



General Assembly

Amendment

February Session, 2018

LCO No. 5799



Offered by:

REP. ROJAS, 9th Dist.

SEN. FONFARA, 1st Dist.

To: Subst. House Bill No. 5028

File No. 528

Cal. No. 354

"AN ACT REQUIRING AN ANALYSIS OF THE ADMINISTRATIVE COSTS OF COLLECTING STATE TAXES."

1 Strike everything after the enacting clause and substitute the
2 following in lieu thereof:

3 "Section 1. Subsection (b) of section 19a-77 of the general statutes is
4 repealed and the following is substituted in lieu thereof (*Effective from*
5 *passage*):

6 (b) For licensing requirement purposes, child care services shall not
7 include such services which are:

8 (1) (A) Administered by a public school system, or (B) administered
9 by a municipal agency or department;

10 (2) Administered by a private school which is in compliance with
11 section 10-188 and is approved by the State Board of Education or is
12 accredited by an accrediting agency recognized by the State Board of
13 Education;

14 (3) Classes in music, dance, drama and art that are no longer than
15 two hours in length; classes that teach a single skill that are no longer
16 than two hours in length; library programs that are no longer than two
17 hours in length; scouting; programs that offer exclusively sports
18 activities; rehearsals; academic tutoring programs; or programs
19 exclusively for children thirteen years of age or older;

20 (4) Informal arrangements among neighbors and formal or informal
21 arrangements among relatives in their own homes, provided the
22 relative is limited to any of the following degrees of kinship by blood
23 or marriage to the child being cared for or to the child's parent: Child,
24 grandchild, sibling, niece, nephew, aunt, uncle or child of one's aunt or
25 uncle;

26 (5) Supplementary child care operations for educational or
27 recreational purposes and the child receives such care infrequently
28 where the parents are on the premises;

29 (6) Supplementary child care operations in retail establishments
30 where the parents remain in the same store as the child for retail
31 shopping, provided the drop-in supplementary child-care operation
32 does not charge a fee and does not refer to itself as a child care center;

33 (7) Administered by a nationally chartered boys' and girls' club that
34 are exclusively for school-age children;

35 (8) Religious educational activities administered by a religious
36 institution exclusively for children whose parents or legal guardians
37 are members of such religious institution;

38 (9) Administered by Solar Youth, Inc., a New Haven-based
39 nonprofit youth development and environmental education
40 organization;

41 (10) Programs administered by organizations under contract with
42 the Department of Social Services pursuant to section 17b-851a that
43 promote the reduction of teenage pregnancy through the provision of

44 services to persons who are ten to nineteen years of age, inclusive; [or]

45 (11) Administered by the Cardinal Shehan Center, a Bridgeport-
46 based nonprofit organization that is exclusively for school-age
47 children; or

48 (12) Administered by Organized Parents Make a Difference, Inc., a
49 Hartford-based nonprofit organization that is exclusively for school-
50 age children.

51 Sec. 2. Section 219 of public act 14-217 is repealed and the following
52 is substituted in lieu thereof (*Effective July 1, 2018*):

53 (a) Any municipality in New Haven county with a population of
54 less than sixty-five thousand, using population information from the
55 most recent federal decennial census, that issues pension deficit
56 funding bonds, in accordance with the provisions of section 7-374c of
57 the general statutes, on or before June 30, 2015, shall comply with the
58 provisions of said section 7-374c as to such pension deficit funding
59 bonds except that the actuarially recommended contribution shall be
60 determined as follows:

61 (1) For the fiscal year in which the pension deficit funding bonds are
62 issued, the actuarially recommended contribution shall be not less than
63 fifty per cent of the contribution required by section 7-374c of the
64 general statutes;

65 (2) For the fiscal year subsequent to the fiscal year in which the
66 pension deficit funding bonds are issued, the actuarially recommended
67 contribution shall be fifty-five per cent of the contribution required by
68 section 7-374c of the general statutes or an amount equal to five million
69 dollars more than the contribution made pursuant to subdivision (1) of
70 this subsection, whichever is less;

71 (3) For the second fiscal year subsequent to the fiscal year in which
72 the pension deficit funding bonds are issued, the actuarially
73 recommended contribution shall be seventy per cent of the

74 contribution required by section 7-374c of the general statutes or an
75 amount equal to five million dollars more than the contribution made
76 pursuant to subdivision (2) of this subsection, whichever is less;

77 (4) For the third fiscal year subsequent to the fiscal year in which the
78 pension deficit funding bonds are issued, the actuarially recommended
79 contribution shall be [eighty] fifty-five per cent of the contribution
80 required by section 7-374c of the general statutes; [or an amount equal
81 to five million dollars more than the contribution made pursuant to
82 subdivision (3) of this subsection, whichever is less; and]

83 (5) For the fourth fiscal year subsequent to the fiscal year in which
84 the pension deficit funding bonds are issued, the actuarially
85 recommended contribution shall be seventy per cent of the
86 contribution required by section 7-374c of the general statutes or an
87 amount equal to three million dollars more than the contribution made
88 the prior fiscal year, whichever is less;

89 (6) For the fifth fiscal year subsequent to the fiscal year in which the
90 pension deficit funding bonds are issued, the actuarially recommended
91 contribution shall be eighty-five per cent of the contribution required
92 by section 7-374c of the general statutes or an amount equal to three
93 million dollars more than the contribution made the prior fiscal year,
94 whichever is less; and

95 [(5)] (7) For the [fourth] sixth fiscal year subsequent to the fiscal year
96 in which the pension deficit funding bonds are issued and for each
97 fiscal year thereafter, the actuarially recommended contribution shall
98 be made in accordance with the provisions of section 7-374c of the
99 general statutes.

100 (b) If the municipality issuing pension deficit funding bonds
101 pursuant to this section fails to meet the actuarially recommended
102 contribution in any fiscal year, the Municipal Finance Advisory
103 Commission may require the chief fiscal officer or the chief executive
104 official of the municipality to appear before said commission.

105 Sec. 3. (*Effective July 1, 2018*) The sum of one hundred sixty-eight
106 thousand dollars shall be made available for a grant to the Naugatuck
107 Valley Council of Governments, for a school consolidation study, by
108 the Office of Policy and Management from the regional planning
109 incentive account established pursuant to section 4-66k of the general
110 statutes.

111 Sec. 4. Section 697 of public act 17-2 of the June special session is
112 repealed and the following is substituted in lieu thereof (*Effective July*
113 *1, 2018*):

114 Notwithstanding the provisions of section 4-66aa of the general
115 statutes, for the fiscal years ending June 30, 2018, and June 30, 2019, the
116 sum of \$5,000,000 shall be transferred from the community investment
117 account and credited to the resources of the General Fund for each said
118 fiscal year, provided for the fiscal year ending June 30, 2019, such sum
119 shall be transferred on a pro rata basis from the community investment
120 account.

121 Sec. 5. Section 19a-36i of the 2018 supplement to the general statutes
122 is repealed and the following is substituted in lieu thereof (*Effective*
123 *from passage*):

124 [(1)] (a) No person, firm or corporation shall operate or maintain
125 any food establishment where food or beverages are served or sold to
126 the public in any town, city or borough without obtaining a valid
127 permit or license to operate from the director of health of such town,
128 city or borough, in a form and manner prescribed by the director of
129 health. The director of health shall issue a permit or license to operate a
130 food establishment upon receipt of an application if the food
131 establishment meets the requirements of this section. All food
132 establishments shall comply with the food code.

133 [(2)] (b) All food establishments shall be inspected by a certified
134 food inspector in a form and manner prescribed by the commissioner.
135 The Commissioner of Public Health may, in consultation with the
136 Commissioner of Consumer Protection, grant a variance for the

137 requirements of the food code if the Commissioner of Public Health
138 determines that such variance would not result in a health hazard or
139 nuisance.

140 [(3)] (c) No permit to operate a food establishment shall be issued by
141 a director of health unless the applicant has provided the director of
142 health with proof of registration with the department and a written
143 application for a permit in a form and manner prescribed by the
144 department. Temporary food establishments and certified farmers'
145 markets, as defined in section 22-6r, shall be exempt from registering
146 with the Department of Public Health.

147 [(4)] (d) Each class 2 food establishment, class 3 food establishment
148 and class 4 food establishment shall employ a certified food protection
149 manager. No person shall serve as a certified food protection manager
150 unless such person has satisfactorily passed a test as part of a food
151 protection manager certification program that is evaluated and
152 approved by an accrediting agency recognized by the Conference for
153 Food Protection as conforming to its standards for accreditation of
154 food protection manager certification programs. A certified food
155 inspector shall verify that the food protection manager is certified
156 upon inspection of the food establishment.

157 (e) The commissioner shall collaborate with the directors of health
158 to develop a process that allows for the reciprocal licensing of an
159 itinerant food vending establishment that has obtained a valid permit
160 or license under subsection (a) of this section and seeks to operate as
161 an itinerant food vending establishment in another town, city or
162 borough. Not later than January 1, 2019, the commissioner shall submit
163 a report, in accordance with the provisions of section 11-4a, to the joint
164 standing committee of the General Assembly having cognizance of
165 matters relating to public health, of the process developed pursuant to
166 this subsection. Not later than February 1, 2019, the commissioner and
167 each director of health shall implement such process.

168 Sec. 6. (NEW) (*Effective from passage*) (a) If the board of directors of

169 the Connecticut Retirement Security Authority, established pursuant
170 to section 31-417 of the general statutes, determines that the current
171 expenses of the authority exceed the amount of available funds, the
172 board may make a written request to the Secretary of the Office of
173 Policy and Management for an advance, not to exceed one million
174 dollars in total, from the General Fund to pay such expenses.

175 (b) If the request is approved, the Office of Policy and Management
176 shall notify the State Treasurer and the State Comptroller of the
177 advance amount and the State Comptroller shall draw a warrant for
178 disbursement of such funds. The State Treasurer and the board shall
179 determine the terms of said advance, including (1) authorized uses,
180 and (2) the payback period, which shall not exceed ten years.

181 (c) The authority shall report on any advances in the annual report
182 as required pursuant to section 31-426 of the general statutes.

183 Sec. 7. Section 8-119f of the 2018 supplement to the general statutes
184 is repealed and the following is substituted in lieu thereof (*Effective*
185 *from passage*):

186 The Commissioner of Housing shall design, implement, operate and
187 monitor a program of congregate housing. For the purpose of this
188 program, the Commissioner of Housing shall consult with the
189 Commissioner of [Social] Rehabilitation Services for the provision of
190 services for persons with physical disabilities in order to comply with
191 the requirements of section 29-271.

192 Sec. 8. Section 17b-650a of the 2018 supplement to the general
193 statutes is repealed and the following is substituted in lieu thereof
194 (*Effective from passage*):

195 (a) There is created a Department of Rehabilitation Services. [The
196 Department of Social Services shall provide administrative support
197 services to the Department of Rehabilitation Services until the
198 Department of Rehabilitation Services requests cessation of such
199 services, or until June 30, 2013, whichever is earlier.] The Department

200 of Rehabilitation Services shall be responsible for providing the
201 following: (1) Services to persons who are deaf or hard of hearing; (2)
202 services for persons who are blind or visually impaired; [and] (3)
203 rehabilitation services in accordance with the provisions of the general
204 statutes concerning the Department of Rehabilitation Services; and (4)
205 services for older persons and their families. The Department of
206 Rehabilitation Services shall constitute a successor authority to the
207 Bureau of Rehabilitative Services in accordance with the provisions of
208 sections 4-38d, 4-38e and 4-39.

209 (b) The department head shall be the Commissioner of
210 Rehabilitation Services, who shall be appointed by the Governor in
211 accordance with the provisions of sections 4-5 to 4-8, inclusive, and
212 shall have the powers and duties described in said sections. The
213 Commissioner of Rehabilitation Services shall appoint such persons as
214 may be necessary to administer the provisions of public act 11-44 and
215 the Commissioner of Administrative Services shall fix the
216 compensation of such persons in accordance with the provisions of
217 section 4-40. The Commissioner of Rehabilitation Services may create
218 such sections within the Department of Rehabilitation Services as will
219 facilitate such administration, including a disability determinations
220 section for which one hundred per cent federal funds may be accepted
221 for the operation of such section in conformity with applicable state
222 and federal regulations. The Commissioner of Rehabilitation Services
223 may adopt regulations, in accordance with the provisions of chapter
224 54, to implement the purposes of the department as established by
225 statute.

226 (c) The Commissioner of Rehabilitation Services shall, annually, in
227 accordance with section 4-60, submit to the Governor a report in
228 electronic format on the activities of the Department of Rehabilitation
229 Services relating to services provided by the department to persons
230 who (1) are blind or visually impaired, (2) are deaf or hard of hearing,
231 [or] (3) receive vocational rehabilitation services, or (4) are older
232 persons or their families. The report shall include the data the
233 department provides to the federal government that relates to the

234 evaluation standards and performance indicators for the vocational
235 rehabilitation services program. The commissioner shall submit the
236 report in electronic format, in accordance with the provisions of section
237 11-4a, to the joint standing committees of the General Assembly having
238 cognizance of matters relating to human services and appropriations
239 and the budgets of state agencies.

240 (d) The functions, powers, duties and personnel of the former
241 Department on Aging, or any subsequent division or portion of a
242 division with similar functions, powers, duties and personnel, shall be
243 transferred to the Department of Rehabilitation Services pursuant to
244 the provisions of sections 4-38d, 4-38e and 4-39.

245 (e) The Department of Rehabilitation Services shall constitute a
246 successor department to the former Department on Aging, in
247 accordance with the provisions of sections 4-38d, 4-38e and 4-39.
248 Wherever the words "Commissioner on Aging" are used in the general
249 statutes, the words "Commissioner of Rehabilitation Services" shall be
250 substituted in lieu thereof. Wherever the words "Department on
251 Aging" are used in the general statutes, the words "Department of
252 Rehabilitation Services" shall be substituted in lieu thereof. Any order
253 or regulation of the former Department on Aging that is in force on the
254 effective date of this section shall continue in force and effect as an
255 order or regulation of the Department of Rehabilitation Services until
256 amended, repealed or superseded pursuant to law.

257 (f) The Governor may, with the approval of the Finance Advisory
258 Committee, transfer funds between the Department of Social Services
259 and the Department of Rehabilitation Services pursuant to subsection
260 (b) of section 4-87 during the fiscal year ending June 30, 2018.

261 (g) The Department of Rehabilitation Services is designated as the
262 State Unit on Aging to administer, manage, design and advocate for
263 benefits, programs and services for older persons and their families
264 pursuant to the Older Americans Act. The department shall study
265 continuously the conditions and needs of older persons in this state in

266 relation to nutrition, transportation, home care, housing, income,
267 employment, health, recreation and other matters. The department
268 shall be responsible, in cooperation with federal, state, local and area
269 planning agencies on aging, for the overall planning, development and
270 administration of a comprehensive and integrated social service
271 delivery system for older persons. The Department of Rehabilitation
272 Services is designated as the state agency for the administration of
273 nutritional programs for elderly persons described in section 17a-302,
274 the fall prevention program described in section 17a-303a, the
275 CHOICES program described in section 17a-314, the Aging and
276 Disability Resource Center Program described in section 17a-316a and
277 the Alzheimer's respite program described in section 17b-349e.

278 Sec. 9. Section 17b-1 of the 2018 supplement to the general statutes is
279 repealed and the following is substituted in lieu thereof (*Effective from*
280 *passage*):

281 (a) There is established a Department of Social Services. The
282 department head shall be the Commissioner of Social Services, who
283 shall be appointed by the Governor in accordance with the provisions
284 of sections 4-5 to 4-8, inclusive, with the powers and duties therein
285 prescribed.

286 (b) The Department of Social Services shall constitute a successor
287 department to the [Department on Aging,] Department of Income
288 Maintenance and the Department of Human Resources in accordance
289 with the provisions of sections 4-38d and 4-39.

290 (c) Wherever the words ["Commissioner on Aging,] "Commissioner
291 of Income Maintenance" or "Commissioner of Human Resources" are
292 used in the general statutes, the words "Commissioner of Social
293 Services" shall be substituted in lieu thereof. Wherever the words
294 ["Department on Aging,] "Department of Income Maintenance" or
295 "Department of Human Resources" are used in the general statutes,
296 "Department of Social Services" shall be substituted in lieu thereof.

297 (d) Any order or regulation of the Department of Income

298 Maintenance [,) or the Department of Human Resources [or the
299 Department on Aging] which is in force on July 1, 1993, shall continue
300 in force and effect as an order or regulation of the Department of Social
301 Services until amended, repealed or superseded pursuant to law. [Any
302 order or regulation of the Department on Aging which is in force on
303 the effective date of this section shall continue in force and effect as an
304 order or regulation of the Department of Social Services until
305 amended, repealed or superseded pursuant to law.] Where any order
306 or regulation of said departments conflict, the Commissioner of Social
307 Services may implement policies and procedures consistent with the
308 provisions of public act 93-262 while in the process of adopting the
309 policy or procedure in regulation form, provided notice of intention to
310 adopt the regulations is [printed in the Connecticut Law Journal]
311 posted on the eRegulations System within twenty days of
312 implementation. The policy or procedure shall be valid until the time
313 final regulations are effective.

314 [(e) The functions, powers, duties and personnel of the Department
315 on Aging, or any subsequent division or portion of a division with
316 similar functions, powers, personnel and duties, shall be transferred to
317 the Department of Social Services pursuant to the provisions of
318 sections 4-38d, 4-38e and 4-39.

319 (f) The Governor may, with the approval of the Finance Advisory
320 Committee, transfer funds between the Department on Aging and the
321 Department of Social Services pursuant to subsection (b) of section 4-
322 87 during the fiscal year ending June 30, 2018.]

323 Sec. 10. Section 17b-2 of the 2018 supplement to the general statutes
324 is repealed and the following is substituted in lieu thereof (*Effective*
325 *from passage*):

326 [(a)] The Department of Social Services is designated as the state
327 agency for the administration of (1) the Connecticut energy assistance
328 program pursuant to the Low Income Home Energy Assistance Act of
329 1981; (2) the state plan for vocational rehabilitation services for the

330 fiscal year ending June 30, 1994; (3) the refugee assistance program
331 pursuant to the Refugee Act of 1980; (4) the legalization impact
332 assistance grant program pursuant to the Immigration Reform and
333 Control Act of 1986; (5) the temporary assistance for needy families
334 program pursuant to the Personal Responsibility and Work
335 Opportunity Reconciliation Act of 1996; (6) the Medicaid program
336 pursuant to Title XIX of the Social Security Act; (7) the supplemental
337 nutrition assistance program pursuant to the Food and Nutrition Act
338 of 2008; (8) the state supplement to the Supplemental Security Income
339 Program pursuant to the Social Security Act; (9) the state child support
340 enforcement plan pursuant to Title IV-D of the Social Security Act; (10)
341 the state social services plan for the implementation of the social
342 services block grants and community services block grants pursuant to
343 the Social Security Act; and (11) services for persons with autism
344 spectrum disorder in accordance with sections 17a-215 and 17a-215c.];
345 (12) nutritional programs for elderly persons; and (13) the fall
346 prevention program described in section 17a-303a.]

347 [(b) The Department of Social Services is designated as the State
348 Unit on Aging to administer, manage, design and advocate for
349 benefits, programs and services for older persons and their families
350 pursuant to the Older Americans Act. The department shall study
351 continuously the conditions and needs of older persons in this state in
352 relation to nutrition, transportation, home care, housing, income,
353 employment, health, recreation and other matters. The department
354 shall be responsible, in cooperation with federal, state, local and area
355 planning agencies on aging, for the overall planning, development and
356 administration of a comprehensive and integrated social service
357 delivery system for older persons.]

358 Sec. 11. Subsection (c) of section 3-123aa of the 2018 supplement to
359 the general statutes is repealed and the following is substituted in lieu
360 thereof (*Effective from passage*):

361 (c) There is established an advisory committee to the Connecticut
362 Homecare Option Program for the Elderly, which shall consist of the

363 State Treasurer, the State Comptroller, the Commissioner of Social
364 Services, the Commissioner of Rehabilitation Services, the director of
365 the long-term care partnership policy program within the Office of
366 Policy and Management, and the cochairpersons and ranking members
367 of the joint standing committees of the General Assembly having
368 cognizance of matters relating to aging, human services and finance,
369 revenue and bonding, or their designees. The Governor shall appoint
370 one provider of home care services for the elderly and a physician
371 specializing in geriatric care. The advisory committee shall meet at
372 least annually. The State Comptroller shall convene the meetings of the
373 committee.

374 Sec. 12. Section 4-38c of the 2018 supplement to the general statutes
375 is repealed and the following is substituted in lieu thereof (*Effective*
376 *from passage*):

377 There shall be within the executive branch of state government the
378 following departments: Office of Policy and Management, Department
379 of Administrative Services, Department of Revenue Services,
380 Department of Banking, Department of Agriculture, Department of
381 Children and Families, Department of Consumer Protection,
382 Department of Correction, Department of Economic and Community
383 Development, State Board of Education, Department of Emergency
384 Services and Public Protection, Department of Energy and
385 Environmental Protection, Department of Public Health, Board of
386 Regents for Higher Education, Insurance Department, Labor
387 Department, Department of Mental Health and Addiction Services,
388 Department of Developmental Services, Department of Social Services,
389 Department of Rehabilitation Services, Department of Transportation,
390 Department of Motor Vehicles and Department of Veterans Affairs.

391 Sec. 13. Section 4-38c of the 2018 supplement to the general statutes,
392 as amended by section 7 of public act 17-237 and section 287 of public
393 act 17-2 of the June special session, is repealed and the following is
394 substituted in lieu thereof (*Effective July 1, 2019*):

395 There shall be within the executive branch of state government the
396 following departments: Office of Policy and Management, Department
397 of Administrative Services, Department of Revenue Services,
398 Department of Banking, Department of Agriculture, Department of
399 Children and Families, Department of Consumer Protection,
400 Department of Correction, Department of Economic and Community
401 Development, State Board of Education, Department of Emergency
402 Services and Public Protection, Department of Energy and
403 Environmental Protection, Department of Public Health, Board of
404 Regents for Higher Education, Insurance Department, Labor
405 Department, Department of Mental Health and Addiction Services,
406 Department of Developmental Services, Department of Social Services,
407 Department of Rehabilitation Services, Department of Transportation,
408 Department of Motor Vehicles, Department of Veterans Affairs and the
409 Technical Education and Career System.

410 Sec. 14. Section 7-127b of the 2018 supplement to the general statutes
411 is repealed and the following is substituted in lieu thereof (*Effective*
412 *from passage*):

413 (a) The chief elected official or the chief executive officer if by
414 ordinance of each municipality shall appoint a municipal agent for
415 elderly persons. Such agent shall be a member of an agency that serves
416 elderly persons in the municipality or a responsible resident of the
417 municipality who has demonstrated an interest in the elderly or has
418 been involved in programs in the field of aging.

419 (b) The duties of the municipal agent may include, but shall not be
420 limited to, (1) disseminating information to elderly persons, assisting
421 such persons in learning about the community resources available to
422 them and publicizing such resources and benefits; (2) assisting elderly
423 persons to apply for federal and other benefits available to such
424 persons; and (3) reporting to the chief elected official or chief executive
425 officer of the municipality and the Department of [Social]
426 Rehabilitation Services any needs and problems of the elderly and any
427 recommendations for action to improve services to the elderly.

428 (c) Each municipal agent shall serve for a term of two or four years,
429 at the discretion of the appointing authority of each municipality, and
430 may be reappointed. If more than one agent is necessary to carry out
431 the purposes of this section, the appointing authority, in its discretion,
432 may appoint one or more assistant agents. The town clerk in each
433 municipality shall notify the Department of [Social] Rehabilitation
434 Services immediately of the appointment of a new municipal agent.
435 Each municipality may provide to its municipal agent resources
436 sufficient for such agent to perform the duties of the office.

437 (d) The Department of [Social] Rehabilitation Services shall adopt
438 and disseminate to municipalities guidelines as to the role and duties
439 of municipal agents and such informational and technical materials as
440 may assist such agents in performance of their duties. The department,
441 in cooperation with the area agencies on aging, may provide training
442 for municipal agents within the available resources of the department
443 and of the agencies on aging.

444 Sec. 15. Subsection (a) of section 17a-302 of the 2018 supplement to
445 the general statutes is repealed and the following is substituted in lieu
446 thereof (*Effective from passage*):

447 (a) The Department of [Social] Rehabilitation Services shall be
448 responsible for the administration of programs which provide
449 nutritionally sound diets to needy older persons and for the expansion
450 of such programs when possible. Such programs shall be continued in
451 such a manner as to fully utilize congregate feeding and nutrition
452 education of older citizens who qualify for such program.

453 Sec. 16. Section 17a-303a of the 2018 supplement to the general
454 statutes is repealed and the following is substituted in lieu thereof
455 (*Effective from passage*):

456 (a) The Department of [Social] Rehabilitation Services shall
457 establish, within available appropriations, a fall prevention program.
458 Within such program, the department shall:

459 (1) Promote and support research to: (A) Improve the identification,
460 diagnosis, treatment and rehabilitation of older persons and others
461 who have a high risk of falling; (B) improve data collection and
462 analysis to identify risk factors for falls and factors that reduce the
463 likelihood of falls; (C) design, implement and evaluate the most
464 effective fall prevention interventions; (D) improve intervention
465 strategies that have been proven effective in reducing falls by tailoring
466 such strategies to specific populations of older persons; (E) maximize
467 the dissemination of proven, effective fall prevention interventions; (F)
468 assess the risk of falls occurring in various settings; (G) identify
469 barriers to the adoption of proven interventions with respect to the
470 prevention of falls among older persons; (H) develop, implement and
471 evaluate the most effective approaches to reducing falls among high-
472 risk older persons living in communities and long-term care and
473 assisted living facilities; and (I) evaluate the effectiveness of
474 community programs designed to prevent falls among older persons;

475 (2) Establish, in consultation with the Commissioner of Public
476 Health, a professional education program in fall prevention, evaluation
477 and management for physicians, allied health professionals and other
478 health care providers who provide services for older persons in this
479 state. The Commissioner of [Social] Rehabilitation Services may
480 contract for the establishment of such program through (A) a request
481 for proposal process, (B) a competitive grant program, or (C)
482 cooperative agreements with qualified organizations, institutions or
483 consortia of qualified organizations and institutions;

484 (3) Oversee and support demonstration and research projects to be
485 carried out by organizations, institutions or consortia of organizations
486 and institutions deemed qualified by the Commissioner of [Social]
487 Rehabilitation Services. Such demonstration and research projects may
488 be in the following areas:

489 (A) Targeted fall risk screening and referral programs;

490 (B) Programs designed for community-dwelling older persons that

491 use fall intervention approaches, including physical activity,
492 medication assessment and reduction of medication when possible,
493 vision enhancement and home-modification strategies;

494 (C) Programs that target new fall victims who are at a high risk for
495 second falls and that are designed to maximize independence and
496 quality of life for older persons, particularly those older persons with
497 functional limitations; and

498 (D) Private sector and public-private partnerships to develop
499 technologies to prevent falls among older persons and prevent or
500 reduce injuries when falls occur; and

501 (4) Award grants to, or enter into contracts or cooperative
502 agreements with, organizations, institutions or consortia of
503 organizations and institutions deemed qualified by the Commissioner
504 of [Social] Rehabilitation Services to design, implement and evaluate
505 fall prevention programs using proven intervention strategies in
506 residential and institutional settings.

507 (b) In awarding any grants or entering into any agreements or
508 contracts after October 1, 2017, the Commissioner of [Social]
509 Rehabilitation Services shall determine appropriate data and program
510 outcome measures, including fall prevention program outcome
511 measures, as applicable, that the recipient organization, institution or
512 consortia of organizations and institutions shall collect and report to
513 the commissioner and the frequency of such reports.

514 Sec. 17. Section 17a-304 of the 2018 supplement to the general
515 statutes is repealed and the following is substituted in lieu thereof
516 (*Effective from passage*):

517 The state shall be divided into five elderly planning and service
518 areas, in accordance with federal law and regulations, each having an
519 area agency on aging to carry out the mandates of the federal Older
520 Americans Act of 1965, as amended. The area agencies shall (1)
521 represent older persons within their geographic areas, (2) develop an

522 area plan for approval by the Department of [Social] Rehabilitation
523 Services and upon such approval administer the plan, (3) coordinate
524 and assist local public and nonprofit, private agencies in the
525 development of programs, (4) receive and distribute federal and state
526 funds for such purposes, in accordance with applicable law, and (5)
527 carry out any additional duties and functions required by federal law
528 and regulations.

529 Sec. 18. Section 17a-305 of the 2018 supplement to the general
530 statutes is repealed and the following is substituted in lieu thereof
531 (*Effective from passage*):

532 (a) The Department of [Social] Rehabilitation Services shall
533 equitably allocate, in accordance with federal law, federal funds
534 received under Title IIIB and IIIC of the Older Americans Act to the
535 five area agencies on aging established pursuant to section 17a-304.
536 The department, before seeking federal approval to spend any amount
537 above that allotted for administrative expenses under said act, shall
538 inform the joint standing committees of the General Assembly having
539 cognizance of matters relating to aging and human services that it is
540 seeking such approval.

541 (b) Sixty per cent of the state funds appropriated to the five area
542 agencies on aging for elderly nutrition and social services shall be
543 allocated in the same proportion as allocations made pursuant to
544 subsection (a) of this section. Forty per cent of all state funds
545 appropriated to the five area agencies on aging for elderly nutrition
546 and social services used for purposes other than the required
547 nonfederal matching funds shall be allocated at the discretion of the
548 Commissioner of [Social] Rehabilitation Services, in consultation with
549 the five area agencies on aging, based on their need for such funds.
550 Any state funds appropriated to the five area agencies on aging for
551 administrative expenses shall be allocated equally.

552 (c) The Department of [Social] Rehabilitation Services, in
553 consultation with the five area agencies on aging, shall review the

554 method of allocation set forth in subsection (a) of this section and shall
555 report any findings or recommendations to the joint standing
556 committees of the General Assembly having cognizance of matters
557 relating to appropriations and the budgets of state agencies and
558 human services.

559 (d) An area agency may request a person participating in the elderly
560 nutrition program to pay a voluntary fee for meals furnished, except
561 that no eligible person shall be denied a meal due to an inability to pay
562 such fee.

563 Sec. 19. Section 17a-306 of the 2018 supplement to the general
564 statutes is repealed and the following is substituted in lieu thereof
565 (*Effective from passage*):

566 The Department of [Social] Rehabilitation Services shall adopt
567 regulations, in accordance with the provisions of chapter 54, to carry
568 out the purposes, programs and services authorized pursuant to the
569 Older Americans Act of 1965, as amended from time to time. The
570 department may operate under any new policy necessary to conform
571 to a requirement of a federal or joint state and federal program while it
572 is in the process of adopting the policy in regulation form, provided
573 the department posts such policy on the eRegulations System not later
574 than twenty days after adopting the policy. Such policy shall be valid
575 until the time final regulations are effective.

576 Sec. 20. Section 17a-310 of the 2018 supplement to the general
577 statutes is repealed and the following is substituted in lieu thereof
578 (*Effective from passage*):

579 The Department of [Social] Rehabilitation Services may make a
580 grant to any city, town or borough or public or private agency,
581 organization or institution for the following purposes: (1) For
582 community planning and coordination of programs carrying out the
583 purposes of the Older Americans Act of 1965, as amended; (2) for
584 demonstration programs or activities particularly valuable in carrying
585 out such purposes; (3) for training of special personnel needed to carry

586 out such programs and activities; (4) for establishment of new or
587 expansion of existing programs to carry out such purposes, including
588 establishment of new or expansion of existing centers of service for
589 older persons, providing recreational, cultural and other leisure time
590 activities, and informational, transportation, referral and preretirement
591 and postretirement counseling services for older persons and assisting
592 such persons in providing volunteer community or civic services,
593 except that no costs of construction, other than for minor alterations
594 and repairs, shall be included in such establishment or expansion; and
595 (5) for programs to develop or demonstrate approaches, methods and
596 techniques for achieving or improving coordination of community
597 services for older or aging persons and such other programs and
598 services as may be allowed under Title III of the Older Americans Act
599 of 1965, as amended, or to evaluate these approaches, techniques and
600 methods, as well as others which may assist older or aging persons to
601 enjoy wholesome and meaningful living and to continue to contribute
602 to the strength and welfare of the state and nation.

603 Sec. 21. Section 17a-313 of the 2018 supplement to the general
604 statutes is repealed and the following is substituted in lieu thereof
605 (*Effective from passage*):

606 The Department of [Social] Rehabilitation Services may use moneys
607 appropriated for the purposes of section 17a-310 for the expenses of
608 administering the grant program under said section, provided the total
609 of such moneys so used shall not exceed five per cent of the moneys so
610 appropriated.

611 Sec. 22. Section 17a-314 of the 2018 supplement to the general
612 statutes is repealed and the following is substituted in lieu thereof
613 (*Effective from passage*):

614 (a) As used in this section:

615 (1) "CHOICES" means Connecticut's programs for health insurance
616 assistance, outreach, information and referral, counseling and
617 eligibility screening; and

618 (2) "CHOICES health insurance assistance program" means the
619 federally recognized state health insurance assistance program funded
620 pursuant to P.L. 101-508 and administered by the Department of
621 [Social] Rehabilitation Services, in conjunction with the area agencies
622 on aging and the Center for Medicare Advocacy, that provides free
623 information and assistance related to health insurance issues and
624 concerns of older persons and other Medicare beneficiaries in
625 Connecticut.

626 (b) The Department of [Social] Rehabilitation Services shall
627 administer the CHOICES health insurance assistance program, which
628 shall be a comprehensive Medicare advocacy program that provides
629 assistance to Connecticut residents who are Medicare beneficiaries.

630 (c) The program shall provide: (1) Toll-free telephone access for
631 consumers to obtain advice and information on Medicare benefits,
632 including prescription drug benefits available through the Medicare
633 Part D program, the Medicare appeals process, health insurance
634 matters applicable to Medicare beneficiaries and long-term care
635 options available in the state at least five days per week during normal
636 business hours; (2) information, advice and representation, where
637 appropriate, concerning the Medicare appeals process, by a qualified
638 attorney or paralegal at least five days per week during normal
639 business hours; (3) information through appropriate means and
640 format, including written materials, to Medicare beneficiaries, their
641 families, senior citizens and organizations regarding Medicare
642 benefits, including prescription drug benefits available through
643 Medicare Part D and other pharmaceutical drug company programs
644 and long-term care options available in the state; (4) information
645 concerning Medicare plans and services, private insurance policies and
646 federal and state-funded programs that are available to beneficiaries to
647 supplement Medicare coverage; (5) information permitting Medicare
648 beneficiaries to compare and evaluate their options for delivery of
649 Medicare and supplemental insurance services; (6) information
650 concerning the procedure to appeal a denial of care and the procedure
651 to request an expedited appeal of a denial of care; and (7) any other

652 information the program or the Commissioner of [Social]
653 Rehabilitation Services deems relevant to Medicare beneficiaries.

654 (d) The Commissioner of [Social] Rehabilitation Services may
655 include any additional functions necessary to conform to federal grant
656 requirements.

657 (e) All hospitals, as defined in section 19a-490, which treat persons
658 covered by Medicare Part A shall: (1) Notify incoming patients covered
659 by Medicare of the availability of the services established pursuant to
660 subsection (c) of this section, (2) post or cause to be posted in a
661 conspicuous place therein the toll-free number established pursuant to
662 subsection (c) of this section, and (3) provide each Medicare patient
663 with the toll-free number and information on how to access the
664 CHOICES program.

665 (f) The Commissioner of [Social] Rehabilitation Services may adopt
666 regulations, in accordance with chapter 54, as necessary to implement
667 the provisions of this section.

668 Sec. 23. Subsection (a) of section 17a-316a of the 2018 supplement to
669 the general statutes is repealed and the following is substituted in lieu
670 thereof (*Effective from passage*):

671 (a) The Commissioner of [Social] Rehabilitation Services shall
672 develop and administer a program to provide a single, coordinated
673 system of information and access for individuals seeking long-term
674 support, including in-home, community-based and institutional
675 services. The program shall be the state Aging and Disability Resource
676 Center Program in accordance with the federal Older Americans Act
677 Amendments of 2006, P.L. 109-365 and shall be administered as part of
678 the Department of [Social] Rehabilitation Services' CHOICES program
679 in accordance with subdivision (1) of subsection (a) of section 17a-314.
680 Consumers served by the program shall include, but not be limited to,
681 those sixty years of age or older and those eighteen years of age or
682 older with disabilities and caregivers.

683 Sec. 24. Section 17a-405 of the 2018 supplement to the general
684 statutes is repealed and the following is substituted in lieu thereof
685 (*Effective from passage*):

686 (a) As used in this chapter:

687 (1) "State agency" means the [Office of Policy and Management]
688 Department of Rehabilitation Services.

689 (2) "Office" means the Office of the Long-Term Care Ombudsman
690 established in this section.

691 (3) "State Ombudsman" means the State Ombudsman established in
692 this section.

693 (4) "Program" means the long-term care ombudsman program
694 established in this section.

695 (5) "Representative" includes a regional ombudsman, a residents'
696 advocate or an employee of the Office of the Long-Term Care
697 Ombudsman who is individually designated by the State
698 Ombudsman.

699 (6) "Resident" means an older individual who resides in or is a
700 patient in a long-term care facility who is sixty years of age or older.

701 (7) "Long-term care facility" means any skilled nursing facility, as
702 defined in Section 1819(a) of the Social Security Act, (42 USC 1395i-
703 3(a)) any nursing facility, as defined in Section 1919(a) of the Social
704 Security Act, (42 USC 1396r(a)) a board and care facility as defined in
705 Section 102(19) of the federal Older Americans Act, (42 USC 3002(19))
706 and for purposes of ombudsman program coverage, an institution
707 regulated by the state pursuant to Section 1616(e) of the Social Security
708 Act, (42 USC 1382e(e)) and any other adult care home similar to a
709 facility or nursing facility or board and care home.

710 (8) ["Secretary" means the Secretary of the Office of Policy and
711 Management] "Commissioner" means the Commissioner of

712 Rehabilitation Services.

713 (9) "Applicant" means an older individual who has applied for
714 admission to a long-term care facility.

715 (b) There is established an independent Office of the Long-Term
716 Care Ombudsman within the [Office of Policy and Management]
717 Department of Rehabilitation Services. The [Secretary of the Office of
718 Policy and Management] Commissioner of Rehabilitation Services
719 shall appoint a State Ombudsman who shall be selected from among
720 individuals with expertise and experience in the fields of long-term
721 care and advocacy to head the office and the State Ombudsman shall
722 appoint assistant regional ombudsmen. In the event the State
723 Ombudsman or an assistant regional ombudsman is unable to fulfill
724 the duties of the office, the [secretary] commissioner shall appoint an
725 acting State Ombudsman and the State Ombudsman shall appoint an
726 acting assistant regional ombudsman.

727 (c) Notwithstanding the provisions of subsection (b) of this section,
728 on and after July 1, 1990, the positions of State Ombudsman and
729 regional ombudsmen shall be classified service positions. The State
730 Ombudsman and regional ombudsmen holding said positions on said
731 date shall continue to serve in their positions as if selected through
732 classified service procedures. As vacancies occur in such positions
733 thereafter, such vacancies shall be filled in accordance with classified
734 service procedures.

735 Sec. 25. Section 17a-407 of the 2018 supplement to the general
736 statutes is repealed and the following is substituted in lieu thereof
737 (*Effective from passage*):

738 No person may perform any functions as a residents' advocate until
739 the person has successfully completed a course of training required by
740 the State Ombudsman. Any residents' advocate who fails to complete
741 such a course within a reasonable time after appointment may be
742 removed by the State Ombudsman or the regional ombudsman for the
743 region in which such residents' advocate serves. The [Secretary of the

744 Office of Policy and Management] Commissioner of Rehabilitation
745 Services, after consultation with the State Ombudsman, shall adopt
746 regulations, in accordance with the provisions of chapter 54, to carry
747 out the provisions of this section. Such regulations shall include, but
748 not be limited to, the course of training required by this [subsection]
749 section.

750 Sec. 26. Section 17a-416 of the 2018 supplement to the general
751 statutes is repealed and the following is substituted in lieu thereof
752 (*Effective from passage*):

753 The [Secretary of the Office of Policy and Management]
754 Commissioner of Rehabilitation Services, after consultation with the
755 State Ombudsman, shall adopt regulations in accordance with the
756 provisions of chapter 54, to carry out the provisions of sections 17a-405
757 to 17a-417, inclusive, 19a-531 and 19a-532.

758 Sec. 27. Section 17a-417 of the 2018 supplement to the general
759 statutes is repealed and the following is substituted in lieu thereof
760 (*Effective from passage*):

761 The [Secretary of the Office of Policy and Management]
762 Commissioner of Rehabilitation Services shall require the State
763 Ombudsman to:

764 (1) Prepare an annual report:

765 (A) Describing the activities carried out by the office in the year for
766 which the report is prepared;

767 (B) Containing and analyzing the data collected under section 17a-
768 418;

769 (C) Evaluating the problems experienced by and the complaints
770 made by or on behalf of residents;

771 (D) Containing recommendations for (i) improving the quality of
772 the care and life of the residents, and (ii) protecting the health, safety,

773 welfare and rights of the residents;

774 (E) (i) Analyzing the success of the program including success in
775 providing services to residents of long-term care facilities; and (ii)
776 identifying barriers that prevent the optimal operation of the program;
777 and

778 (F) Providing policy, regulatory and legislative recommendations to
779 solve identified problems, to resolve the complaints, to improve the
780 quality of the care and life of residents, to protect the health, safety,
781 welfare and rights of residents and to remove the barriers that prevent
782 the optimal operation of the program.

783 (2) Analyze, comment on and monitor the development and
784 implementation of federal, state and local laws, regulations and other
785 government policies and actions that pertain to long-term care facilities
786 and services, and to the health, safety, welfare and rights of residents
787 in the state, and recommend any changes in such laws, regulations and
788 policies as the office determines to be appropriate.

789 (3) (A) Provide such information as the office determines to be
790 necessary to public and private agencies, legislators and other persons,
791 regarding (i) the problems and concerns of older individuals residing
792 in long-term care facilities; and (ii) recommendations related to the
793 problems and concerns; and (B) make available to the public and
794 submit to the federal assistant secretary for aging, the Governor, the
795 General Assembly, the Department of Public Health and other
796 appropriate governmental entities, each report prepared under
797 subdivision (1) of this section.

798 Sec. 28. Subsection (c) of section 17a-411 of the 2018 supplement to
799 the general statutes is repealed and the following is substituted in lieu
800 thereof (*Effective from passage*):

801 (c) The Commissioner of [Social] Rehabilitation Services shall have
802 authority to seek funding for the purposes contained in this section
803 from public and private sources, including but not limited to any

804 federal or state funded programs.

805 Sec. 29. Subsection (b) of section 17a-667 of the 2018 supplement to
806 the general statutes is repealed and the following is substituted in lieu
807 thereof (*Effective from passage*):

808 (b) The council shall consist of the following members: (1) The
809 Secretary of the Office of Policy and Management, or the secretary's
810 designee; (2) the Commissioners of Children and Families, Consumer
811 Protection, Correction, Education, Mental Health and Addiction
812 Services, Public Health, Emergency Services and Public Protection,
813 Rehabilitation Services and Social Services, and the Insurance
814 Commissioner, or their designees; (3) the Chief Court Administrator,
815 or the Chief Court Administrator's designee; (4) the chairperson of the
816 Board of Regents for Higher Education, or the chairperson's designee;
817 (5) the president of The University of Connecticut, or the president's
818 designee; (6) the Chief State's Attorney, or the Chief State's Attorney's
819 designee; (7) the Chief Public Defender, or the Chief Public Defender's
820 designee; and (8) the cochairpersons and ranking members of the joint
821 standing committees of the General Assembly having cognizance of
822 matters relating to public health, criminal justice and appropriations,
823 or their designees. The Commissioner of Mental Health and Addiction
824 Services and the Commissioner of Children and Families shall be
825 cochairpersons of the council and may jointly appoint up to seven
826 individuals to the council as follows: (A) Two individuals in recovery
827 from a substance use disorder or representing an advocacy group for
828 individuals with a substance use disorder; (B) a provider of
829 community-based substance abuse services for adults; (C) a provider
830 of community-based substance abuse services for adolescents; (D) an
831 addiction medicine physician; (E) a family member of an individual in
832 recovery from a substance use disorder; and (F) an emergency
833 medicine physician currently practicing in a Connecticut hospital. The
834 cochairpersons of the council may establish subcommittees and
835 working groups and may appoint individuals other than members of
836 the council to serve as members of the subcommittees or working
837 groups. Such individuals may include, but need not be limited to: (i)

838 Licensed alcohol and drug counselors; (ii) pharmacists; (iii) municipal
839 police chiefs; (iv) emergency medical services personnel; and (v)
840 representatives of organizations that provide education, prevention,
841 intervention, referrals, rehabilitation or support services to individuals
842 with substance use disorder or chemical dependency.

843 Sec. 30. Subsection (b) of section 17b-4 of the 2018 supplement to the
844 general statutes is repealed and the following is substituted in lieu
845 thereof (*Effective from passage*):

846 (b) The Department of Social Services, in conjunction with the
847 Department of Public Health and the Department of Rehabilitation
848 Services, may adopt regulations in accordance with the provisions of
849 chapter 54 to establish requirements with respect to the submission of
850 reports concerning financial solvency and quality of care by nursing
851 homes for the purpose of determining the financial viability of such
852 homes, identifying homes that appear to be experiencing financial
853 distress and examining the underlying reasons for such distress. Such
854 reports shall be submitted to the Nursing Home Financial Advisory
855 Committee established under section 17b-339.

856 Sec. 31. Section 17b-251 of the 2018 supplement to the general
857 statutes is repealed and the following is substituted in lieu thereof
858 (*Effective from passage*):

859 The Department of [Social] Rehabilitation Services shall establish an
860 outreach program to educate consumers as to: (1) The need for long-
861 term care; (2) mechanisms for financing such care; (3) the availability
862 of long-term care insurance; and (4) the asset protection provided
863 under sections 17b-252 to 17b-254, inclusive, and 38a-475. The
864 Department of [Social] Rehabilitation Services shall provide public
865 information to assist individuals in choosing appropriate insurance
866 coverage.

867 Sec. 32. Subsection (c) of section 17b-337 of the 2018 supplement to
868 the general statutes is repealed and the following is substituted in lieu
869 thereof (*Effective from passage*):

870 (c) The Long-Term Care Planning Committee shall consist of: (1)
871 The chairpersons and ranking members of the joint standing
872 committees of the General Assembly having cognizance of matters
873 relating to human services, public health, elderly services and long-
874 term care; (2) the Commissioner of Social Services, or the
875 commissioner's designee; (3) one member of the Office of Policy and
876 Management appointed by the Secretary of the Office of Policy and
877 Management; (4) two members from the Department of Public Health
878 appointed by the Commissioner of Public Health, one of whom is from
879 the Office of Health Care Access division of the department; (5) one
880 member from the Department of Housing appointed by the
881 Commissioner of Housing; (6) one member from the Department of
882 Developmental Services appointed by the Commissioner of
883 Developmental Services; (7) one member from the Department of
884 Mental Health and Addiction Services appointed by the Commissioner
885 of Mental Health and Addiction Services; (8) one member from the
886 Department of Transportation appointed by the Commissioner of
887 Transportation; [and] (9) one member from the Department of
888 Children and Families appointed by the Commissioner of Children
889 and Families; and (10) one member from the Department of
890 Rehabilitation Services appointed by the Commissioner of
891 Rehabilitation Services. The committee shall convene no later than
892 ninety days after June 4, 1998. Any vacancy shall be filled by the
893 appointing authority. The chairperson shall be elected from among the
894 members of the committee. The committee shall seek the advice and
895 participation of any person, organization or state or federal agency it
896 deems necessary to carry out the provisions of this section.

897 Sec. 33. Section 17b-349e of the 2018 supplement to the general
898 statutes is repealed and the following is substituted in lieu thereof
899 (*Effective from passage*):

900 (a) As used in this section:

901 (1) "Respite care services" means support services which provide
902 short-term relief from the demands of ongoing care for an individual

903 with Alzheimer's disease.

904 (2) "Caretaker" means a person who has the responsibility for the
905 care of an individual with Alzheimer's disease or has assumed the
906 responsibility for such individual voluntarily, by contract or by order
907 of a court of competent jurisdiction.

908 (3) "Copayment" means a payment made by or on behalf of an
909 individual with Alzheimer's disease for respite care services.

910 (4) "Individual with Alzheimer's disease" means an individual with
911 Alzheimer's disease or related disorders.

912 (b) The Commissioner of [Social] Rehabilitation Services shall
913 operate a program, within available appropriations, to provide respite
914 care services for caretakers of individuals with Alzheimer's disease,
915 provided such individuals with Alzheimer's disease meet the
916 requirements set forth in subsection (c) of this section. Such respite
917 care services may include, but need not be limited to (1) homemaker
918 services; (2) adult day care; (3) temporary care in a licensed medical
919 facility; (4) home-health care; (5) companion services; or (6) personal
920 care assistant services. Such respite care services may be administered
921 directly by the Department of [Social] Rehabilitation Services, or
922 through contracts for services with providers of such services, or by
923 means of direct subsidy to caretakers of individuals with Alzheimer's
924 disease to purchase such services.

925 (c) (1) No individual with Alzheimer's disease may participate in the
926 program if such individual (A) has an annual income of more than
927 forty-one thousand dollars or liquid assets of more than one hundred
928 nine thousand dollars, or (B) is receiving services under the
929 Connecticut home-care program for the elderly. On July 1, 2009, and
930 annually thereafter, the commissioner shall increase such income and
931 asset eligibility criteria over that of the previous fiscal year to reflect
932 the annual cost of living adjustment in Social Security income, if any.

933 (2) No individual with Alzheimer's disease who participates in the

934 program may receive more than three thousand five hundred dollars
935 for services under the program in any fiscal year or receive more than
936 thirty days of out-of-home respite care services other than adult day
937 care services under the program in any fiscal year, except that the
938 commissioner shall adopt regulations pursuant to subsection (d) of this
939 section to provide up to seven thousand five hundred dollars for
940 services to a participant in the program who demonstrates a need for
941 additional services.

942 (3) The commissioner may require an individual with Alzheimer's
943 disease who participates in the program to pay a copayment for respite
944 care services under the program, except the commissioner may waive
945 such copayment upon demonstration of financial hardship by such
946 individual.

947 (d) The commissioner shall adopt regulations in accordance with the
948 provisions of chapter 54 to implement the provisions of this section.
949 Such regulations shall include, but need not be limited to (1) standards
950 for eligibility for respite care services; (2) the basis for priority in
951 receiving services; (3) qualifications and requirements of providers,
952 which shall include specialized training in Alzheimer's disease,
953 dementia and related disorders; (4) a requirement that providers
954 accredited by the Joint Commission on the Accreditation of Healthcare
955 Organizations, when available, receive preference in contracting for
956 services; (5) provider reimbursement levels; (6) limits on services and
957 cost of services; and (7) a fee schedule for copayments.

958 (e) The [Commissioner of Social Services] commissioner may
959 allocate any funds appropriated in excess of five hundred thousand
960 dollars for the program among the five area agencies on aging
961 according to need, as determined by [said] the commissioner.

962 Sec. 34. Subsection (d) of section 17b-352 of the 2018 supplement to
963 the general statutes is repealed and the following is substituted in lieu
964 thereof (*Effective from passage*):

965 (d) Any facility acting pursuant to subdivision (3) of subsection (b)

966 of this section shall provide written notice, at the same time it submits
967 its letter of intent, to all patients, guardians or conservators, if any, or
968 legally liable relatives or other responsible parties, if known, and shall
969 post such notice in a conspicuous location at the facility. The facility's
970 written notice shall be accompanied by an informational letter issued
971 jointly from the Office of the Long-Term Care Ombudsman and the
972 Department of [Social] Rehabilitation Services on patients' rights and
973 services available as they relate to the letter of intent. The notice shall
974 state the following: (1) The projected date the facility will be
975 submitting its certificate of need application, (2) that only the
976 Department of Social Services has the authority to either grant, modify
977 or deny the application, (3) that the Department of Social Services has
978 up to ninety days to grant, modify or deny the certificate of need
979 application, (4) a brief description of the reason or reasons for
980 submitting a request for permission, (5) that no patient shall be
981 involuntarily transferred or discharged within or from a facility
982 pursuant to state and federal law because of the filing of the certificate
983 of need application, (6) that all patients have a right to appeal any
984 proposed transfer or discharge, and (7) the name, mailing address and
985 telephone number of the Office of the Long-Term Care Ombudsman
986 and local legal aid office.

987 Sec. 35. Section 21a-3a of the 2018 supplement to the general statutes
988 is repealed and the following is substituted in lieu thereof (*Effective*
989 *from passage*):

990 The Department of Consumer Protection, in collaboration with the
991 Department of [Social] Rehabilitation Services, shall conduct a public
992 awareness campaign, within available funding, to educate elderly
993 consumers and caregivers on ways to resist aggressive marketing
994 tactics and scams.

995 Sec. 36. Section 38a-47 of the 2018 supplement to the general statutes
996 is repealed and the following is substituted in lieu thereof (*Effective*
997 *from passage*):

998 All domestic insurance companies and other domestic entities
999 subject to taxation under chapter 207 shall, in accordance with section
1000 38a-48, annually pay to the Insurance Commissioner, for deposit in the
1001 Insurance Fund established under section 38a-52a, an amount equal to
1002 the actual expenditures made by the Insurance Department during
1003 each fiscal year, and the actual expenditures made by the Office of the
1004 Healthcare Advocate, including the cost of fringe benefits for
1005 department and office personnel as estimated by the Comptroller, plus
1006 (1) the expenditures made on behalf of the department and the office
1007 from the Capital Equipment Purchase Fund pursuant to section 4a-9
1008 for such year, and (2) the amount appropriated to the Department of
1009 [Social] Rehabilitation Services for the fall prevention program
1010 established in section 17a-303a from the Insurance Fund for the fiscal
1011 year, but excluding expenditures paid for by fraternal benefit societies,
1012 foreign and alien insurance companies and other foreign and alien
1013 entities under sections 38a-49 and 38a-50. Payments shall be made by
1014 assessment of all such domestic insurance companies and other
1015 domestic entities calculated and collected in accordance with the
1016 provisions of section 38a-48. Any such domestic insurance company or
1017 other domestic entity aggrieved because of any assessment levied
1018 under this section may appeal therefrom in accordance with the
1019 provisions of section 38a-52.

1020 Sec. 37. Section 38a-48 of the 2018 supplement to the general statutes
1021 is repealed and the following is substituted in lieu thereof (*Effective*
1022 *from passage*):

1023 (a) On or before June thirtieth, annually, the Commissioner of
1024 Revenue Services shall render to the Insurance Commissioner a
1025 statement certifying the amount of taxes or charges imposed on each
1026 domestic insurance company or other domestic entity under chapter
1027 207 on business done in this state during the preceding calendar year.
1028 The statement for local domestic insurance companies shall set forth
1029 the amount of taxes and charges before any tax credits allowed as
1030 provided in subsection (a) of section 12-202.

1031 (b) On or before July thirty-first, annually, the Insurance
1032 Commissioner and the Office of the Healthcare Advocate shall render
1033 to each domestic insurance company or other domestic entity liable for
1034 payment under section 38a-47: (1) A statement that includes (A) the
1035 amount appropriated to the Insurance Department and the Office of
1036 the Healthcare Advocate for the fiscal year beginning July first of the
1037 same year, (B) the cost of fringe benefits for department and office
1038 personnel for such year, as estimated by the Comptroller, (C) the
1039 estimated expenditures on behalf of the department and the office
1040 from the Capital Equipment Purchase Fund pursuant to section 4a-9
1041 for such year, and (D) the amount appropriated to the Department of
1042 [Social] Rehabilitation Services for the fall prevention program
1043 established in section 17a-303a from the Insurance Fund for the fiscal
1044 year; (2) a statement of the total taxes imposed on all domestic
1045 insurance companies and domestic insurance entities under chapter
1046 207 on business done in this state during the preceding calendar year;
1047 and (3) the proposed assessment against that company or entity,
1048 calculated in accordance with the provisions of subsection (c) of this
1049 section, provided for the purposes of this calculation the amount
1050 appropriated to the Insurance Department and the Office of the
1051 Healthcare Advocate plus the cost of fringe benefits for department
1052 and office personnel and the estimated expenditures on behalf of the
1053 department and the office from the Capital Equipment Purchase Fund
1054 pursuant to section 4a-9 shall be deemed to be the actual expenditures
1055 of the department and the office, and the amount appropriated to the
1056 Department of [Social] Rehabilitation Services from the Insurance
1057 Fund for the fiscal year for the fall prevention program established in
1058 section 17a-303a shall be deemed to be the actual expenditures for the
1059 program.

1060 (c) (1) The proposed assessments for each domestic insurance
1061 company or other domestic entity shall be calculated by (A) allocating
1062 twenty per cent of the amount to be paid under section 38a-47 among
1063 the domestic entities organized under sections 38a-199 to 38a-209,
1064 inclusive, and 38a-214 to 38a-225, inclusive, in proportion to their

1065 respective shares of the total taxes and charges imposed under chapter
1066 207 on such entities on business done in this state during the preceding
1067 calendar year, and (B) allocating eighty per cent of the amount to be
1068 paid under section 38a-47 among all domestic insurance companies
1069 and domestic entities other than those organized under sections 38a-
1070 199 to 38a-209, inclusive, and 38a-214 to 38a-225, inclusive, in
1071 proportion to their respective shares of the total taxes and charges
1072 imposed under chapter 207 on such domestic insurance companies
1073 and domestic entities on business done in this state during the
1074 preceding calendar year, provided if there are no domestic entities
1075 organized under sections 38a-199 to 38a-209, inclusive, and 38a-214 to
1076 38a-225, inclusive, at the time of assessment, one hundred per cent of
1077 the amount to be paid under section 38a-47 shall be allocated among
1078 such domestic insurance companies and domestic entities.

1079 (2) When the amount any such company or entity is assessed
1080 pursuant to this section exceeds twenty-five per cent of the actual
1081 expenditures of the Insurance Department and the Office of the
1082 Healthcare Advocate, such excess amount shall not be paid by such
1083 company or entity but rather shall be assessed against and paid by all
1084 other such companies and entities in proportion to their respective
1085 shares of the total taxes and charges imposed under chapter 207 on
1086 business done in this state during the preceding calendar year, except
1087 that for purposes of any assessment made to fund payments to the
1088 Department of Public Health to purchase vaccines, such company or
1089 entity shall be responsible for its share of the costs, notwithstanding
1090 whether its assessment exceeds twenty-five per cent of the actual
1091 expenditures of the Insurance Department and the Office of the
1092 Healthcare Advocate. The provisions of this subdivision shall not be
1093 applicable to any corporation which has converted to a domestic
1094 mutual insurance company pursuant to section 38a-155 upon the
1095 effective date of any public act which amends said section to modify or
1096 remove any restriction on the business such a company may engage in,
1097 for purposes of any assessment due from such company on and after
1098 such effective date.

1099 (d) For purposes of calculating the amount of payment under
1100 section 38a-47, as well as the amount of the assessments under this
1101 section, the "total taxes imposed on all domestic insurance companies
1102 and other domestic entities under chapter 207" shall be based upon the
1103 amounts shown as payable to the state for the calendar year on the
1104 returns filed with the Commissioner of Revenue Services pursuant to
1105 chapter 207; with respect to calculating the amount of payment and
1106 assessment for local domestic insurance companies, the amount used
1107 shall be the taxes and charges imposed before any tax credits allowed
1108 as provided in subsection (a) of section 12-202.

1109 (e) On or before September thirtieth, annually, for each fiscal year
1110 ending prior to July 1, 1990, the Insurance Commissioner and the
1111 Healthcare Advocate, after receiving any objections to the proposed
1112 assessments and making such adjustments as in their opinion may be
1113 indicated, shall assess each such domestic insurance company or other
1114 domestic entity an amount equal to its proposed assessment as so
1115 adjusted. Each domestic insurance company or other domestic entity
1116 shall pay to the Insurance Commissioner on or before October thirty-
1117 first an amount equal to fifty per cent of its assessment adjusted to
1118 reflect any credit or amount due from the preceding fiscal year as
1119 determined by the commissioner under subsection (g) of this section.
1120 Each domestic insurance company or other domestic entity shall pay
1121 to the Insurance Commissioner on or before the following April
1122 thirtieth, the remaining fifty per cent of its assessment.

1123 (f) On or before September first, annually, for each fiscal year
1124 ending after July 1, 1990, the Insurance Commissioner and the
1125 Healthcare Advocate, after receiving any objections to the proposed
1126 assessments and making such adjustments as in their opinion may be
1127 indicated, shall assess each such domestic insurance company or other
1128 domestic entity an amount equal to its proposed assessment as so
1129 adjusted. Each domestic insurance company or other domestic entity
1130 shall pay to the Insurance Commissioner (1) on or before June 30, 1990,
1131 and on or before June thirtieth annually thereafter, an estimated
1132 payment against its assessment for the following year equal to twenty-

1133 five per cent of its assessment for the fiscal year ending such June
1134 thirtieth, (2) on or before September thirtieth, annually, twenty-five per
1135 cent of its assessment adjusted to reflect any credit or amount due
1136 from the preceding fiscal year as determined by the commissioner
1137 under subsection (g) of this section, and (3) on or before the following
1138 December thirty-first and March thirty-first, annually, each domestic
1139 insurance company or other domestic entity shall pay to the Insurance
1140 Commissioner the remaining fifty per cent of its proposed assessment
1141 to the department in two equal installments.

1142 (g) If the actual expenditures for the fall prevention program
1143 established in section 17a-303a are less than the amount allocated, the
1144 Commissioner of [Social] Rehabilitation Services shall notify the
1145 Insurance Commissioner and the Healthcare Advocate. Immediately
1146 following the close of the fiscal year, the Insurance Commissioner and
1147 the Healthcare Advocate shall recalculate the proposed assessment for
1148 each domestic insurance company or other domestic entity in
1149 accordance with subsection (c) of this section using the actual
1150 expenditures made by the Insurance Department and the Office of the
1151 Healthcare Advocate during that fiscal year, the actual expenditures
1152 made on behalf of the department and the office from the Capital
1153 Equipment Purchase Fund pursuant to section 4a-9 and the actual
1154 expenditures for the fall prevention program. On or before July thirty-
1155 first, the Insurance Commissioner and the Healthcare Advocate shall
1156 render to each such domestic insurance company and other domestic
1157 entity a statement showing the difference between their respective
1158 recalculated assessments and the amount they have previously paid.
1159 On or before August thirty-first, the Insurance Commissioner and the
1160 Healthcare Advocate, after receiving any objections to such statements,
1161 shall make such adjustments which in their opinion may be indicated,
1162 and shall render an adjusted assessment, if any, to the affected
1163 companies.

1164 (h) If any assessment is not paid when due, a penalty of twenty-five
1165 dollars shall be added thereto, and interest at the rate of six per cent
1166 per annum shall be paid thereafter on such assessment and penalty.

1167 (i) The [commissioner] Insurance Commissioner shall deposit all
1168 payments made under this section with the State Treasurer. On and
1169 after June 6, 1991, the moneys so deposited shall be credited to the
1170 Insurance Fund established under section 38a-52a and shall be
1171 accounted for as expenses recovered from insurance companies.

1172 Sec. 38. Section 38a-475 of the 2018 supplement to the general
1173 statutes is repealed and the following is substituted in lieu thereof
1174 (*Effective from passage*):

1175 The Insurance Department shall only precertify long-term care
1176 insurance policies that (1) alert the purchaser to the availability of
1177 consumer information and public education provided by the
1178 Department of [Social] Rehabilitation Services pursuant to section 17b-
1179 251; (2) offer the option of home and community-based services in
1180 addition to nursing home care; (3) in all home care plans, include case
1181 management services delivered by an access agency approved by the
1182 Office of Policy and Management and the Department of Social
1183 Services as meeting the requirements for such agency as defined in
1184 regulations adopted pursuant to subsection (e) of section 17b-342,
1185 which services shall include, but need not be limited to, the
1186 development of a comprehensive individualized assessment and care
1187 plan and, as needed, the coordination of appropriate services and the
1188 monitoring of the delivery of such services; (4) provide inflation
1189 protection; (5) provide for the keeping of records and an explanation of
1190 benefit reports on insurance payments which count toward Medicaid
1191 resource exclusion; and (6) provide the management information and
1192 reports necessary to document the extent of Medicaid resource
1193 protection offered and to evaluate the Connecticut Partnership for
1194 Long-Term Care. No policy shall be precertified if it requires prior
1195 hospitalization or a prior stay in a nursing home as a condition of
1196 providing benefits. The commissioner may adopt regulations, in
1197 accordance with chapter 54, to carry out the precertification provisions
1198 of this section.

1199 Sec. 39. Section 17a-302a of the 2018 supplement to the general

1200 statutes is repealed and the following is substituted in lieu thereof
1201 (*Effective from passage*):

1202 The Department of [Social] Rehabilitation Services shall hold
1203 quarterly meetings with nutrition service stakeholders to (1) develop
1204 recommendations to address complexities in the administrative
1205 processes of nutrition services programs, (2) establish quality control
1206 benchmarks in such programs, and (3) help move toward greater
1207 quality, efficiency and transparency in the elderly nutrition program.
1208 Stakeholders shall include, but need not be limited to, (A) one
1209 representative of each of the following: (i) Area agencies on aging, (ii)
1210 access agencies, (iii) the Commission on Women, Children and Seniors,
1211 and (iv) nutrition providers, and (B) one or more representatives of (i)
1212 food security programs, (ii) contractors, (iii) nutrition host sites, and
1213 (iv) consumers.

1214 Sec. 40. Subsection (c) of section 17b-28 of the 2018 supplement to
1215 the general statutes is repealed and the following is substituted in lieu
1216 thereof (*Effective from passage*):

1217 (c) On and after October 31, 2017, the council shall be composed of
1218 the following members:

1219 (1) The chairpersons and ranking members of the joint standing
1220 committees of the General Assembly having cognizance of matters
1221 relating to aging, human services, public health and appropriations
1222 and the budgets of state agencies, or their designees;

1223 (2) Five appointed by the speaker of the House of Representatives,
1224 one of whom shall be a member of the General Assembly, one of
1225 whom shall be a community provider of adult Medicaid health
1226 services, one of whom shall be a recipient of Medicaid benefits for the
1227 aged, blind and disabled or an advocate for such a recipient, one of
1228 whom shall be a representative of the state's federally qualified health
1229 clinics and one of whom shall be a member of the Connecticut Hospital
1230 Association;

1231 (3) Five appointed by the president pro tempore of the Senate, one
1232 of whom shall be a member of the General Assembly, one of whom
1233 shall be a representative of the home health care industry, one of
1234 whom shall be a primary care medical home provider, one of whom
1235 shall be an advocate for Department of Children and Families foster
1236 families and one of whom shall be a representative of the business
1237 community with experience in cost efficiency management;

1238 (4) Three appointed by the majority leader of the House of
1239 Representatives, one of whom shall be an advocate for persons with
1240 substance abuse disabilities, one of whom shall be a Medicaid dental
1241 provider and one of whom shall be a representative of the for-profit
1242 nursing home industry;

1243 (5) Three appointed by the majority leader of the Senate, one of
1244 whom shall be a representative of school-based health centers, one of
1245 whom shall be a recipient of benefits under the HUSKY Health
1246 program and one of whom shall be a physician who serves Medicaid
1247 clients;

1248 (6) Three appointed by the minority leader of the House of
1249 Representatives, one of whom shall be an advocate for persons with
1250 disabilities, one of whom shall be a dually eligible Medicaid-Medicare
1251 beneficiary or an advocate for such a beneficiary and one of whom
1252 shall be a representative of the not-for-profit nursing home industry;

1253 (7) Three appointed by the minority leader of the Senate, one of
1254 whom shall be a low-income adult recipient of Medicaid benefits or an
1255 advocate for such a recipient, one of whom shall be a representative of
1256 hospitals and one of whom shall be a representative of the business
1257 community with experience in cost efficiency management;

1258 (8) The executive director of the Commission on Women, Children
1259 and Seniors or the executive director's designee;

1260 (9) A member of the Commission on Women, Children and Seniors,
1261 designated by the executive director;

1262 (10) A representative of the Long-Term Care Advisory Council;

1263 (11) The Commissioners of Social Services, Children and Families,
1264 Public Health, Developmental Services, Rehabilitation Services and
1265 Mental Health and Addiction Services, or their designees, who shall be
1266 ex-officio nonvoting members;

1267 (12) The Comptroller, or the Comptroller's designee, who shall be an
1268 ex-officio nonvoting member;

1269 (13) The Secretary of the Office of Policy and Management, or the
1270 secretary's designee, who shall be an ex-officio nonvoting member; and

1271 (14) One representative of an administrative services organization
1272 which contracts with the Department of Social Services in the
1273 administration of the Medicaid program, who shall be a nonvoting
1274 member.

1275 Sec. 41. Subsection (a) of section 12-217 of the 2018 supplement to
1276 the general statutes is repealed and the following is substituted in lieu
1277 thereof (*Effective from passage and applicable to income years commencing*
1278 *on or after January 1, 2017*):

1279 (a) (1) In arriving at net income as defined in section 12-213, whether
1280 or not the taxpayer is taxable under the federal corporation net income
1281 tax, there shall be deducted from gross income, (A) all items deductible
1282 under the Internal Revenue Code effective and in force on the last day
1283 of the income year except (i) any taxes imposed under the provisions
1284 of this chapter which are paid or accrued in the income year and in the
1285 income year commencing January 1, 1989, and thereafter, any taxes in
1286 any state of the United States or any political subdivision of such state,
1287 or the District of Columbia, imposed on or measured by the income or
1288 profits of a corporation which are paid or accrued in the income year,
1289 (ii) deductions for depreciation, which shall be allowed as provided in
1290 subsection (b) of this section, (iii) deductions for qualified domestic
1291 production activities income, as provided in Section 199 of the Internal
1292 Revenue Code, and (iv) in the case of any captive real estate

1293 investment trust, the deduction for dividends paid provided under
1294 Section 857(b)(2) of the Internal Revenue Code, and (B) additionally, in
1295 the case of a regulated investment company, the sum of (i) the exempt-
1296 interest dividends, as defined in the Internal Revenue Code, and (ii)
1297 expenses, bond premium, and interest related to tax-exempt income
1298 that are disallowed as deductions under the Internal Revenue Code,
1299 and (C) in the case of a taxpayer maintaining an international banking
1300 facility as defined in the laws of the United States or the regulations of
1301 the Board of Governors of the Federal Reserve System, as either may
1302 be amended from time to time, the gross income attributable to the
1303 international banking facility, provided, no expense or loss attributable
1304 to the international banking facility shall be a deduction under any
1305 provision of this section, and (D) additionally, in the case of all
1306 taxpayers, all dividends as defined in the Internal Revenue Code
1307 effective and in force on the last day of the income year not otherwise
1308 deducted from gross income, including dividends received from a
1309 DISC or former DISC as defined in Section 992 of the Internal Revenue
1310 Code and dividends deemed to have been distributed by a DISC or
1311 former DISC as provided in Section 995 of said Internal Revenue Code,
1312 other than thirty per cent of dividends received from a domestic
1313 corporation in which the taxpayer owns less than twenty per cent of
1314 the total voting power and value of the stock of such corporation, and
1315 (E) additionally, in the case of all taxpayers, the value of any capital
1316 gain realized from the sale of any land, or interest in land, to the state,
1317 any political subdivision of the state, or to any nonprofit land
1318 conservation organization where such land is to be permanently
1319 preserved as protected open space or to a water company, as defined
1320 in section 25-32a, where such land is to be permanently preserved as
1321 protected open space or as Class I or Class II water company land, and
1322 (F) in the case of manufacturers, the amount of any contribution to a
1323 manufacturing reinvestment account established pursuant to section
1324 32-9zz in the income year that such contribution is made to the extent
1325 not deductible for federal income tax purposes, [and] (G) additionally,
1326 to the extent allowable under subsection (g) of section 32-776, the
1327 amount paid by a 7/7 participant, as defined in section 32-776, for the

1328 remediation of a brownfield, and (H) the amount of any contribution
1329 made on or after December 23, 2017, by the state of Connecticut or a
1330 political subdivision thereof to the extent included in a company's
1331 gross income under Section 118(b)(2) of the Internal Revenue Code.

1332 (2) (A) No deduction shall be allowed for [(A)] (i) expenses related
1333 to dividends [which] ~~that~~ are allowable as a deduction or credit under
1334 the Internal Revenue Code, and [(B)] (ii) federal taxes on income or
1335 profits, losses of other calendar or fiscal years, retroactive to include all
1336 calendar or fiscal years beginning after January 1, 1935, interest
1337 received from federal, state and local government securities, if any
1338 such deductions are allowed by the federal government.

1339 (B) For purposes of this subdivision, expenses related to dividends
1340 shall equal five per cent of all dividends received by a company during
1341 an income year. The net income associated with the disallowance of
1342 expenses related to dividends shall be apportioned, if the company
1343 conducts business within and without the state or is required to
1344 apportion its income under section 12-218b, in accordance with this
1345 chapter.

1346 (3) Notwithstanding any provision of this section to the contrary, no
1347 dividend received from a real estate investment trust shall be
1348 deductible under this section by the recipient unless the dividend is:
1349 (A) Deductible under Section 243 of the Internal Revenue Code; (B)
1350 received by a qualified dividend recipient from a qualified real estate
1351 investment trust and, as of the last day of the period for which such
1352 dividend is paid, persons, not including the qualified dividend
1353 recipient or any person that is either a related person to, or an
1354 employee or director of, the qualified dividend recipient, have
1355 outstanding cash capital contributions to the qualified real estate
1356 investment trust that, in the aggregate, exceed five per cent of the fair
1357 market value of the aggregate real estate assets, valued as of the last
1358 day of the period for which such dividend is paid, then held by the
1359 qualified real estate investment trust; or (C) received from a captive
1360 real estate investment trust that is subject to the tax imposed under this

1361 chapter. For purposes of this section, a "related person" is as defined in
1362 subdivision (7) of subsection (a) of section 12-217m, "real estate assets"
1363 is as defined in Section 856 of the Internal Revenue Code, a "qualified
1364 dividend recipient" means a dividend recipient who has invested in a
1365 qualified real estate investment trust prior to April 1, 1997, and a
1366 "qualified real estate investment trust" means an entity that both was
1367 incorporated and had contributed to it a minimum of five hundred
1368 million dollars worth of real estate assets prior to April 1, 1997, and
1369 that elects to be a real estate investment trust under Section 856 of the
1370 Internal Revenue Code prior to April 1, 1998.

1371 (4) Notwithstanding any provision of this section to the contrary,
1372 (A) any excess of the deductions provided in this section for any
1373 income year commencing on or after January 1, 1973, over the gross
1374 income for such year or the amount of such excess apportioned to this
1375 state under the provisions of this chapter, shall be an operating loss of
1376 such income year and shall be deductible as an operating loss carry-
1377 over for operating losses incurred prior to income years commencing
1378 January 1, 2000, in each of the five income years following such loss
1379 year, and for operating losses incurred in income years commencing
1380 on or after January 1, 2000, in each of the twenty income years
1381 following such loss year, except that (i) for income years commencing
1382 prior to January 1, 2015, the portion of such operating loss which may
1383 be deducted as an operating loss carry-over in any income year
1384 following such loss year shall be limited to the lesser of (I) any net
1385 income greater than zero of such income year following such loss year,
1386 or in the case of a company entitled to apportion its net income under
1387 the provisions of this chapter, the amount of such net income which is
1388 apportioned to this state pursuant thereto, or (II) the excess, if any, of
1389 such operating loss over the total of such net income for each of any
1390 prior income years following such loss year, such net income of each of
1391 such prior income years following such loss year for such purposes
1392 being computed without regard to any operating loss carry-over from
1393 such loss year allowed under this subparagraph and being regarded as
1394 not less than zero, and provided further the operating loss of any

1395 income year shall be deducted in any subsequent year, to the extent
1396 available for such deduction, before the operating loss of any
1397 subsequent income year is deducted, (ii) for income years commencing
1398 on or after January 1, 2015, the portion of such operating loss which
1399 may be deducted as an operating loss carry-over in any income year
1400 following such loss year shall be limited to the lesser of (I) fifty per
1401 cent of net income of such income year following such loss year, or in
1402 the case of a company entitled to apportion its net income under the
1403 provisions of this chapter, fifty per cent of such net income which is
1404 apportioned to this state pursuant thereto, or (II) the excess, if any, of
1405 such operating loss over the operating loss deductions allowable with
1406 respect to such operating loss under this subparagraph for each of any
1407 prior income years following such loss year, such net income of each of
1408 such prior income years following such loss year for such purposes
1409 being computed without regard to any operating loss carry-over from
1410 such loss year allowed under this subparagraph and being regarded as
1411 not less than zero, and provided further the operating loss of any
1412 income year shall be deducted in any subsequent year, to the extent
1413 available for such deduction, before the operating loss of any
1414 subsequent income year is deducted, and (iii) if a combined group so
1415 elects, the combined group shall relinquish fifty per cent of its unused
1416 operating losses incurred prior to the income year commencing on or
1417 after January 1, 2015, and before January 1, 2016, and may utilize the
1418 remaining operating loss carry-over without regard to the limitations
1419 prescribed in subparagraph (A)(ii) of this subdivision. The portion of
1420 such operating loss carry-over that may be deducted shall be limited to
1421 the amount required to reduce a combined group's tax under this
1422 chapter, prior to surtax and prior to the application of credits, to two
1423 million five hundred thousand dollars in any income year
1424 commencing on or after January 1, 2015. Only after the combined
1425 group's remaining operating loss carry-over for operating losses
1426 incurred prior to income years commencing January 1, 2015, has been
1427 fully utilized, will the limitations prescribed in subparagraph (A)(ii) of
1428 this subdivision apply. The combined group, or any member thereof,
1429 shall make such election on its return for the income year beginning on

1430 or after January 1, 2015, and before January 1, 2016, by the due date for
1431 such return, including any extensions. Only combined groups with
1432 unused operating losses in excess of six billion dollars from income
1433 years beginning prior to January 1, 2013, may make the election
1434 prescribed in this clause, and (B) any net capital loss, as defined in the
1435 Internal Revenue Code effective and in force on the last day of the
1436 income year, for any income year commencing on or after January 1,
1437 1973, shall be allowed as a capital loss carry-over to reduce, but not
1438 below zero, any net capital gain, as so defined, in each of the five
1439 following income years, in order of sequence, to the extent not
1440 exhausted by the net capital gain of any of the preceding of such five
1441 following income years, and (C) any net capital losses allowed and
1442 carried forward from prior years to income years beginning on or after
1443 January 1, 1973, for federal income tax purposes by companies entitled
1444 to a deduction for dividends paid under the Internal Revenue Code
1445 other than companies subject to the gross earnings taxes imposed
1446 under chapters 211 and 212, shall be allowed as a capital loss carry-
1447 over.

1448 (5) This section shall not apply to a life insurance company as
1449 defined in the Internal Revenue Code effective and in force on the last
1450 day of the income year. For purposes of this section, the unpaid loss
1451 reserve adjustment required for nonlife insurance companies under the
1452 provisions of Section 832(b)(5) of the Internal Revenue Code of 1986, or
1453 any subsequent corresponding internal revenue code of the United
1454 States, as from time to time amended, shall be applied without making
1455 the adjustment in Subparagraph (B) of said Section 832(b)(5).

1456 (6) For purposes of determining net income under this section for
1457 income years commencing on or after January 1, 2018, the deduction
1458 allowed for business interest paid or accrued shall be determined as
1459 provided under the Internal Revenue Code, except that in making such
1460 determination, the provisions of Section 163(j) shall not apply.

1461 Sec. 42. Subsection (a) of section 12-704 of the general statutes is
1462 repealed and the following is substituted in lieu thereof (*Effective from*

1463 *passage and applicable to taxable years commencing on or after January 1,*
1464 *2019):*

1465 (a) (1) Any resident or part-year resident of this state shall be
1466 allowed a credit against the tax otherwise due under this chapter in the
1467 amount of any income tax imposed on such resident or part-year
1468 resident for the taxable year by another state of the United States or a
1469 political subdivision thereof or the District of Columbia on income
1470 derived from sources therein and which is also subject to tax under
1471 this chapter.

1472 (2) In the case of a resident, the credit provided under this section
1473 shall not exceed the proportion of the tax otherwise due under this
1474 chapter that the amount of the taxpayer's Connecticut adjusted gross
1475 income derived from or connected with sources in the other taxing
1476 jurisdiction bears to such taxpayer's Connecticut adjusted gross
1477 income under this chapter. The provisions of this section shall also
1478 apply to resident trusts and estates and, wherever reference is made in
1479 this section to residents of this state, such reference shall be construed
1480 to include resident trusts and estates.

1481 (3) In the case of a part-year resident, the credit provided under this
1482 section shall not exceed the proportion of the tax otherwise due during
1483 the period of residency under this chapter that the amount of the
1484 taxpayer's Connecticut adjusted gross income derived from or
1485 connected with sources in the other jurisdiction during the period of
1486 residency bears to such taxpayer's Connecticut adjusted gross income
1487 during the period of residency under this chapter. The provisions of
1488 this section shall also apply to part-year resident trusts and, wherever
1489 reference is made in this section to part-year residents of this state,
1490 such reference shall be construed to include part-year resident trusts.

1491 (4) The allowance of the credit provided under this section shall not
1492 reduce the tax otherwise due under this chapter to an amount less than
1493 what would have been due if the income subject to taxation by such
1494 other jurisdiction were excluded from Connecticut adjusted gross

1495 income.

1496 (5) For purposes of this subsection, a tax on wages that is paid to
1497 another state of the United States or a political subdivision thereof or
1498 the District of Columbia by an employer on behalf of an employee and
1499 for which a credit is allowed by such other jurisdiction shall be
1500 considered an income tax and a comparable credit may be claimed by
1501 the resident or part-year resident, subject to the limitations set forth in
1502 this subsection, in the form and manner prescribed by the
1503 commissioner.

1504 Sec. 43. Subdivision (2) of subsection (b) of section 12-711 of the 2018
1505 supplement to the general statutes is repealed and the following is
1506 substituted in lieu thereof (*Effective from passage and applicable to taxable*
1507 *years commencing on or after January 1, 2019*):

1508 (2) (A) Before, on and after December 29, 2015, income from a
1509 business, trade, profession or occupation carried on in this state
1510 includes, but is not limited to, compensation paid to a nonresident
1511 natural person for rendering personal services as an employee in this
1512 state. For taxable years commencing on or after January 1, 2016,
1513 compensation for personal services rendered in this state by such
1514 nonresident employee who is present in this state for not more than
1515 fifteen days during a taxable year shall not constitute income derived
1516 from sources within this state. If a nonresident employee is present in
1517 this state for more than fifteen days during a taxable year, all
1518 compensation the employee receives for the rendering of all personal
1519 services in this state during the taxable year shall constitute income
1520 derived from sources within this state during the taxable year.

1521 (B) For purposes of determining whether a nonresident employee is
1522 "present in this state" under subparagraph (A) of this subdivision,
1523 presence in this state for any part of a day constitutes being present in
1524 this state for that entire day unless such presence is solely for the
1525 purpose of transit through this state. The provisions of this
1526 subparagraph shall not apply to subsection (c) of this section or to any

1527 other provision of law unless expressly provided.

1528 (C) For purposes of determining the compensation derived from or
1529 connected with sources within this state, a nonresident natural person
1530 shall include income from days worked outside this state for such
1531 person's convenience if such person's state of domicile uses a similar
1532 test.

1533 ~~[(C)]~~ (D) The provisions of this subdivision shall not apply to
1534 sources of income from a business, trade, profession, or occupation
1535 carried on in this state other than compensation for personal services
1536 rendered by a nonresident employee, and shall not apply to sources of
1537 income derived by an athlete, entertainer or performing artist,
1538 including, but not limited to, a member of an athletic team.

1539 Sec. 44. Subsection (a) of section 539 of substitute house bill 5163 of
1540 the current session, as amended by House Amendment Schedule "A",
1541 is repealed and the following is substituted in lieu thereof (*Effective July*
1542 *1, 2018*):

1543 (a) Each local or regional board of education shall request that each
1544 child enrolled in the public schools submit to an oral health assessment
1545 pursuant to the provisions of this section. Such oral health assessment
1546 shall be conducted by (1) a dentist licensed pursuant to chapter 379 of
1547 the general statutes, (2) a dental hygienist licensed pursuant to chapter
1548 379a of the general statutes, (3) a legally qualified practitioner trained
1549 in conducting an oral health assessment as part of a training program
1550 approved by the Commissioner of Public Health, (4) a physician
1551 assistant licensed pursuant to chapter 370 of the general statutes and
1552 trained in conducting an oral health assessment as part of such a
1553 training program, or (5) an advanced practice registered nurse licensed
1554 pursuant to chapter 378 of the general statutes and trained in
1555 conducting an oral health assessment of such a training program. No
1556 oral health assessment shall be made of any child enrolled in the public
1557 schools unless the parent or guardian of such child consents to such
1558 assessment and such assessment is made in the presence of the child's

1559 parent or guardian or in the presence of another school employee,
 1560 except that no parent or guardian shall be required to be present when
 1561 such assessment is conducted by a licensed outpatient clinic operating
 1562 on school grounds. The parent or guardian of such child shall receive
 1563 prior written notice and shall have a reasonable opportunity to opt his
 1564 or her child out of such assessment, be present at such assessment or
 1565 provide for such assessment himself or herself. A local or regional
 1566 board of education may not deny enrollment or continued attendance
 1567 in public school to any child who does not submit to an oral health
 1568 assessment pursuant to this section."

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	19a-77(b)
Sec. 2	<i>July 1, 2018</i>	PA 14-217, Sec. 219
Sec. 3	<i>July 1, 2018</i>	New section
Sec. 4	<i>July 1, 2018</i>	PA 17-2 of the June Sp. Sess., Sec. 697
Sec. 5	<i>from passage</i>	19a-36i
Sec. 6	<i>from passage</i>	New section
Sec. 7	<i>from passage</i>	8-119f
Sec. 8	<i>from passage</i>	17b-650a
Sec. 9	<i>from passage</i>	17b-1
Sec. 10	<i>from passage</i>	17b-2
Sec. 11	<i>from passage</i>	3-123aa(c)
Sec. 12	<i>from passage</i>	4-38c
Sec. 13	<i>July 1, 2019</i>	4-38c
Sec. 14	<i>from passage</i>	7-127b
Sec. 15	<i>from passage</i>	17a-302(a)
Sec. 16	<i>from passage</i>	17a-303a
Sec. 17	<i>from passage</i>	17a-304
Sec. 18	<i>from passage</i>	17a-305
Sec. 19	<i>from passage</i>	17a-306
Sec. 20	<i>from passage</i>	17a-310
Sec. 21	<i>from passage</i>	17a-313
Sec. 22	<i>from passage</i>	17a-314
Sec. 23	<i>from passage</i>	17a-316a(a)
Sec. 24	<i>from passage</i>	17a-405

Sec. 25	<i>from passage</i>	17a-407
Sec. 26	<i>from passage</i>	17a-416
Sec. 27	<i>from passage</i>	17a-417
Sec. 28	<i>from passage</i>	17a-411(c)
Sec. 29	<i>from passage</i>	17a-667(b)
Sec. 30	<i>from passage</i>	17b-4(b)
Sec. 31	<i>from passage</i>	17b-251
Sec. 32	<i>from passage</i>	17b-337(c)
Sec. 33	<i>from passage</i>	17b-349e
Sec. 34	<i>from passage</i>	17b-352(d)
Sec. 35	<i>from passage</i>	21a-3a
Sec. 36	<i>from passage</i>	38a-47
Sec. 37	<i>from passage</i>	38a-48
Sec. 38	<i>from passage</i>	38a-475
Sec. 39	<i>from passage</i>	17a-302a
Sec. 40	<i>from passage</i>	17b-28(c)
Sec. 41	<i>from passage and applicable to income years commencing on or after January 1, 2017</i>	12-217(a)
Sec. 42	<i>from passage and applicable to taxable years commencing on or after January 1, 2019</i>	12-704(a)
Sec. 43	<i>from passage and applicable to taxable years commencing on or after January 1, 2019</i>	12-711(b)(2)
Sec. 44	<i>July 1, 2018</i>	HB 5163 (current session), Sec. 539(a)