



# House of Representatives

General Assembly

**File No. 287**

January Session, 2015

Substitute House Bill No. 6855

*House of Representatives, March 30, 2015*

The Committee on Program Review and Investigations reported through REP. CARPINO of the 32nd Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

***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 Section 27-102l of the general statutes is repealed and the  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.*

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.

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

The bill requires the Department of Veterans' Affairs (DVA) to report on implementing the Program Review and Investigations committee recommendations and provides more oversight to the DVA board of trustees which does not result in a fiscal impact.

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

**OLR Bill Analysis****sHB 6855*****AN ACT IMPLEMENTING THE RECOMMENDATIONS OF THE LEGISLATIVE PROGRAM REVIEW AND INVESTIGATIONS COMMITTEE REGARDING RESIDENTIAL SERVICES AT THE VETERANS' HOME.*****SUMMARY:**

This bill gives the Department of Veterans' Affairs (DVA) Board of Trustees more oversight over the department. It requires (1) the DVA commissioner to give certain information to the board to monitor DVA's performance and (2) the board to review and comment on the DVA budget and major policies relating to the Veterans' Home.

The bill also increases the membership of DVA's Board of Trustees, from 17 to 19 members, by adding two Veterans' Home residents as voting members. It adds certain board appointment and resignation conditions.

It requires: (1) the DVA commissioner to report to the legislature, by January 1, 2016, a plan for, among other things, providing transitional and permanent housing and implementing the Program Review and Investigations (PRI) recommendations and (2) the chief fiscal officer (CFO) to semiannually submit a report to each Veterans' Home resident on how the institutional general welfare fund was used in the previous six months.

The bill requires the DVA commissioner to continue to provide housing to any veteran residing at the Veterans' Home or its health care facility upon the bill's passage.

Under the bill, Veterans' Home residents, their relatives or authorized representatives, or any DVA employee may file a written complaint concerning the home with the DVA Board of Trustees.

Where the complainant has given permission, the board must relay such complaints to the DVA commissioner. Upon the board's request the commissioner must provide the board with information on his complaint resolution..

EFFECTIVE DATE: July 1, 2015, except upon passage for the DVA (1) housing requirement and (2) reporting provisions.

### **DVA BOARD OF TRUSTEE OVERSIGHT**

The bill requires the DVA commissioner to provide the board with information necessary for it to monitor the department's performance. The information must be provided in a timely manner and include:

1. DVA's budget each fiscal year;
2. quarterly reports for the preceding four months (a) on DVA's actual revenue and expenditures; (b) on the staffing levels at the Veterans' Home, including direct care staffing at the health care facilities and case manager to resident ratios; and (c) summarizing incident rates at the health care facility within the Veterans' Home;
3. facilities and fleet management, including current and planned projects;
4. quarterly summaries of applications for admission to, departures from, and occupancy rates at the home for the preceding four months;
5. program performance, including programs for employment assistance and assistance to veteran residents interested in securing housing outside the Veterans' Home;
6. results of annual DVA-conducted resident satisfaction surveys;
7. reports on the number of rules violations against Veterans' Home residents and the penalties issued;

8. performance reports on programs operated by DVA's Office of Advocacy and Assistance and annual customer satisfaction reports from veterans who request assistance from the office;
9. caseload figures for veterans' service officers;
10. any federal and state inspection results;
11. performance evaluations for DVA officers, deputies, and unit heads; and
12. quarterly reports summarizing complaints the DVA commissioner receives and their resolutions.

## **DVA BOARD OF TRUSTEES**

### ***Membership***

The bill increases the membership of DVA's Board of Trustees, from 17 to 19 members, by adding two Veterans' Home residents as voting members. One resident must be from the health care facility while the other must be from a different DVA-operated residential housing program. Both members must be elected annually by the residents of their respective programs.

*Appointments.* Under current law, the board consists of the DVA commissioner and 16 appointed members, with the governor appointing 10 and the six legislative leaders each appointing one. The bill requires four of the governor's appointments to represent four different federally chartered Connecticut veterans' organizations (there are currently eight such organizations). These appointees serve a two-year term and must be from different organizations than those appointed the previous term.

By law, a majority of the board members must be veterans. The bill requires that the board include one or more (1) female veterans and (2) veterans of armed conflicts that occurred within 10 years preceding the appointment.

The bill also specifies that any vacancy on the board is filled by the

appointing authority in the same manner as the original appointment, for the unexpired portion of the term.

Under the bill, the governor annually appoints a chairperson for the board, except the DVA commissioner may not serve as chairperson. Current law requires the board to meet at least quarterly or upon the DVA commissioner's call. The bill also allows the chairperson or a majority of the board members to call a meeting.

**Resignations.** On and after January 1, 2016, any board member, except the DVA commissioner, is deemed to have resigned, effective immediately, from the board, if he or she is absent from (1) three consecutive board meetings or (2) 50% of the meetings in a calendar year.

**Board Notices.** Under the bill, all board meeting notices, minutes, and reports with a date of January 1, 2012 or later must be posted on DVA's website in a conspicuous location. The board meeting minutes held on or after July 1, 2015 must be posted on DVA's website within seven days after the meeting is held. If applicable, the minutes must contain a statement that such minutes are considered draft minutes until the board approves them.

## **REPORTING REQUIREMENTS**

### ***Board of Trustees***

Current law requires the DVA board to annually submit a report to the governor and the Public Safety and Security and Veterans' Affairs committees with its activities and recommendations for improving the delivery of services to veterans and the addition of new programs.

The bill requires the report to (1) be submitted before February 15 each year and (2) include information on the progress in fulfilling DVA's mission based on programmatic outcomes. It also eliminates the requirement that the report be sent to the Public Safety and Security Committee and specifies the activities being reported are from the previous calendar year.

***Legislative Report***

The bill requires the DVA commissioner to submit, by January 1, 2016, a report to the Veterans' Affairs and PRI committees. The report must include a plan (1) for providing transitional housing and permanent supportive housing to veterans at the Veterans' Home or other department-determined locations and (2) regarding on-campus work programs for residents.

The report must also include a plan for implementing the recommendations the PRI Committee approved on December 19, 2014 relating to:

1. appropriate staffing for such transitional housing and permanent supportive housing,
2. Veterans' Home residents and new applicants' housing needs and preferences assessment,
3. admission of people with a psychiatric history,
4. providing semiprivate or private rooms to residents,
5. residential care fees,
6. providing life and vocational skills classes for residents,
7. recruiting volunteers and efforts to encourage residents to volunteer in the community,
8. safety and security rules and procedures for residents,
9. procedures for addressing rule violations by residents,
10. providing transitional housing that facilitates successful discharge to independent living and encourages personal responsibility,
11. providing permanent supportive housing that recognizes long-term stays and encourages independence,

12. improvement of substance use treatment services, and

13. the care of Veterans’ Home residents who are aging in place.

**Chief Fiscal Officer Report**

The bill requires the DVA CFO to semiannually submit a plain language report to each Veterans’ Home resident detailing how the institutional general welfare fund was used in the previous six months to directly benefit veterans or the home. The report must include a (1) prominently displayed statement encouraging residents to submit suggestions for projects the fund may support and (2) submission form.

By law, the CFO must submit an itemized list of expenditures from the institutional general welfare fund to the commissioner at least every two months.

**BACKGROUND**

**Veterans’ Home**

The Connecticut State Veterans’ Home provides domiciliary and 24-hour nursing care to eligible veterans. Domiciliary care consists of shelter, food, and some social services.

Most domiciliary care residents live in the main residential facility. Others participate in a residential substance use treatment program with separate housing, live somewhat independently in campus apartments for a short time, or reside in one of several single-family houses across the street from the main home campus. The nursing care residents live in the separate building, the Health Care Facility.

The Home accounted for 97% of DVA’s total budget in FY 14, with a total cost of nearly \$28 million.

**COMMITTEE ACTION**

Program Review and Investigations Committee

Joint Favorable Substitute

Yea 9 Nay 0 (03/13/2015)