



General Assembly

Substitute Bill No. 5898

January Session, 2013



**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 submit the 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 the Albert
30 J. Solnit Children's Center-South Campus. Such working group shall
31 include 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 center, (2) state employees who work
37 at the center or a union representing such employees, (3) an advocacy
38 group for the patients, and (4) a private provider of services needed by
39 such patients. The group shall consider the following: (A) The quality
40 of care provided to the patients, (B) the promotion of home and
41 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 submit the plan to
52 deinstitutionalize the patients of the Albert J. Solnit Children's Center-
53 South Campus developed under subsection (a) of this section, in
54 accordance with the provisions of section 11-4a of the general statutes,

55 to the joint standing committee of the General Assembly having
56 cognizance of matters relating to government administration and to
57 the Governor.

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

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

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

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

85 (a) The Comptroller shall develop, implement and maintain a

86 comprehensive retirement data base system and shall regularly consult
87 and inform the State Employees Retirement Commission concerning
88 the system.

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

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

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

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

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

115 Sec. 7. Section 1 of public act 09-206, as amended by section 28 of
116 public act 09-232, is repealed and the following is substituted in lieu

117 thereof (*Effective from passage*):

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

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

147 Sec. 8. (NEW) (*Effective from passage*) (a) All state agencies shall use
148 modern procurement practices in their routine purchasing in order to
149 achieve a ten per cent reduction in the cost of contracting for the state.

150 Such practices shall include, but not be limited to, reverse auctions as
151 described in section 4a-60b of the general statutes, job-order
152 contracting, on-line submission of bids, membership in purchasing
153 cooperatives, as described in section 4a-53 of the general statutes,
154 performance-based contracting and contingency contracting.

155 (b) The Department of Administrative Services shall establish
156 guidelines concerning such modern procurement practices for state
157 agencies and shall post such guidelines on the Internet web site of the
158 department.

159 (c) For the purposes of this section, (1) "job-order contracting" means
160 a method of contracting where the competitively bid contract uses a set
161 of customized, prepriced, common construction tasks contained in a
162 catalog and sets parameters such as the types of work that can be done,
163 location of the work, design criteria and maximum amount of work to
164 be awarded; (2) "performance-based contracting" means a method of
165 contracting where the state agency states the result it wants achieved
166 and allows contractors to make bids detailing their proposed solutions
167 or methods of achieving the result and where the state agency is
168 charged with developing clear ways to measure the result as well as
169 the contractors' performance over the course of the contract; and (3)
170 "contingency contracting" means a method of contracting where the
171 contractor is paid a percentage of the savings or revenue collected by
172 the state agency that is attributable to the contract.

173 Sec. 9. (*Effective from passage*) Not later than ninety days after the
174 effective date of this section, the Commissioner of Social Services shall
175 submit a report, in accordance with the provisions of section 11-4a of
176 the general statutes, to the joint standing committee of the General
177 Assembly having cognizance of matters relating to government
178 administration concerning the return of unused prescription drugs by
179 long-term care facilities to vendor pharmacies in accordance with
180 section 17b-363a of the general statutes. Such report shall include, but
181 not be limited to: (1) The name of each long-term care facility that the
182 commissioner has notified of a failure to comply with the provisions of

183 section 17b-363a of the general statutes and the amount of each penalty
184 assessed by the commissioner pursuant to subsection (f) of section 17b-
185 363a of the general statutes; (2) the total number of long-term care
186 facilities that the commissioner has reason to suspect have failed to
187 comply with the provisions of section 17b-363a of the general statutes
188 and the reasons that a long-term care facility may have failed to
189 comply with such provisions; (3) a description of efforts made by the
190 commissioner to increase compliance with the provisions of section
191 17b-363a of the general statutes; and (4) recommendations for
192 increasing compliance with section 17b-363a of the general statutes.

193 Sec. 10. (NEW) (*Effective from passage*) Not later than ninety days
194 after the effective date of this section, the Commissioner of Social
195 Services shall develop and implement a plan to (1) increase by not less
196 than five per cent the usage of generic substitute prescription drug
197 products by recipients of benefits under the state's medical assistance
198 programs, and (2) lower the amount the state pays for generic
199 substitute prescription drug products for recipients of benefits under
200 the state's medical assistance programs to an amount not more than
201 the national average paid by states for generic substitute prescription
202 drug products under the Medicaid program. Such plan shall include,
203 but not be limited to, a description of policy changes to be
204 implemented that will reduce the number of brand name drugs for
205 which prior authorization is granted by the Department of Social
206 Services or an independent pharmacy consultant acting on behalf of
207 the department. Not later than September 1, 2013, the commissioner
208 shall submit such plan to the joint standing committee of the General
209 Assembly having cognizance of matters relating to government
210 administration in accordance with the provisions of section 11-4a of
211 the general statutes.

212 Sec. 11. (*Effective from passage*) The Department of Social Services'
213 pharmacy program personnel shall direct the drug utilization review
214 board to study (1) the average number of drug prescriptions issued,
215 annually, to each recipient of benefits under the state's medical

216 assistance programs, (2) the reasons for the high number of such drug
217 prescriptions, as compared with the number of such drug prescriptions
218 issued in other states, and (3) recommendations concerning the
219 issuance of such drug prescriptions. Not later than ninety days after
220 the effective date of this section, the Commissioner of Social Services
221 shall report, in accordance with the provisions of section 11-4a of the
222 general statutes, to the joint standing committee of the General
223 Assembly having cognizance of matters relating to government
224 administration concerning the findings of the drug utilization review
225 board.

226 Sec. 12. (*Effective July 1, 2013*) The Department of Revenue Services
227 shall increase the number of auditors and collection and enforcement
228 personnel employed by the department from the number employed by
229 the department on June 30, 2013.

230 Sec. 13. (*Effective from passage*) (a) For the purposes of this section,
231 "lean techniques" means a method of improving administrative
232 processes that (1) is based upon a focus on a customer service
233 perspective that seeks to optimize value delivered to the public, (2)
234 involves employees, the regulated community and the public in
235 continual improvements and the finding of solutions, (3) uses a
236 continual improvement framework that emphasizes rapid
237 implementation rather than lengthy planning, (4) seeks to reduce the
238 complexity of the process, and (5) uses metrics and visual controls to
239 improve decision-making and problem solving.

240 (b) There is established the Lean Government Steering Committee to
241 develop a plan to implement lean techniques in state agencies. The
242 committee shall consist of the Secretary of the Office of Policy and
243 Management, or the secretary's designee, and five members of the
244 business community appointed by the Governor, who have experience
245 with lean techniques as follows: One member from the banking
246 industry, one member from the service sector, one member from the
247 manufacturing sector, one member from the health care industry and
248 one member from a collective bargaining unit. A representative from

249 the Connecticut Center for Advanced Technology shall be a nonvoting
250 member of said committee.

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

254 (d) The Secretary of the Office of Policy and Management, or a
255 designee, shall serve as the chairperson of the committee. Such
256 chairperson shall schedule the first meeting of the committee, which
257 shall be held not later than thirty days after the effective date of this
258 section.

259 (e) The Connecticut Center for Advanced Technology shall assist
260 said committee to develop a plan for the implementation of lean
261 techniques in state agencies, including, but not limited to, which
262 agencies should implement lean techniques first, which processes
263 should be made more efficient, a method for such implementation and
264 the goals of such implementation.

265 (f) Not later than sixty days after the effective date of this section,
266 the committee shall submit a report on its findings and
267 recommendations to the Governor, the speaker of the House of
268 Representatives, the president pro tempore of the Senate and the joint
269 standing committee of the General Assembly having cognizance of
270 matters relating to government administration, in accordance with the
271 provisions of section 11-4a of the general statutes.

272 Sec. 14. (*Effective from passage*) Not later than ninety days after the
273 effective date of this section, the Commissioner of Social Services shall
274 apply for a Medicaid waiver, pursuant to Section 1915(c) of the Social
275 Security Act, in order to provide home and community-based services
276 for elderly and disabled persons receiving benefits under the Medicaid
277 program. The commissioner shall take such action as is necessary to
278 consolidate all Medicaid waivers under which home and community-
279 based services are provided to elderly and disabled persons, as

280 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>from passage</i>	New section
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>July 1, 2013</i>	New section
Sec. 13	<i>from passage</i>	New section
Sec. 14	<i>from passage</i>	New section

Statement of Legislative Commissioners:

In section 2 "Riverview Hospital for Children and Youth" was changed to "the Albert J. Solnit Children's Center-South Campus" for accuracy and section 13(b) was reworded for clarity.

GAE *Joint Favorable Subst.*