



STATE OF CONNECTICUT
OFFICE OF PROTECTION AND ADVOCACY FOR
PERSONS WITH DISABILITIES
60B WESTON STREET, HARTFORD, CONNECTICUT 06120-1551

Craig B. Henrici
Executive Director

Phone 1/860-297-4308
Confidential Fax 1/860-297-4305

**Testimony of the Office of Protection and Advocacy
for Persons with Disabilities
Before the Public Health Committee**

Submitted By: Craig B. Henrici
Executive Director
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Good afternoon Senator Gerratana, Representative Ritter and members of the Public Health Committee. Thank you for the opportunity to comment on several bills on today's public hearing agenda.

The Office supports **SB 918 AN ACT CONCERNING THE PROVISION OF SERVICES TO INDIVIDUALS WITH INTELLECTUAL DISABILITY**. This bill would require the Department of Developmental Services, working with individuals who receive its services, family members, advocates and labor organizations, and service providers to ensure that each individual with intellectual disability who is eligible to receive services from the department, including an individual currently on a waiting list to receive services from the department, receives such services not later than July 1, 2017. The Department would be required to submit its plan to the General Assembly no later than January 1, 2017, and implement it—provide services to all eligible individuals—on July 1, 2017. This legislation also includes protections to ensure that individuals currently receiving services will not see a reduction in services.

This bill can be implemented. Some may say it is too costly in these tough financial times, but this Office is a proud member of the Campaign 2020 coalition, and we can document that by closing Southbury Training School and the regional centers, the Department would be able to serve every individual in need of services.

The Office supports **SB 683 AN ACT CONCERNING SUPPORTIVE HOUSING FOR PERSONS WITH INTELLECTUAL DISABILITIES**. This bill would require the Department of Developmental Services, within available resources, to establish a pilot supportive housing project for persons with intellectual disabilities. As mentioned above, Campaign 2020 can document that it is less expensive to serve individuals in the community rather than in institutions. Supportive housing is housing with some degree of services and supports. It is person-centered and negates the need for expensive institutional care. It is also required under the Olmstead Decision. States cannot discriminate against people with disabilities and individuals should receive services in the community, not in institutions.

The Office of Protection and Advocacy for Persons with Disabilities opposes **HB 5444 AN ACT CONCERNING THE TREATMENT OF PERSONS WITH PSYCHIATRIC DISABILITIES**. This bill limits allows providers to share patient information, subject to the provisions of the Federal Health Insurance Portability and Accountability Act (HIPAA). Most people think of HIPAA as "that privacy form you get at the doctor's office", but it is much more than that. HIPAA is about confidentiality.

All health care providers have a responsibility to maintain patient confidentiality, and subjecting only one part of health care information to disclosure is discriminatory.

The intent of this legislation may be to better engage family members in the community based treatment and support for persons with psychiatric disabilities. But “engagement” in treatment and support systems has to be internally motivated and personally meaningful. The bill further does not distinguish between family members whose presence in a person’s life may hurt rather than help them. It gives the health care providers power to decide which family members would get this confidential information. The bill does not give the person whose confidential information would be shared an opportunity to object to disclosure. For these reasons, the Office of Protection and Advocacy cannot support this legislation.

6490 AN ACT ESTABLISHING A PILOT PROGRAM FOR PERSONS DIAGNOSED WITH AUTISM SPECTRUM DISORDER. This pilot program would provide participants with behavioral management services, training in the development of coping skills, on-site clinical oversight and other individualized services. This is a sound approach to serve individuals. The Office supports this bill.