



**Substitute House Bill No. 6855**

**Public Act No. 15-197**

**AN ACT IMPLEMENTING THE RECOMMENDATIONS OF THE LEGISLATIVE PROGRAM REVIEW AND INVESTIGATIONS COMMITTEE REGARDING RESIDENTIAL SERVICES AT THE VETERANS' HOME.**

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

Section 1. Section 27-102*l* of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) There shall be a Department of Veterans' Affairs. The Veterans' Home shall be within the department and shall be located in Rocky Hill. The department head shall be the Commissioner of Veterans' Affairs, who shall be appointed by the Governor in accordance with the provisions of sections 4-5 to 4-8, inclusive, with the powers and duties prescribed therein.

(b) The commissioner may appoint a unit head to administer a veterans' advocacy and assistance unit for the aid and benefit of veterans, their spouses and eligible dependents and family members. Such unit shall conduct an annual training course for any city or town employee designated a veterans' service contact person pursuant to subsection (b) of section 27-135. The unit shall have a staff of not less than eight men and women, including six service officers, and clerical personnel. The unit head and the service officers shall be veterans, as

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defined in section 27-103, or veterans who were awarded the armed forces expeditionary medal for service by the armed forces. At least one of the service officers shall be a woman having a demonstrated interest in the concerns of women veterans, who shall be responsible for addressing those concerns, and, effective upon the next opening of a service officer position occurring on or after July 1, 2010, at least two of the service officers shall be individuals having bilingual proficiency in English and Spanish, within existing authorized positions. Each service officer shall successfully complete a course in veterans' benefits within one year of commencement of employment and shall be assigned to one of the five congressional districts of the state.

(c) In addition to the powers and duties prescribed under section 4-8, the commissioner shall have the following powers and duties:

(1) To prepare studies and collect information concerning facilities and services available to members of the armed forces, veterans, their spouses or eligible dependents, including facilities and services for veterans who may have been exposed to a Vietnam herbicide during their periods of military service;

(2) To conduct interviews in the nursing homes or hospitals throughout the state to determine the number of veterans admitted and ascertaining which benefits such veterans are currently receiving and are entitled to receive;

(3) To cooperate with service agencies and organizations throughout the state in disseminating and furnishing counsel and assistance of benefit to residents of this state who are or have been members of the armed forces, their spouses or eligible dependents, which will indicate the availability of: (A) Educational training and retraining facilities; (B) health, medical, rehabilitation and housing services and facilities; (C) employment and reemployment services; (D) provisions of federal, state and local laws affording financial rights,

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privileges and benefits; and (E) other matters of similar nature;

(4) To assist veterans, their spouses and eligible dependents and family members in the preparation, presentation, proof and establishment of such claims, privileges, rights and other benefits accruing to them under federal, state and local laws;

(5) To cooperate with all national, state and local governmental and private agencies securing or offering services or any benefits to veterans, their spouses or dependents;

(6) To develop and prepare a long-range plan and mission statement for the Veterans' Home and the veterans' advocacy and assistance unit; [and]

(7) To review all appeals made by veterans, their spouses or eligible dependents or family members and render the final decision thereon regarding the denial of admission to any program or the refusal to render any service or benefit which is administered by the Department of Veterans' Affairs, the discharge or transfer from any such program or any disciplinary action taken while participating in any such program; and

(8) If the Veterans' Home closes or ceases to provide housing to veterans, to provide or arrange for housing to any veteran residing at the home or the health care facility within the home on the date of such closure or on the date the Veterans' Home ceases to provide housing to veterans.

(d) The commissioner shall adopt, in accordance with the provisions of chapter 54, and enforce, such regulations and procedures for the operation, administration and management of the department and all programs and services under the jurisdiction of the department, including, but not limited to, procedures relating to admission and discharge or transfer of veterans in the Veterans' Home, a per diem fee

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schedule for programs, services and benefits provided by the Veterans' Home, and the participation of eligible family members in programs or services provided by the home.

Sec. 2. (*Effective from passage*) Not later than February 1, 2016, the Commissioner of Veterans' Affairs shall submit, to the joint standing committee of the General Assembly having cognizance of matters relating to veterans' affairs and to the Legislative Program Review and Investigations Committee, a report containing (1) a plan for providing transitional housing and permanent supportive housing to veterans at the Veterans' Home or other location as determined by the Department of Veterans' Affairs; (2) a plan regarding on-campus work programs for residents; and (3) an assessment of the feasibility of the recommendations approved by the Legislative Program Review and Investigations Committee, dated December 19, 2014, relating to: (A) Appropriate staffing for such transitional housing and permanent supportive housing; (B) housing needs and preferences assessment of residents of the Veterans' Home and new applicants to the Veterans' Home; (C) admission of persons with psychiatric history; (D) provision of semiprivate or private rooms to residents; (E) residential care fees; (F) provision of life and vocational skills classes for residents; (G) recruitment of volunteers and efforts to encourage residents to volunteer in the community; (H) safety and security rules and procedures for residents; (I) procedures for addressing rule violations by residents; (J) providing transitional housing that facilitates successful discharge to independent living and encourages personal responsibility; (K) providing permanent supportive housing that recognizes long-term stays and encourages independence; (L) improvement of substance use treatment services; and (M) the care of residents of the Veterans' Home who are aging in place.

Sec. 3. Section 27-106 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2015*):

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(a) The commissioner shall adopt and enforce such rules as may be necessary to ensure order, enforce discipline and preserve the health and ensure the comfort of the [patients] residents in the Veterans' Home, and shall discipline or dismiss any officer or [patient] resident of the home who disobeys or infringes upon such rules. The commissioner shall appoint, subject to the provisions of chapter 67, such officers and employees as are necessary for the administration of the affairs of the home, shall prescribe the relative rank, if any, of such officers and employees, and shall commission each such officer, who shall wear such uniform, if any, as is prescribed by the commissioner.

(b) The chief fiscal officer shall submit a semiannual plain language report to each resident of the Veterans' Home detailing the manner in which the institutional general welfare fund was used over the previous six months to directly benefit veterans or the Veterans' Home. Such report shall include a prominently displayed statement encouraging residents to submit suggestions for projects to be funded by the institutional general welfare fund and shall include a form for such submissions.

[(b)] (c) The chief fiscal officer shall submit an itemized list of expenditures made from the institutional general welfare fund to the commissioner at intervals not greater than two months. Such list shall include all such expenditures made during the two-month period preceding its submission. Notwithstanding the provisions of section 4-56, the commissioner shall prescribe procedures to limit and specify the uses for which expenditures may be made from the institutional general welfare fund so that only expenditures which, in the opinion of the commissioner and the board of trustees for the department appointed pursuant to section 27-102n, as amended by this act, directly benefit veterans or the Veterans' Home are permitted.

[(c)] (d) In addition to the estimate of expenditure requirements required under section 4-77, the commissioner shall submit an

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accounting of all planned expenditures for the next fiscal year from the institutional general welfare fund to the joint standing committee of the General Assembly having cognizance of matters relating to appropriations and the budgets of state agencies at the time such estimate is submitted.

Sec. 4. Section 27-102n of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2015*):

(a) There shall be a Board of Trustees for the Department of Veterans' Affairs. [The] On and after July 1, 2015, the board shall be comprised of [the commissioner and sixteen] eighteen voting members who by education or experience shall be qualified in health care, business management, social services or law and who shall have a demonstrated interest in the concerns of veterans. A majority of the members of the board shall be veterans, including veterans of armed conflicts authorized by the President of the United States. [Members] The members shall include (1) two residents of the Veterans' Home, one of whom shall be the president of the home's veterans' council and one of whom shall be the president of the home's health care facility council, and (2) sixteen members appointed in accordance with subsection (b) of this section.

(b) Sixteen members shall be appointed as follows: (1) Ten by the Governor, who shall serve at the pleasure of the Governor, [and one member] and (2) one each by the president pro tempore of the Senate, the speaker of the House of Representatives, the majority leader of the Senate, the majority leader of the House of Representatives, the minority leader of the Senate and the minority leader of the House of Representatives, whose terms shall be coterminous with the term of the appointing authority. Any vacancy on the board shall be filled by the appointing authority in the same manner as the original appointment, for the unexpired portion of the term. Members shall be sworn to the faithful performance of their duties. They shall receive no

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compensation for their services but shall be reimbursed for their reasonable expenses in the performance of their duties.

(c) The Commissioner of Veterans' Affairs, or the commissioner's designee, shall serve as a nonvoting, ex-officio member of the board and shall attend the meetings of the board.

~~[(b)]~~ (d) The Governor shall appoint a chairperson from among the membership of the board. The board shall meet at least quarterly and upon the call of the commissioner, the chairperson or a majority of the board members. A majority of the members shall constitute a quorum. On and after January 1, 2016, any board member, except the Commissioner of Veterans' Affairs, absent from (1) three consecutive meetings of the board, or (2) fifty per cent of such meetings during any calendar year shall be deemed to have resigned from the board, effective immediately.

~~[(c)]~~ (e) The board shall advise and assist the commissioner in the operation of the Veterans' Home, the veterans' advocacy and assistance unit, the administration, expansion or modification of existing programs and services of the department and the development of new programs and services.

~~[(d)]~~ (f) The board shall (1) review and approve any regulations prior to adoption by the commissioner concerning: [(1)] (A) Procedures relating to admission and discharge or transfer of veterans in the home; [(2)] (B) a per diem fee schedule for programs, services and benefits provided therein; and [(3)] (C) the participation of eligible family members in programs or services provided by the home, and (2) review and comment on (A) the budget for the Department of Veterans' Affairs; and (B) major policies relating to the Veterans' Home.

(g) The Commissioner of Veterans' Affairs shall provide the board

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with information necessary for the board to monitor the performance of the Department of Veterans' Affairs. Such information shall be provided to the board in a timely manner and shall include, but not be limited to, (1) the department's budget for each fiscal year; (2) quarterly reports on the department's actual revenue and expenditures for the preceding four months; (3) quarterly reports on the staffing levels at the Veterans' Home, including direct care staffing at the health care facility within the Veterans' Home and case manager to resident ratios, for the preceding four months; (4) facilities and fleet management, including current projects and planned projects; (5) quarterly summaries of applications for admission to, departures from and occupancy rates at the home for the preceding four months; (6) program performance, including programs for employment assistance and assistance to veteran residents interested in securing housing outside of the Veterans' Home; (7) results of annual resident satisfaction surveys conducted by the department; (8) quarterly reports summarizing incident rates at the health care facility within the Veterans' Home for the preceding four months; (9) reports on the number of rules violations against residents of the Veterans' Home and penalties issued therefor; (10) performance reports on programs operated by the Office of Advocacy and Assistance within the Department of Veterans' Affairs; (11) annual customer satisfaction reports from veterans who request assistance from such office; (12) caseload figures for veterans' service officers; (13) results of any federal and state inspections; and (14) quarterly reports summarizing by type, frequency and resolution, concerns raised by residents of the Veterans' Home, petitions and complaints filed by residents of the Veterans' Home and relatives or authorized representatives of such residents received by the commissioner under subsection (d) of section 27-102l-54 of the regulations of Connecticut state agencies for the four preceding months and copies of any such petitions and complaints.

(h) All board meeting notices, minutes and reports bearing a date of

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January 1, 2012, or later shall be posted in a conspicuous place on the department's Internet web site. Minutes from board meetings held on or after the effective date of this section shall be posted to such Internet web site not later than seven days after each such meeting is held. If applicable, minutes shall contain a statement that such minutes are considered draft minutes until approved by the board.

[(e) The] (i) Not later than February fifteenth of each year, the board shall submit an annual report to the Governor [,] and the joint standing [committees] committee of the General Assembly having cognizance of matters relating to [public safety,] veterans' and military affairs, in accordance with the provisions of section 11-4a, on its activities [with its] during the previous calendar year, progress in fulfilling its mission based on programmatic outcomes and recommendations, if any, for improving the delivery of services to veterans and the addition of new programs.

Sec. 5. Subsection (d) of section 27-102l of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2015*):

(d) The commissioner shall adopt, in accordance with the provisions of chapter 54, and enforce, such regulations and procedures for the operation, administration and management of the department and all programs and services under the jurisdiction of the department, including, but not limited to, procedures relating to admission and discharge or transfer of veterans in the Veterans' Home, a per diem fee schedule for programs, services and benefits provided by the Veterans' Home, and the participation of eligible family members in programs or services provided by the home. The commissioner shall amend such regulations as necessary, in accordance with the provisions of chapter 54, to allow residents of the Veterans' Home and relatives or authorized representatives of such residents to file a written complaint regarding policies, procedures and administrative decisions of said

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home. Such amended regulations shall include a procedure for filing such complaints, including deadlines by which complaints must be received, investigated and acted upon. The commissioner shall submit proposed regulations for public comment pursuant to section 4-168 not later than ninety days after the effective date of this section.

Approved July 2, 2015