



Senate

General Assembly

File No. 604

January Session, 2017

Substitute Senate Bill No. 246

Senate, April 13, 2017

The Committee on Public Health reported through SEN. GERRATANA of the 6th Dist. and SEN. SOMERS of the 18th Dist., Chairpersons of the Committee on the part of the Senate, that the substitute bill ought to pass.

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:

1 Section 1. (NEW) (*Effective from passage*) (a) As used in this section,
2 "waiting list" means a list maintained by the Commissioner of
3 Developmental Services that includes the names of individuals with
4 intellectual disability who (1) have requested residential supports or
5 services from the Department of Developmental Services, (2) have
6 been determined by the commissioner to be in need of such supports
7 or services, and (3) are unable to receive such supports or services
8 because the demand for such supports or services exceeds the
9 department's ability to provide the supports or services.

10 (b) The commissioner shall develop and maintain one state-wide
11 comprehensive residential waiting list. Such waiting list shall (1) be
12 organized by geographic region, (2) identify the priority status of an

13 individual for receipt of a support or service, (3) include the type of
14 support or service each individual needs, and (4) include the estimated
15 time period each support or service will likely be needed. The
16 commissioner shall update such list not less than quarterly.

17 (c) On or before July 1, 2018, the commissioner shall, in consultation
18 with (1) each individual with intellectual disability who is eligible to
19 receive a support or service from the department and who has an
20 individual plan from the department pursuant to section 17a-238a of
21 the general statutes, and (2) the individual's parent, conservator,
22 guardian or other legal representative, develop and complete a long-
23 term five-year and ten-year care plan to meet the individual's needs for
24 such support or service. Such plan shall include an indication of the
25 time period each support or service will likely be needed based on the
26 individual's annual level of need assessment, as defined in section 17a-
27 238a of the general statutes. Such plan shall be updated annually based
28 on any changes in the individual's individual plan.

29 (d) On or before November 1, 2018, and annually thereafter, the
30 commissioner shall complete a state-wide survey of individuals with
31 intellectual disability who are eligible to receive a support or service
32 from the department and have an individual plan from the department
33 pursuant to section 17a-238a of the general statutes. The survey shall
34 be based on the level of needs assessment for each individual and the
35 long-term care plan for each individual developed pursuant to
36 subsection (c) of this section. At the conclusion of the survey, the
37 commissioner shall update the state-wide comprehensive residential
38 waiting list based on the results of such survey.

39 (e) On or before December 1, 2018, and at least annually thereafter,
40 the commissioner shall review the results of the survey with the
41 regional advisory councils, established pursuant to section 17a-30 of
42 the general statutes, and the Council on Developmental Services,
43 established pursuant to section 17a-270 of the general statutes.

44 (f) On or before December 1, 2018, and annually thereafter, the
45 commissioner shall report, in accordance with the provisions of section

46 11-4a of the general statutes, to the joint standing committee of the
 47 General Assembly having cognizance of matters relating to public
 48 health and appropriations on the results of the survey and the status of
 49 the state-wide comprehensive residential waiting list. Such report shall
 50 also include, but need not be limited to, a description of the trends in
 51 supports and services requested from the department and projections
 52 for state-wide needs over the following two-year, five-year and ten-
 53 year period.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	New section

Statement of Legislative Commissioners:

In Section 1(c), "Such plans" was changed to "Such plan" for internal consistency.

PH *Joint Favorable Subst. -LCO*

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:

Agency Affected	Fund-Effect	FY 18 \$	FY 19 \$
Department of Developmental Services	GF - Cost	78,700	78,700
Comptroller- Fringe Benefits ¹	GF - Cost	29,969	29,969
Department of Developmental Services	GF - Potential Cost	up to \$100,000	None

Note: GF=General Fund

Municipal Impact: None

Explanation

The bill results in a state cost of \$108,669 (\$78,700 in Personal Services and \$29,969 in fringe benefit costs) in FY 18 and FY 19 to fund one IT Analyst II position in the Department of Developmental Services to meet the requirements of the bill. This position is necessary to integrate the “individual plans” of DDS consumers, which are not currently electronic documents, into the agency’s data systems. Additionally, the agency may require one-time consulting services at a cost of up to \$100,000 in FY 18 to establish a system for the plans and projections required by the bill.

Other requirements related to the statewide residential waiting list, and the annual survey, do not result in a fiscal impact as DDS has the expertise to undertake these tasks. During FY 17 the agency worked with stakeholders on the “statewide waiting list” and developed new

¹The fringe benefit costs for most state employees are budgeted centrally in accounts administered by the Comptroller. The estimated active employee fringe benefit cost associated with most personnel changes is 38.08% of payroll in FY 18 and FY 19.

categories and definitions of needs that went into effect March 1, 2017. Additionally, case managers and the Individuals' planning and support teams began using a Residential Request Assessment on March 1, 2017 and individuals and families are required to complete a Support Survey annually.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation.

Sources: DDS testimony

OLR Bill Analysis**sSB 246*****AN ACT CONCERNING A STATE-WIDE WAITING LIST FOR RESIDENTIAL PLACEMENT FOR PERSONS WITH INTELLECTUAL AND DEVELOPMENTAL DISABILITIES.*****SUMMARY**

This bill requires the Department of Developmental Services (DDS) commissioner to:

1. maintain one statewide comprehensive residential waiting list for individuals with intellectual disability and update the list at least quarterly;
2. by July 1, 2018, develop a five- and 10-year care plan for each individual with intellectual disability who is eligible for DDS services and who has an individual plan from the department, and update the care plans annually;
3. starting by November 1, 2018, annually complete a statewide survey of such individuals and use the survey results to update the waiting list;
4. starting by December 1, 2018, annually review the survey results with the regional advisory councils and the Council on Developmental Services; and
5. starting by December 1, 2018, annually report to the Public Health and Appropriations committees on those results and the status of the waiting list, including trends in requested supports and services and projections for statewide needs for the following two-, five-, and 10-year periods.

EFFECTIVE DATE: Upon passage

DDS RESIDENTIAL WAITING LIST

The bill defines “waiting list” as a list the DDS commissioner maintains with the names of individuals with intellectual disability who:

1. have requested residential supports or services from DDS,
2. have been determined by the commissioner to need such supports or services, and
3. are unable to receive them because the demand for such supports or services exceeds the department’s ability to provide them.

The bill requires the commissioner to develop and maintain one statewide comprehensive residential waiting list and update it at least quarterly. (In practice, DDS currently does this.) The bill specifies that the waiting list must:

1. be organized by geographic region,
2. identify such individuals’ priority status for receiving supports or services, and
3. indicate the type of support or service each individual needs and the estimated time the individual will likely need them.

FIVE- AND TEN-YEAR PLANS

By July 1, 2018, the bill requires the DDS commissioner to develop long-term five- and 10-year care plans to meet the support and service needs of each individual with intellectual disability who (1) is eligible to receive a support or service from DDS and (2) has an individual plan from the department as specified under an existing law that references DDS plans for individuals receiving some level of DDS funding or services (see BACKGROUND).

The bill requires the commissioner to develop the five- and 10-year plans in consultation with each such individual and his or her parent, conservator, guardian, or other legal representative. The commissioner

must update the plans annually, based on any changes in such individual plans.

Under the bill, the five- and 10-year plans must indicate how long each support or service will likely be needed based on the individual's annual level of need assessment (i.e., DDS' use of a standardized screening tool to determine an individual's need for DDS funding or services).

STATEWIDE SURVEY

The bill requires the commissioner, starting by November 1, 2018, to annually complete a statewide survey of individuals with intellectual disability who (1) are eligible to receive DDS supports or services and (2) have an individual plan from the department under existing law.

Under the bill, the survey must be based on each individual's (1) level of need assessment and (2) five- and 10-year long-term care plans, as described above. After concluding the survey, the commissioner must update the statewide residential waiting list based on the survey's results.

BACKGROUND

Priority Status and Individual Plans

Under existing law, individuals DDS determines as eligible for department funding or services, or their legal guardians or representatives, may obtain from DDS a copy of (1) the individual's priority status for residential services, (2) his or her request for funding or services submitted to the regional planning and resource allocation team, and (3) any decision the team makes on the request.

Such individuals who receive annual funding or services from DDS, or their guardians or representatives, may also obtain a copy of their individual plan and level of need assessment (CGS § 17a-238a).

Related Bill

sSB 39, reported favorably by the Public Health Committee, makes various changes regarding DDS services, such as requiring the

department to provide in-home support services to individuals and families on a DDS waiting list, or those seeking DDS services, by using employees who complete the department's Training Academy for Family Support program to deliver these services.

COMMITTEE ACTION

Public Health Committee

Joint Favorable

Yea 26 Nay 0 (03/27/2017)