



General Assembly

February Session, 2014

Raised Bill No. 5145

LCO No. 1014



Referred to Committee on PUBLIC HEALTH

Introduced by:
(PH)

AN ACT CONCERNING VARIOUS REVISIONS TO THE DEPARTMENT OF MENTAL HEALTH AND ADDICTION SERVICES' STATUTES.

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

1 Section 1. Subsection (n) of section 17a-451 of the 2014 supplement
2 to the general statutes is repealed and the following is substituted in
3 lieu thereof (*Effective October 1, 2014*):

4 (n) (1) The commissioner shall specify uniform methods of keeping
5 statistical information by: [public] (1) Public and private agencies,
6 including agencies that operate institutions, as defined in section 19a-
7 490, that provide care or treatment for psychiatric disabilities, alcohol
8 or drug abuse or dependence, whether or not such agencies are
9 operated or funded by the state; and (2) other organizations and
10 individuals. [, including] Such methods shall include those for creating
11 and maintaining a client identifier system. [, and] Such agencies,
12 organizations and individuals shall collect and make available relevant
13 statistical information, including the number of persons treated,
14 demographic and clinical information about such persons, frequency
15 of admission and readmission, frequency and duration of treatment,

16 level or levels of care provided and discharge and referral information.
17 [The commissioner shall also require all facilities that provide
18 prevention or treatment of alcohol or drug abuse or dependence that
19 are operated or funded by the state or licensed under sections 19a-490
20 to 19a-503, inclusive, to implement such methods.]

21 (2) Such agencies, organizations and individuals shall, upon the
22 request of the commissioner, report the information described in
23 subdivision (1) of this subsection to the department in the form and
24 manner prescribed by the commissioner. The commissioner shall
25 report any licensed [facility] institution that fails to report information
26 as requested by the commissioner to the Department of Public Health
27 or other licensing authority.

28 (3) The information contained in any client identifier system, as
29 described in this subsection, shall be subject to the confidentiality
30 requirements set forth in [section] sections 17a-688 and 52-146g and
31 regulations adopted thereunder.

32 Sec. 2. Section 17a-468a of the general statutes is repealed and the
33 following is substituted in lieu thereof (*Effective October 1, 2014*):

34 The Commissioner of Mental Health and Addiction Services may,
35 within available appropriations, provide housing subsidies to persons
36 receiving services from the Department of Mental Health and
37 Addiction Services who [require supervised living arrangements]
38 qualify for supportive housing in accordance with section 17a-485c.
39 The commissioner may allow an agency that distributes such housing
40 subsidies on behalf of the department to utilize any unexpended
41 moneys that remain at the end of the fiscal year to provide housing
42 subsidies to eligible persons in the subsequent fiscal year.

43 Sec. 3. Section 17a-479 of the general statutes is repealed and the
44 following is substituted in lieu thereof (*Effective October 1, 2014*):

45 (a) The purpose of the mental health regions shall be to establish a

46 system of regionalized services for care and treatment of persons with
47 psychiatric disabilities; to provide other community mental health
48 services for the maintenance of mental health and the prevention of
49 psychiatric disabilities in addition to those services already available;
50 [] to recommend contracts to be made by the Commissioner of Mental
51 Health and Addiction Services for services from providers of mental
52 health services, including private agencies and other state or municipal
53 agencies; and to provide or arrange for grants for demonstration and
54 pilot programs, research, education and training.

55 (b) A person receiving services from the Department of Mental
56 Health and Addiction Services may receive services outside the region
57 in which such person resides.

58 Sec. 4. Section 17a-486 of the general statutes is repealed and the
59 following is substituted in lieu thereof (*Effective October 1, 2014*):

60 (a) Prior to the arraignment of a person charged [solely] with the
61 commission of a misdemeanor or felony, the Department of Mental
62 Health and Addiction Services shall, to the maximum extent possible
63 within the limits of available appropriations, with the consent of the
64 arrested person, cause a clinical assessment to be performed of any
65 person who has previously received mental health services or
66 treatment for substance abuse from the department or who would
67 reasonably benefit from such services to determine whether such
68 person should be referred for community-based mental health
69 services. If the person is determined to be in need of such services and
70 is willing to accept the services offered, the court shall be informed of
71 the result of the assessment and the recommended treatment plan for
72 consideration by the court in the disposition of the criminal case.

73 (b) Notwithstanding the provisions of section 52-146e, the
74 Commissioner of Mental Health and Addiction Services may disclose
75 to the person conducting the clinical assessment described in
76 subsection (a) of this section information indicating whether or not the

77 arrested person has received services from the Department of Mental
78 Health and Addiction Services.

79 Sec. 5. Section 17a-694 of the general statutes is repealed and the
80 following is substituted in lieu thereof (*Effective October 1, 2014*):

81 (a) The Commissioner of Mental Health and Addiction Services or
82 [his] the commissioner's designee shall appoint one or more clinical
83 examiners to conduct examinations for alcohol or drug dependency
84 ordered pursuant to the provisions of section 17a-693. Each examiner
85 shall be authorized by the department to conduct independent
86 evaluations.

87 (b) (1) The examiner shall determine whether the person being
88 examined was an alcohol-dependent or drug-dependent person at the
89 time of the crime. The commissioner shall disclose to the examiner
90 information contained in the Department of Mental Health and
91 Addiction Service's database concerning the date that the person
92 received treatment for alcohol or drug dependence, if at all, and the
93 location where such treatment was provided, for the purpose of
94 allowing the examiner to request a release of treatment information
95 from the department for the person.

96 (2) If such person is determined to have been dependent on alcohol
97 or drugs, the examiner shall further determine [(1)] (A) the history and
98 pattern of the dependency, and [(2)] (B) whether the person presently
99 needs and is likely to benefit from treatment for the dependency. If the
100 examiner determines that the person presently needs and is likely to
101 benefit from treatment, [he] the examiner shall recommend treatment
102 and state the date when space will be available in an appropriate
103 treatment program, provided such date shall not be more than forty-
104 five days from the date of the examination report. A recommendation
105 for treatment shall include provisions for appropriate placement and
106 the type and length of treatment and may include provisions for
107 outpatient treatment.

108 (c) The examiner shall prepare and sign, without notarization, a
109 written examination report and deliver it to the court, the Court
110 Support Services Division, the state's attorney and defense counsel no
111 later than thirty days after the examination was ordered. An
112 examination report ordered pursuant to this section and section 17a-
113 693 shall otherwise be confidential and not open to public inspection
114 or subject to disclosure.

115 (d) No statement made by the person in the course of an
116 examination under the provisions of this section may be admitted in
117 evidence on the issue of guilt in a criminal proceeding concerning the
118 person.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2014</i>	17a-451(n)
Sec. 2	<i>October 1, 2014</i>	17a-468a
Sec. 3	<i>October 1, 2014</i>	17a-479
Sec. 4	<i>October 1, 2014</i>	17a-486
Sec. 5	<i>October 1, 2014</i>	17a-694

Statement of Purpose:

To make various revisions to the Department of Mental Health and Addiction Services' statutes.

[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.]