



General Assembly

Substitute Bill No. 246

January Session, 2017



**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. Subsection (e) of section 17a-210 of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective July*
3 *1, 2018*):

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

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 Section 17a-238a of the general statutes is repealed and the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

13 (a) For purposes of this section:

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

16 [(1)] (2) "Department" means the Department of Developmental

17 Services.

18 [(2)] (3) "Level of need assessment" means the department's method
19 of determining, through the use of a standardized screening tool, an
20 individual's need for funding or services from the department.

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

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

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

36 (b) An individual determined by the department to be eligible for
37 funding or services from the department, or such individual's legal
38 guardian or representative, may request and, if requested, shall obtain
39 from the department a copy of (1) such individual's [priority status]
40 category for residential funding or services, if the individual has an
41 unmet need for residential services, (2) such individual's request for
42 funding or services submitted to the regional planning and resource
43 allocation team, and (3) any decision on the individual's request for
44 funding or services made by the regional planning and resource
45 allocation team. Additionally, any such individual who receives
46 annual funding or services from the department, or such individual's
47 legal guardian or representative, may request and, if requested, shall

48 obtain from the department a copy of such individual's (A) individual
49 plan, and (B) level of need assessment.

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

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

68 (e) On or before August 1, 2018, and at least annually thereafter, the
69 commissioner or his or her designee shall, in consultation with (1) each
70 individual with intellectual disability who is eligible to receive
71 residential funding or services from the department and who has an
72 individual plan, and (2) the individual's legal representative, if
73 applicable, assess the individual's need for future residential funding
74 or services from the department. Such assessment shall include an
75 indication of the time period when each support or service would be
76 accepted by such individual based on information collected at the
77 annual meeting.

78 (f) On or before December 1, 2018, and at least annually thereafter,
79 the commissioner or his or her designee, shall review the residential

80 waiting list with the regional advisory councils, established pursuant
81 to section 17a-30, and the Council on Developmental Services,
82 established pursuant to section 17a-270.

This act shall take effect as follows and shall amend the following sections:		
Section 1	July 1, 2018	17a-210(e)
Sec. 2	July 1, 2018	17a-238a

Statement of Legislative Commissioners:

In Section 1(d), "residential support services" was changed to "residential funding or services" and "residential funding or service" was changed to "residential funding or services" for internal consistency and in Section 1(e), "when" was inserted after "period" for clarity.

APP *Joint Favorable Subst.*