OLR Bill Analysis
sHB 5257 (as amended by House "A")*

AN ACT CONCERNING REPORTS OF ABUSE OR NEGLECT OF PERSONS WITH INTELLECTUAL DISABILITY OR AUTISM SPECTRUM DISORDER.

SUMMARY

This bill reduces, from 72 to 48 hours, the amount of time a mandated reporter (see BACKGROUND) has to report the suspected abuse or neglect of a person (1) with an intellectual disability or (2) served by the Department of Social Services’s (DSS) Division of Autism Spectrum Disorder Services. The bill also makes licensed behavioral analysts mandated reporters.

Current law requires mandated reporters to make such reports to the Department of Developmental Services (DDS) commissioner. The bill allows them to also report to his designee.

Existing law, unchanged by the bill, imposes a fine of up to $500 on anyone who violates the reporting requirement. Under the bill, an unsuccessful attempt to make an initial report to the commissioner, or his designee, on a weekend, holiday, or after normal business hours is not a violation if the mandated reporter makes reasonable attempts, including by phone, email, or in person, to reach the commissioner or his designee as soon as practicable after the initial attempt.

EFFECTIVE DATE: July 1, 2018

*House Amendment “A” makes licensed behavioral analysts mandated reporters and adds holidays to the circumstances in which an unsuccessful attempt to report is not a violation.

BACKGROUND

Mandated Reporters

By law, mandated reporters of neglect and abuse of people with
intellectual disabilities or served by DSS’s Division of Autism Spectrum Disorder Services include, among others:

1. health professionals (e.g., resident physicians or interns in any hospital in the state, physician assistants, licensed practical nurses, and registered nurses);

2. mental health workers (e.g., psychologists, social workers, mental health professionals, licensed marital and family therapists);

3. certain people working in schools (e.g., school teachers, principals, guidance counselors, and paraprofessionals);

4. police officers; and

5. anyone paid to care for people in a facility.

**Related Bill**

SB 186, favorably reported by the Education Committee, adds school counselors as mandated reporters of abuse and neglect for individuals with intellectual disabilities or served by DSS’s Division of Autism Spectrum Disorder Services.

**COMMITTEE ACTION**

Human Services Committee

Joint Favorable Substitute

Yea 19  Nay 0  (03/22/2018)