222 Services shall develop and implement a plan to (1) increase by not less
223 than five per cent the usage of generic substitute prescription drug
224 products by recipients of benefits under the state's medical assistance
225 programs, and (2) lower the amount the state pays for generic
226 substitute prescription drug products for recipients of benefits under
227 the state's medical assistance programs to an amount not more than
228 the national average paid by states for generic substitute prescription
229 drug products under the Medicaid program. Such plan shall include,
230 but not be limited to, a description of policy changes to be
231 implemented that will reduce the number of brand name drugs for
232 which prior authorization is granted by the Department of Social
233 Services or an independent pharmacy consultant acting on behalf of
234 the department. Not later than September 1, 2013, the commissioner
235 shall submit such plan to the joint standing committee of the General
236 Assembly having cognizance of matters relating to government
237 administration in accordance with the provisions of section 11-4a of
238 the general statutes.

239 Sec. 12. (*Effective from passage*) The Department of Social Services'
240 pharmacy program personnel shall direct the drug utilization review
241 board to study (1) the average number of drug prescriptions issued,
242 annually, to each recipient of benefits under the state's medical
243 assistance programs, (2) the reasons for the high number of such drug
244 prescriptions, as compared with the number of such drug prescriptions
245 issued in other states, and (3) recommendations concerning the
246 issuance of such drug prescriptions. Not later than ninety days after
247 the effective date of this section, the Commissioner of Social Services
248 shall report, in accordance with the provisions of section 11-4a of the
249 general statutes, to the joint standing committee of the General
250 Assembly having cognizance of matters relating to government
251 administration concerning the findings of the drug utilization review
252 board.

253 Sec. 13. (*Effective July 1, 2013*) The Department of Revenue Services
254 shall increase the number of auditors and collection and enforcement
255 personnel employed by the department from the number employed by
256 the department on June 30, 2013.

257 Sec. 14. (*Effective from passage*) (a) For the purposes of this section,
258 "lean techniques" means a method of improving administrative
259 processes that (1) is based upon a focus on a customer service
260 perspective that seeks to optimize value delivered to the public, (2)
261 involves employees, the regulated community and the public in
262 continual improvements and the finding of solutions, (3) uses a
263 continual improvement framework that emphasizes rapid
264 implementation rather than lengthy planning, (4) seeks to reduce the
265 complexity of the process, and (5) uses metrics and visual controls to
266 improve decision-making and problem solving.

267 (b) There is established the Lean Government Steering Committee to
268 develop a plan to implement lean techniques in state agencies. The
269 Governor shall appoint five members of the business community who
270 have experience with lean techniques as follows: One member from

271 the banking industry, one member from the service sector, one
272 member from the manufacturing sector, one member from the
273 healthcare industry and one member from a collective bargaining unit.
274 A representative from the Connecticut Center for Advanced
275 Technology shall be a nonvoting member of said committee.

276 (c) All appointments to the committee shall be made not later than
277 thirty days after the effective date of this section. Any vacancy shall be
278 filled by the appointing authority.

279 (d) The Secretary of the Office of Policy and Management, or a
280 designee, shall serve as the chairperson of the committee. Such
281 chairperson shall schedule the first meeting of the committee, which
282 shall be held not later than thirty days after the effective date of this
283 section.

284 (e) The Connecticut Center for Advanced Technology shall assist
285 said committee to develop a plan for the implementation of lean
286 techniques in state agencies, including, but not limited to, which
287 agencies should implement lean techniques first, which processes
288 should be made more efficient, a method for such implementation and
289 the goals of such implementation.

290 (f) Not later than sixty days after the effective date of this section,
291 the committee shall submit a report on its findings and
292 recommendations to the Governor, the speaker of the House of
293 Representatives, the president pro tempore of the Senate and the joint
294 standing committee of the General Assembly having cognizance of
295 matters relating to government administration, in accordance with the
296 provisions of section 11-4a of the general statutes.

297 Sec. 15. (*Effective from passage*) Not later than ninety days after the
298 effective date of this section, the Commissioner of Social Services shall
299 apply for a Medicaid waiver, pursuant to Section 1915(c) of the Social
300 Security Act, in order to provide home and community-based services
301 for elderly and disabled persons receiving benefits under the Medicaid

302 program. The commissioner shall take such action as is necessary to
 303 consolidate all Medicaid waivers under which home and community-
 304 based services are provided to elderly and disabled persons, as
 305 permitted by federal law.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	New section
Sec. 2	<i>from passage</i>	New section
Sec. 3	<i>from passage</i>	New section
Sec. 4	<i>from passage</i>	3-119a
Sec. 5	<i>from passage</i>	New section
Sec. 6	<i>from passage</i>	31-13a
Sec. 7	<i>from passage</i>	PA 09-206Section 1
Sec. 8	<i>July 1, 2013</i>	4a-60b
Sec. 9	<i>from passage</i>	New section
Sec. 10	<i>from passage</i>	New section
Sec. 11	<i>from passage</i>	New section
Sec. 12	<i>from passage</i>	New section
Sec. 13	<i>July 1, 2013</i>	New section
Sec. 14	<i>from passage</i>	New section
Sec. 15	<i>from passage</i>	New section

Statement of Purpose:

To implement any recommendations of the Commission on Enhancing Agency Outcomes that have not yet been implemented legislatively.

[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.]

Co-Sponsors: REP. HWANG, 134th Dist.; SEN. MCLACHLAN, 24th Dist.

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