



State of Connecticut
Department of Developmental Services

DDS

Dannel P. Malloy
Governor

Morna A. Murray, J.D.
Commissioner

Jordan A. Scheff
Deputy Commissioner

**DEPARTMENT OF DEVELOPMENTAL SERVICES TESTIMONY
BEFORE THE PUBLIC HEALTH COMMITTEE**

March 18, 2015

Senator Gerratana, Representative Ritter, and members of the Public Health Committee. I am Morna A. Murray, J.D., Commissioner of the Department of Developmental Services (DDS). Thank you for the opportunity to testify on **S.B. No. 1088 AN ACT CONCERNING SERVICES FOR INDIVIDUALS WITH INTELLECTUAL DISABILITY.**

This bill would require DDS to develop and implement a plan for the closure of public Intermediate Care Facilities for Individuals with Intellectual Disabilities (ICF/IIDs). DDS currently operates the following ICF/IIDs: Southbury Training School (STS) with a current census of 310 individuals and five DDS regional centers with a total current census of 181 individuals. The five regional centers are located in Newington, Meriden, Stamford, Norwalk and Torrington.

While I fully appreciate the intent of this bill, we do not believe the legislation is necessary. Governor Malloy, on the day of my appointment, directed me to forward recommendations to him about this important issue and I will honor his request in a timely manner after a thorough and careful analysis of all related issues. Within weeks of being appointed, I personally visited the Southbury Training School and two regional centers to see them first hand. I fully appreciate that this is an extremely complex issue, with two distinct and compelling sides. For many individuals who have lived at STS and the regional centers the majority of their lives, it is all they and their families have ever known. For others, it is hard to look past the high cost of these services when so many individuals and families on the DDS Residential Waiting List are waiting for services and supports.

I can tell you that there is unprecedented momentum behind the transitioning of individuals from STS to the community pursuant to the Messier Settlement Agreement. DDS staff work continuously with individuals and families at STS to explore and pursue residential options in the community. There have been a total of 47 individuals who have moved into the community from STS since the commencement of the Settlement Agreement in November of 2010. At this time, there are approximately 40 individuals actively planning to move into the community.

In 1986, admissions to STS were closed in connection with the litigation and Consent Decree in the case of the USA v. Connecticut regarding care and conditions at STS. Through a joint motion by the parties, the Consent Decree was terminated by the district court on October 30, 2009. Public Act 97-8, now

codified in CGS 17a-218a(b), prohibits new admissions to STS as a matter of state law. The average age of Southbury residents is currently 66. Although there is no similar prohibition on admissions to the DDS regional centers, new placements are very infrequent and due to unique circumstances.

Messier v. Southbury Training School (STS) was a class action lawsuit which included ARC-CT as a plaintiff and DDS as a defendant. A settlement agreement was filed with the U.S. District Court on July 12, 2010. U.S. District Court Judge Ellen Bree Burns signed an Order approving the Settlement Agreement on November 18, 2010. The implementation of the settlement agreement supports community transition for any STS resident who wishes to move, but does not direct the closure of STS. As the population at STS ages and declines through deaths and community placements, the department has addressed the consolidation and resource management of the facility by closing buildings and moving residents to a more centralized location on campus. While the settlement agreement only applies to STS, I believe that individuals and families at the regional centers could also benefit from being supported to explore and pursue residential options in the community.

This issue of the Southbury Training School and its eventual closure is very complex and I can assure you that DDS is committed to fully exploring it from all angles, in a timely and thoughtful way that will include representation from all key stakeholders. The closure of STS is not likely to produce any significant short-term savings. However, there may be the potential for long-term savings and part of the analysis I will oversee will include a very thorough financial analysis of both the costs of closure and any anticipated future savings. This type of analysis of costs and savings has not yet been done and simply cannot be seen in a comparison of overall residential costs. There are substantial cost implications associated with developing an infrastructure to accommodate a parallel service system in the community. Transition costs need to be accurately assessed and budgeted for. I wish to assure you, DDS is committed to obtaining valid cost data that can be used for private and public sector cost comparisons. Additionally, there are many issues associated with community development including group home siting issues and proposed zoning restrictions that may impact community placement options for individuals moving out of ICF/IIDs into the community.

Finally, appropriate and creative repurposing options for the Southbury Training School should continue to be explored in order to provide a reasonable, community-supported vision for the future of the campus while continuing to respect the needs of the individuals still living there. We know residential life for individuals with disabilities is changing in accordance with federal requirements and the continuing development of best practices for persons to enjoy life to their fullest potential. It is my intention to lead the department in this direction of positive change.

Thank you again for the opportunity to testify on **S.B. No. 1088**. Please contact Christine Pollio Cooney, DDS Director of Legislative and Executive Affairs at (860) 418-6066, if you have any questions.