



House of Representatives

General Assembly

File No. 525

January Session, 2015

Substitute House Bill No. 6815

House of Representatives, April 8, 2015

The Committee on Public Health reported through REP. RITTER of the 1st Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

AN ACT CONCERNING THE DEFINITION AND USE OF THE TERM "INTELLECTUAL DISABILITY".

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

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 Section 1-1g of the general statutes is repealed and the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

3 (a) [For the purposes of sections 17a-210b and 38a-816, "mental
4 retardation"] Except as otherwise provided by statute, "intellectual
5 disability" means a significant limitation in intellectual functioning
6 [and] existing concurrently with deficits in adaptive behavior that
7 originated during the developmental period before eighteen years of
8 age.

9 [(b) For the purposes of sections 4a-60, 4b-28, 4b-31, 8-2g, 8-3e, 8-
10 119t, 9-159s, 10-91f, 12-81, 17a-210, 17a-210b, 17a-215c, 17a-217 to 17a-
11 218a, inclusive, 17a-220, 17a-226 to 17a-227a, inclusive, 17a-228, 17a-231
12 to 17a-233, inclusive, 17a-247 to 17a-247b, inclusive, 17a-270, 17a-272 to
13 17a-274, inclusive, 17a-276, 17a-277, 17a-281, 17a-282, 17a-580, 17a-593,

14 17a-594, 17a-596, 17b-226, 19a-638, 45a-598, 45a-669, 45a-670, 45a-672,
15 45a-674, 45a-676, 45a-677, 45a-678, 45a-679, 45a-680, 45a-681, 45a-682,
16 45a-683, 46a-11a to 46a-11g, inclusive, 46a-51, 46a-60, 46a-64, 46a-64b,
17 46a-66, 46a-70, 46a-71, 46a-72, 46a-73, 46a-75, 46a-76, 46b-84, 52-146o,
18 53a-46a, 53a-59a, 53a-60b, 53a-60c, 53a-61a, 53a-181i, 53a-320, 53a-321,
19 53a-322, 53a-323, 54-56d and 54-250, "intellectual disability" has the
20 same meaning as "mental retardation" as defined in subsection (a) of
21 this section.]

22 [(c)] (b) As used in subsection (a) of this section, "significant
23 limitation in intellectual functioning" means an intelligence quotient
24 more than two standard deviations below the mean as measured by
25 tests of general intellectual functioning that are individualized,
26 standardized and clinically and culturally appropriate to the
27 individual; and "adaptive behavior" means the effectiveness or degree
28 with which an individual meets the standards of personal
29 independence and social responsibility expected for the individual's
30 age and cultural group as measured by tests that are individualized,
31 standardized and clinically and culturally appropriate to the
32 individual.

33 Sec. 2. Subsection (f) of section 17a-228 of the general statutes is
34 repealed and the following is substituted in lieu thereof (*Effective*
35 *October 1, 2015*):

36 (f) Whenever the Department of Social Services is notified that a
37 facility receiving payments from the Department of Developmental
38 Services under the provisions of this section has been certified as an
39 intermediate care facility for [persons with mental retardation,]
40 individuals with intellectual disabilities, as defined in [42 CFR 440.50]
41 42 CFR 440.150, the Commissioner of Social Services shall notify the
42 Governor and the Governor, with the approval of the Finance
43 Advisory Committee, may transfer from the appropriation for the
44 Department of Developmental Services to the Department of Social
45 Services, sufficient funds to cover the cost of all services previously
46 paid by the Department of Developmental Services that are

47 reimbursable, at the rate established for services provided by such
48 certified facilities. Subsequent budget requests from both departments
49 shall reflect such transfer of responsibility.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2015</i>	1-1g
Sec. 2	<i>October 1, 2015</i>	17a-228(f)

PH *Joint Favorable Subst.*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note**State Impact:** None**Municipal Impact:** None**Explanation**

The bill makes minor and technical changes, including updating terminology, that have no fiscal impact to the state or municipalities.

The Out Years**State Impact:** None**Municipal Impact:** None

OLR Bill Analysis**sHB 6815*****AN ACT CONCERNING THE DEFINITION AND USE OF THE TERM "INTELLECTUAL DISABILITY".*****SUMMARY:**

PA 11-16 substituted the term "intellectual disability" for "mental retardation" in several statutes to reflect changes in federal law and the developmental disabilities community. The bill makes conforming changes by (1) replacing a reference to "mental retardation" with "intellectual disability" in a statute defining the term, (2) eliminating an obsolete provision that lists statutory references in which "intellectual disability" has the same definition as "mental retardation," and (3) expands the definition's application to all uses of "intellectual disability" throughout the statutes except as otherwise provided. Currently, the term is defined as a significant limitation in intellectual functioning and deficits in adaptive behavior that began before an individual turned 18. The bill amends the definition to specify that the limitations must exist concurrently with the adaptive deficits.

EFFECTIVE DATE: October 1, 2015

COMMITTEE ACTION

Public Health Committee

Joint Favorable Substitute

Yea 27 Nay 0 (03/23/2015)