



General Assembly

**Substitute Bill No. 7000**

January Session, 2015



**AN ACT CONCERNING THE DEPARTMENT OF ADMINISTRATIVE SERVICES, EXAMINATIONS FOR STATE EMPLOYMENT AND STATE WORKERS' COMPENSATION PAYMENTS TO REFERRING PRACTITIONERS.**

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

1 Section 1. Section 5-217 of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective July 1, 2015*):

3 The Commissioner of Administrative Services shall specify, at the  
4 time any candidate list is promulgated, the period during which such  
5 list shall remain in force. In no case shall a candidate list remain in  
6 force for a period of less than three months or more than one year,  
7 [provided] except (1) such period may be extended not more than [one  
8 year] two years by the commissioner as appropriate based upon the  
9 needs of the state, [except that extensions concerning] and (2)  
10 candidate lists for continuous recruitment examinations shall be based  
11 on the needs of the service.

12 Sec. 2. Subsection (b) of section 5-219 of the general statutes is  
13 repealed and the following is substituted in lieu thereof (*Effective July*  
14 *1, 2015*):

15 (b) The commissioner may charge any person not employed by the  
16 state a reasonable fee for taking an examination, provided such fee

17 shall not exceed the cost of developing and administering such  
18 examination. The commissioner may waive any such fee for any  
19 person who applies, in the form and manner prescribed by the  
20 commissioner, for a waiver of such fee and demonstrates that he or she  
21 is financially unable to pay such fee. [The] Before charging any fees  
22 authorized by this subsection, the commissioner shall adopt  
23 regulations, in accordance with the provisions of chapter 54, to [carry  
24 out the purposes of this subsection] establish reasonable fees.

25 Sec. 3. Section 5-227b of the general statutes is repealed and the  
26 following is substituted in lieu thereof (*Effective July 1, 2015*):

27 (a) Examinations for positions may be waived by the Commissioner  
28 of Administrative Services under any of the following conditions: (1)  
29 Where the possession of a professional license [ ] or degree or  
30 satisfactory completion of an accreditation, certificate or licensure  
31 program is a mandatory requirement for appointment or promotion to  
32 a position in state service; (2) where the appointment or promotion to a  
33 job classification that is utilized by a single state agency is limited in  
34 number and has few vacancies in the professional or managerial series;  
35 (3) when the qualifications for a position within the managerial class  
36 are so specialized or unique that an examination for a general job  
37 classification would not result in a list of candidates possessing such  
38 qualifications and would not be cost effective; or (4) when the number  
39 of applicants meeting the minimum qualifications for admission to an  
40 announced promotional examination is five or less.

41 (b) If the commissioner has granted a waiver of examination in  
42 accordance with subsection (a) of this section, the commissioner may  
43 delegate to a department head the authority to recruit for such position  
44 [ . A ] pursuant to a delegation plan, except no delegation plan shall be  
45 required for such delegation in the case of a waiver of examination  
46 granted pursuant to subdivision (1) of subsection (a) of this section.  
47 For waivers of examination granted pursuant to subdivisions (2) to (4),  
48 inclusive, of subsection (a) of this section, the department head shall  
49 submit a delegation plan to the commissioner, and the commissioner

50 may grant a full or partial delegation [may be granted] to the  
51 department head. [under a] The department head shall obtain the  
52 commissioner's approval of the delegation plan [that shall be approved  
53 in advance by the commissioner] prior to undertaking any recruitment  
54 efforts. Any such delegation plan shall (1) include standards for the  
55 posting of positions with a minimum time period of not less than one  
56 week; (2) specify the manner in which such notice shall be posted; and  
57 (3) specify the procedures for accepting and rejecting applicants based  
58 upon the minimum required qualifications. Where the department  
59 head has identified a candidate suitable for appointment and prior to  
60 making a formal or informal offer of employment, such department  
61 head shall submit the application, any supporting documentation for  
62 such candidate and the applications of such additional candidates such  
63 department head deems eligible for appointment to the commissioner  
64 for certification that such preferred candidate has met the minimum  
65 qualifications of experience and training as set forth in the job  
66 specification. Once written certification is granted, the department  
67 head may make an offer of employment to the candidate certified by  
68 the commissioner.

69 (c) [All] Any recruitments performed by a department head  
70 pursuant to this section [shall] may be subject to post audit by the  
71 commissioner.

72 Sec. 4. Subsection (b) of section 31-284a of the general statutes is  
73 repealed and the following is substituted in lieu thereof (*Effective July*  
74 *1, 2015*):

75 (b) The Commissioner of Administrative Services may exclude from  
76 participation in the state workers' compensation managed care  
77 program any medical provider found, through a systematic program  
78 of utilization review, to exceed generally accepted standards of the  
79 scope, duration or intensity of services rendered to patients with  
80 similar diagnostic characteristics. [The state shall not make any  
81 payment to a facility owned in whole or in part by the referring  
82 practitioner.]

This act shall take effect as follows and shall amend the following sections:

Section 1	<i>July 1, 2015</i>	5-217
Sec. 2	<i>July 1, 2015</i>	5-219(b)
Sec. 3	<i>July 1, 2015</i>	5-227b
Sec. 4	<i>July 1, 2015</i>	31-284a(b)

**Statement of Legislative Commissioners:**

In Section 3(b) the first sentence was reworded for clarity.

**GAE**      *Joint Favorable Subst.*