



General Assembly

Substitute Bill No. 6855

January Session, 2015



**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:

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 Section 27-102l of the general statutes is repealed and the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

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

9 (b) The commissioner may appoint a unit head to administer a
10 veterans' advocacy and assistance unit for the aid and benefit of
11 veterans, their spouses and eligible dependents and family members.
12 Such unit shall conduct an annual training course for any city or town
13 employee designated a veterans' service contact person pursuant to
14 subsection (b) of section 27-135. The unit shall have a staff of not less
15 than eight men and women, including six service officers, and clerical
16 personnel. The unit head and the service officers shall be veterans, as
17 defined in section 27-103, or veterans who were awarded the armed

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

28 (c) In addition to the powers and duties prescribed under section 4-
29 8, the commissioner shall have the following powers and duties:

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

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

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

48 (4) To assist veterans, their spouses and eligible dependents and

49 family members in the preparation, presentation, proof and
50 establishment of such claims, privileges, rights and other benefits
51 accruing to them under federal, state and local laws;

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

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

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

65 (8) To provide housing to any veteran residing at the Veterans'
66 Home or health care facility within the Veterans' Home on the effective
67 date of this section.

68 (d) The commissioner shall adopt, in accordance with the provisions
69 of chapter 54, and enforce, such regulations and procedures for the
70 operation, administration and management of the department and all
71 programs and services under the jurisdiction of the department,
72 including, but not limited to, procedures relating to admission and
73 discharge or transfer of veterans in the Veterans' Home, a per diem fee
74 schedule for programs, services and benefits provided by the Veterans'
75 Home, and the participation of eligible family members in programs or
76 services provided by the home.

77 Sec. 2. (*Effective from passage*) Not later than January 1, 2016, the
78 Commissioner of Veterans' Affairs shall submit, to the joint standing
79 committee of the General Assembly having cognizance of matters

80 relating to veterans' affairs and to the Legislative Program Review and
81 Investigations Committee, a report containing (1) a plan for providing
82 transitional housing and permanent supportive housing to veterans at
83 the Veterans' Home or other location as determined by the Department
84 of Veterans' Affairs; (2) a plan for implementing the recommendations
85 approved by the Legislative Program Review and Investigations
86 Committee, dated December 19, 2014, relating to: (A) Appropriate
87 staffing for such transitional housing and permanent supportive
88 housing; (B) housing needs and preferences assessment of residents of
89 the Veterans' Home and new applicants to the Veterans' Home; (C)
90 admission of persons with psychiatric history; (D) provision of
91 semiprivate or private rooms to residents; (E) residential care fees; (F)
92 provision of life and vocational skills classes for residents; (G)
93 recruitment of volunteers and efforts to encourage residents to
94 volunteer in the community; (H) safety and security rules and
95 procedures for residents; (I) procedures for addressing rule violations
96 by residents; (J) providing transitional housing that facilitates
97 successful discharge to independent living and encourages personal
98 responsibility; (K) providing permanent supportive housing that
99 recognizes long-term stays and encourages independence; (L)
100 improvement of substance use treatment services; and (M) the care of
101 residents of the Veterans' Home who are aging in place; and (3) a plan
102 regarding on-campus work programs for residents.

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

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

113 officers and employees, and shall commission each such officer, who
114 shall wear such uniform, if any, as is prescribed by the commissioner.

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

123 [(b)] (c) The chief fiscal officer shall submit an itemized list of
124 expenditures made from the institutional general welfare fund to the
125 commissioner at intervals not greater than two months. Such list shall
126 include all such expenditures made during the two-month period
127 preceding its submission. Notwithstanding the provisions of section 4-
128 56, the commissioner shall prescribe procedures to limit and specify
129 the uses for which expenditures may be made from the institutional
130 general welfare fund so that only expenditures which, in the opinion of
131 the commissioner and the board of trustees for the department
132 appointed pursuant to section 27-102n, as amended by this act, directly
133 benefit veterans or the Veterans' Home are permitted.

134 [(c)] (d) In addition to the estimate of expenditure requirements
135 required under section 4-77, the commissioner shall submit an
136 accounting of all planned expenditures for the next fiscal year from the
137 institutional general welfare fund to the joint standing committee of
138 the General Assembly having cognizance of matters relating to
139 appropriations and the budgets of state agencies at the time such
140 estimate is submitted.

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

143 (a) There shall be a Board of Trustees for the Department of

144 Veterans' Affairs. [The] On and after July 1, 2015, the board shall be
145 comprised of [the commissioner] nineteen voting members, who shall
146 include (1) the Commissioner of Veterans' Affairs, (2) two residents of
147 the Veterans' Home, one of whom shall be from the health care facility
148 within the Veterans' Home and one of whom shall be from a different
149 residential housing program for veterans operated by the Department
150 of Veterans' Affairs, each of whom shall be elected annually by the
151 residents of their respective programs, and (3) sixteen members
152 appointed in accordance with subsection (b) of this section, who by
153 education or experience shall be qualified in health care, business
154 management, social services or law and who shall have a
155 demonstrated interest in the concerns of veterans. A majority of the
156 members of the board shall be veterans, including veterans of armed
157 conflicts authorized by the President of the United States, provided the
158 membership shall include one or more female veterans and one or
159 more veterans of armed conflicts that have occurred within the ten
160 years preceding the time of appointment.

161 (b) [Members] Sixteen members shall be appointed as follows: (1)
162 Ten by the Governor, [who] four of whom shall be representatives of
163 four different federally chartered Connecticut veterans' organizations.
164 Said representatives shall serve for a term of two years and shall be
165 from different organizations than those appointed for the immediately
166 preceding term. The remaining six members appointed by the
167 Governor shall serve at the pleasure of the Governor, [and one] and (2)
168 one member each by the president pro tempore of the Senate, the
169 speaker of the House of Representatives, the majority leader of the
170 Senate, the majority leader of the House of Representatives, the
171 minority leader of the Senate and the minority leader of the House of
172 Representatives, whose terms shall be coterminous with the term of
173 the appointing authority. Any vacancy on the board shall be filled by
174 the appointing authority in the same manner as the original
175 appointment, for the unexpired portion of the term. Members shall be
176 sworn to the faithful performance of their duties. They shall receive no
177 compensation for their services but shall be reimbursed for their

178 reasonable expenses in the performance of their duties.

179 [(b)] (c) The Governor shall annually appoint a chairperson from
180 among the membership of the board, except the Commissioner of
181 Veterans' Affairs may not serve as chairperson. The board shall meet at
182 least quarterly and upon the call of the commissioner, the chairperson
183 or a majority of the board members. A majority of the members shall
184 constitute a quorum. On and after January 1, 2016, any board member,
185 except the Commissioner of Veterans' Affairs, absent from (1) three
186 consecutive meetings of the board, or (2) fifty per cent of such
187 meetings during any calendar year shall be deemed to have resigned
188 from the board, effective immediately.

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

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

203 (f) The Commissioner of Veterans' Affairs shall provide the board
204 with information necessary for the board to monitor the performance
205 of the Department of Veterans' Affairs. Such information shall be
206 provided to the board in a timely manner and shall include, but not be
207 limited to, (1) the department's budget for each fiscal year; (2)
208 quarterly reports on the department's actual revenue and expenditures
209 for the preceding four months; (3) quarterly reports on the staffing

210 levels at the Veterans' Home, including direct care staffing at the
211 health care facility within the Veterans' Home and case manager to
212 resident ratios, for the preceding four months; (4) facilities and fleet
213 management, including current projects and planned projects; (5)
214 quarterly summaries of applications for admission to, departures from
215 and occupancy rates at the home for the preceding four months; (6)
216 program performance, including programs for employment assistance
217 and assistance to veteran residents interested in securing housing
218 outside of the Veterans' Home; (7) results of annual resident
219 satisfaction surveys conducted by the department; (8) quarterly reports
220 summarizing incident rates at the health care facility within the
221 Veterans' Home for the preceding four months; (9) reports on the
222 number of rules violations against residents of the Veterans' Home and
223 penalties issued therefor; (10) performance reports on programs
224 operated by the Office of Advocacy and Assistance within the
225 Department of Veterans' Affairs; (11) annual customer satisfaction
226 reports from veterans who request assistance from such office; (12)
227 caseload figures for veterans' service officers; (13) results of any federal
228 and state inspections; (14) performance evaluations for officers,
229 deputies and unit heads within the department; and (15) quarterly
230 reports summarizing complaints received by the commissioner and
231 resolution thereof.

232 (g) All board meeting notices, minutes and reports bearing a date of
233 January 1, 2012, or later shall be posted in a conspicuous place on the
234 department's Internet web site. Minutes from board meetings held on
235 or after the effective date of this section shall be posted to such Internet
236 web site not later than seven days after each such meeting is held. If
237 applicable, minutes shall contain a statement that such minutes are
238 considered draft minutes until approved by the board.

239 [(e) The] (h) Not later than February fifteenth of each year, the board
240 shall submit an annual report to the Governor [,] and the joint standing
241 [committees] committee of the General Assembly having cognizance of
242 matters relating to [public safety,] veterans' and military affairs, in

243 accordance with the provisions of section 11-4a, on its activities [with
244 its] during the previous calendar year, progress in fulfilling its mission
245 based on programmatic outcomes and recommendations, if any, for
246 improving the delivery of services to veterans and the addition of new
247 programs.

248 Sec. 5. (NEW) (*Effective July 1, 2015*) Any resident of the Veterans'
249 Home, any relative or authorized representative of such resident or
250 any employee of the Department of Veterans' Affairs may file a written
251 complaint concerning the Veterans' Home with the Board of Trustees
252 of the Department of Veterans' Affairs. With the permission of the
253 complainant, the board shall relay such complaint to the
254 Commissioner of Veterans' Affairs. Upon request of the board, the
255 commissioner shall provide information concerning the
256 commissioner's resolution of any such complaint to the board.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	27-102l
Sec. 2	<i>from passage</i>	New section
Sec. 3	<i>July 1, 2015</i>	27-106
Sec. 4	<i>July 1, 2015</i>	27-102n
Sec. 5	<i>July 1, 2015</i>	New section

PRI *Joint Favorable Subst.*

VA *Joint Favorable*