



General Assembly

February Session, 2014

Raised Bill No. 5558

LCO No. 2519



Referred to Committee on PUBLIC HEALTH

Introduced by:
(PH)

AN ACT CONCERNING SERVICES FOR PERSONS WITH AUTISM SPECTRUM DISORDER.

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

1 Section 1. Section 17a-215c of the 2014 supplement to the general
2 statutes is repealed and the following is substituted in lieu thereof
3 (*Effective October 1, 2014*):

4 (a) There is established a Division of Autism Spectrum Disorder
5 Services within the Department of Developmental Services.

6 (b) The Department of Developmental Services shall adopt
7 regulations, in accordance with chapter 54, to define the term "autism
8 spectrum disorder", establish eligibility standards and criteria for the
9 receipt of services by any resident of the state diagnosed with autism
10 spectrum disorder, regardless of age, and data collection, maintenance
11 and reporting processes. The commissioner may implement policies
12 and procedures necessary to administer the provisions of this section
13 prior to adoption of such regulations, provided the commissioner shall
14 publish notice of intent to adopt such regulations not later than twenty

15 days after implementation of such policies and procedures. Any such
16 policies and procedures shall be valid until such regulations are
17 adopted.

18 (c) The Division of Autism Spectrum Disorder Services may, within
19 available appropriations, research, design and implement the delivery
20 of appropriate and necessary services and programs for all residents of
21 the state with autism spectrum disorder. Such services and programs
22 may include the creation of: (1) Autism-specific early intervention
23 services for any child under the age of three diagnosed with autism
24 spectrum disorder; (2) education, recreation, habilitation, vocational
25 and transition services for individuals age three to twenty-one,
26 inclusive, diagnosed with autism spectrum disorder; (3) services for
27 adults over the age of twenty-one diagnosed with autism spectrum
28 disorder; and (4) related autism spectrum disorder services deemed
29 necessary by the Commissioner of Developmental Services.

30 (d) The Department of Developmental Services shall serve as the
31 lead state agency for the purpose of the federal Combating Autism
32 Act, P.L. 109-416 and for applying for and receiving funds and
33 performing any related responsibilities concerning autism spectrum
34 disorder which are authorized pursuant to any state or federal law.

35 (e) On or before February 1, 2009, and annually thereafter, the
36 Department of Developmental Services may make recommendations
37 to the Governor and the joint standing committee of the General
38 Assembly having cognizance of matters relating to public health
39 concerning legislation and funding required to provide necessary
40 services to persons diagnosed with autism spectrum disorder.

41 (f) The Division of Autism Spectrum Disorder Services shall
42 research and locate possible funding streams for the continued
43 development and implementation of services for persons diagnosed
44 with autism spectrum disorder but not with intellectual disability. The
45 division shall take all necessary action, in coordination with the

46 Department of Social Services, to secure Medicaid reimbursement for
47 home and community-based individualized support services for adults
48 diagnosed with autism spectrum disorder but not with intellectual
49 disability. Such action may include applying for a Medicaid waiver
50 pursuant to Section 1915(c) of the Social Security Act, in order to secure
51 the funding for such services.

52 (g) The Division of Autism Spectrum Disorder Services shall, within
53 available appropriations: (1) Design and implement a training
54 initiative that shall include training to develop a workforce; and (2)
55 develop a curriculum specific to autism spectrum disorder in
56 coordination with the Board of Regents for Higher Education.

57 (h) The case records of the Division of Autism Spectrum Disorder
58 Services maintained by the division for any purpose authorized
59 pursuant to subsections (b) to (g), inclusive, of this section shall be
60 subject to the same confidentiality requirements, under state and
61 federal law, that govern all client records maintained by the
62 Department of Developmental Services.

63 (i) The Commissioner of Social Services, in consultation with the
64 Commissioner of Developmental Services, may seek approval of an
65 amendment to the state Medicaid plan or a waiver from federal law,
66 whichever is sufficient and most expeditious, to establish and
67 implement a Medicaid-financed home and community-based program
68 to provide community-based services and, if necessary, housing
69 assistance, to adults diagnosed with autism spectrum disorder but not
70 with intellectual disability.

71 (j) The Commissioner of Developmental Services, in consultation
72 with the Commissioner of Social Services, shall seek approval of an
73 amendment to the state Medicaid plan or a waiver from federal law, to
74 provide or expand physical activity programs to persons diagnosed
75 with autism spectrum disorder and to provide transportation for such
76 persons to and from such programs.

77 (k) The Commissioner of Developmental Services, in consultation
78 with the Commissioner of Social Services, shall seek a waiver from
79 federal law or take any other necessary action to increase the number
80 of persons diagnosed with autism spectrum disorder who are
81 currently served under the state's Medicaid waiver program and to
82 eliminate the waiting list for services provided under such program.

83 [(j)] (l) On or before January 1, 2008, and annually thereafter, the
84 Commissioner of Social Services, in consultation with the
85 Commissioner of Developmental Services, and in accordance with the
86 provisions of section 11-4a, shall submit a report to the joint standing
87 committee of the General Assembly having cognizance of matters
88 relating to public health, on the status of any amendment to the state
89 Medicaid plan or waiver from federal law as described in subsection (i)
90 of this section and on the establishment and implementation of the
91 program authorized pursuant to subsection (i) of this section.

92 [(k)] (m) The Autism Spectrum Disorder Advisory Council,
93 established pursuant to section 17a-215d, shall advise the
94 Commissioner of Developmental Services on all matters relating to
95 autism.

96 Sec. 2. (Effective October 1, 2014) (a) Not later than July 1, 2014, the
97 Commissioner of Developmental Services, in consultation with the
98 Commissioner of Children and Families, shall establish a pilot
99 program for persons with developmental disability and persons who
100 have been diagnosed with autism spectrum disorder who (1) require a
101 high level of clinical services, (2) have been difficult for the
102 Department of Developmental Services to place due to such persons'
103 behavioral needs, and (3) are on said department's emergency list or
104 have been served primarily in a hospital setting or out-of-state facility.
105 The pilot program shall provide a coordinated system of
106 individualized services for such persons that includes integration into
107 the community in a group setting.

108 (b) The pilot program shall provide participating persons with (1)
109 behavior management services through the use of behavior analysis,
110 (2) training in development of coping skills, (3) on-site clinical
111 oversight, including the availability of direct care personnel to address
112 behavioral needs on a twenty-four-hour basis, and (4) other
113 individualized services.

114 (c) Service providers who participate in the pilot program shall have
115 demonstrated experience serving persons with the behavior
116 characteristics of those participating in the pilot program and
117 managing challenging behaviors including aggression, self-injury and
118 property destruction using methods of applied behavior analysis. All
119 staff who provide direct care to persons participating in the pilot
120 program shall receive training in applied behavior analysis,
121 medication administration and crisis intervention. Service providers
122 shall collaborate with school personnel and day program service
123 providers to achieve consistency in behavior expectations for
124 participants in the pilot program.

125 (d) The pilot program shall serve not more than twenty-four
126 persons. The Commissioner of Developmental Services shall identify
127 service providers meeting the requirements of subsection (c) of this
128 section to provide direct care services for participants and identify
129 appropriate placements for such participants. The commissioner may
130 contract with any such service provider to provide such services for
131 participants. The commissioner may place not more than six persons in
132 any one group home. The commissioner shall establish a per diem fee
133 for the services provided under the pilot program.

134 (e) On or before January 1, 2016, the Commissioner of
135 Developmental Services shall report, in accordance with the provisions
136 of section 11-4a of the general statutes, to the joint standing committees
137 of the General Assembly having cognizance of matters relating to
138 public health, human services and children concerning the results of
139 the pilot program established in accordance with this section.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2014</i>	17a-215c
Sec. 2	<i>October 1, 2014</i>	New section

Statement of Purpose:

To require the provision of certain services to persons diagnosed with autism spectrum disorder and to establish a pilot program for such persons.

[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.]