



Substitute Senate Bill No. 246

Public Act No. 17-61

AN ACT CONCERNING A STATE-WIDE WAITING LIST FOR RESIDENTIAL PLACEMENT FOR PERSONS WITH INTELLECTUAL AND DEVELOPMENTAL DISABILITIES.

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

Section 1. Subsection (e) of section 17a-210 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2018*):

(e) Any person with intellectual disability, or the parent, guardian, conservator or other legal representative of such person, may request a hearing to contest the [priority] category assignment made by the department for persons seeking residential placement, residential services or residential support. A request for hearing shall be made, in writing, to the commissioner. Such hearing shall be conducted in accordance with the provisions of chapter 54.

Sec. 2. Section 17a-238a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2018*):

(a) For purposes of this section:

(1) "Category" means the department's assessment of the urgency of an individual's need for funding or services from the department.

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[(1)] (2) "Department" means the Department of Developmental Services.

[(2)] (3) "Level of need assessment" means the department's method of determining, through the use of a standardized screening tool, an individual's need for funding or services from the department.

[(3)] "Priority status" means the department's assessment of the urgency of an individual's need for funding or services from the department.]

(4) "Planning and resource allocation team" means the department's staff members who are responsible for (A) establishing an individual's [priority status] category, (B) approving or denying an individual's request for funding or services, and (C) allocating resources to individuals receiving funding or services from the department.

(5) "Residential waiting list" means data maintained by the department that includes the number of individuals with intellectual disability who (A) have requested residential funding or services from the department, (B) have been determined by the department to be in need of such funding or services, and (C) are unable to receive such funding or services because of the department's inability to provide such funding or services within existing appropriations.

(b) An individual determined by the department to be eligible for funding or services from the department, or such individual's legal guardian or representative, may request and, if requested, shall obtain from the department a copy of (1) such individual's [priority status] category for residential funding or services, if the individual has an unmet need for residential services, (2) such individual's request for funding or services submitted to the regional planning and resource allocation team, and (3) any decision on the individual's request for funding or services made by the regional planning and resource

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allocation team. Additionally, any such individual who receives annual funding or services from the department, or such individual's legal guardian or representative, may request and, if requested, shall obtain from the department a copy of such individual's (A) individual plan, and (B) level of need assessment.

(c) The Commissioner of Developmental Services shall report [, in accordance with the provisions of section 11-4a,] on the department's web site at least annually [to the joint standing committees of the General Assembly having cognizance of matters relating to public health and appropriations and the budgets of state agencies] concerning the number of individuals determined by the department to be eligible for funding or services from the department and who (1) have unmet residential care needs, (2) have unmet employment opportunity and day service needs, or (3) are eligible for the department's behavioral services program and are waiting for a funding allocation.

(d) The commissioner shall develop and maintain one state-wide comprehensive residential waiting list. Such waiting list shall (1) be organized by geographic region, (2) identify the type of residential funding or services each individual is requesting, and (3) include the estimated time period that the residential funding or services would be accepted by such individual. The commissioner shall update such list not less than quarterly.

(e) On or before August 1, 2018, and at least annually thereafter, the commissioner or his or her designee shall, in consultation with (1) each individual with intellectual disability who is eligible to receive residential funding or services from the department and who has an individual plan, and (2) the individual's legal representative, if applicable, assess the individual's need for future residential funding or services from the department. Such assessment shall include an indication of the time period when each support or service would be

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accepted by such individual based on information collected at the annual meeting.

(f) On or before December 1, 2018, and at least annually thereafter, the commissioner or his or her designee, shall review the residential waiting list with the advisory and planning councils, appointed pursuant to section 17a-273, and the Council on Developmental Services, established pursuant to section 17a-270.

Sec. 3. (NEW) (*Effective from passage*) The Commissioner of Developmental Services may, in collaboration with the Secretary of the Office of Policy and Management and the Commissioner of Social Services, organize and participate in an Intellectual Disability Partnership. The partnership shall include broad and diverse representation from families, providers and advocates for persons with intellectual disability. Family representatives shall include family members of individuals with a broad range of intellectual disability and needs, including individuals with high-level needs. Notice of the partnership's meetings, agendas and minutes shall be posted on the Department of Developmental Services' Internet web site.

Approved June 27, 2017