

**Proposed Substitute
Bill No. 400**

LCO No. 2932

**AN ACT CONCERNING GRADUATE FUNDING AND THE PROVISION
OF SUPPORT AND SERVICES FOR PERSONS WITH INTELLECTUAL
DISABILITY.**

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

1 Section 1. (NEW) (*Effective October 1, 2018*) (a) The Department of
2 Developmental Services shall annually (1) evaluate the needs of
3 persons with intellectual disability who are eligible for services from
4 the department and have turned or are turning twenty-one years of
5 age during the school year, and (2) determine the projected cost of
6 providing day, employment and other support services to such
7 persons following the end of the school year after such person turns
8 twenty-one years of age. On or before January 1, 2019, and annually
9 thereafter, the Commissioner of Developmental Services shall report,
10 in accordance with the provisions of section 11-4a of the general
11 statutes, to the joint standing committees of the General Assembly
12 having cognizance of matters relating to public health and
13 appropriations, and to the Office of Policy and Management regarding
14 the needs of such persons and the funding needed to cover such
15 projected cost for all such persons who turn twenty-one years of age in
16 each of the following three fiscal years.

17 (b) On and after January 1, 2019, the Department of Developmental
18 Services shall provide services, including day, employment and other
19 support services, to each person with intellectual disability who is
20 eligible for services, immediately following the end of the school year
21 in which each such person turns twenty-one years of age.

22 (c) Notwithstanding the provisions of chapter 50 of the general
23 statutes, the appropriations recommended for the Department of
24 Developmental Services for graduate funding under subsection (a) of
25 this section shall be the estimates of expenditure requirements
26 transmitted to the Secretary of the Office of Policy and Management by
27 the Commissioner of Developmental Services pursuant to subsection
28 (a) of this section and the recommended adjustments and revisions of
29 such estimates shall be the recommended adjustments and revisions, if
30 any, transmitted by said commissioner to the Office of Policy and
31 Management.

32 (d) Notwithstanding the provisions of section 4-85 of the general
33 statutes, the Governor shall not reduce allotment requisitions or
34 allotments in force concerning the graduate funding described in
35 subsection (c) of this section.

36 Sec. 2. (NEW) (*Effective July 1, 2018*) (a) The Commissioner of
37 Developmental Services, in consultation with the Commissioner of
38 Social Services, shall adjust, within available appropriations and in
39 accordance with the application of standard accounting principles, as
40 prescribed by said commissioners, the amount of payments for
41 programs, services and supports made to nonprofit private provider
42 organizations that contract with the state to provide residential, day,
43 employment and other support services to persons with intellectual
44 disability. Such adjustment shall provide an annual pro-rata increase
45 based on direct care employee salaries for services provided in the
46 state and included in the annual report of residential and day services
47 for cost year 2016 of the Departments of Developmental Services and
48 Social Services, which shall be adjusted to reflect salary increases
49 occurring after the release of such report. Such pro-rata increase shall
50 reflect reasonable costs mandated by collective bargaining agreements
51 with certified collective bargaining agents or otherwise provided by an
52 organization to its employees, including an increase in direct
53 compensation and the provision of pension benefits to all employees.
54 For purposes of this subsection, "employee" does not include a person
55 employed as a manager, chief administrator or any individual who

56 receives compensation for services pursuant to a contractual
57 arrangement and who is not directly employed by a nonprofit private
58 provider organization that provides residential, day or employment
59 services.

60 (b) The Commissioner of Developmental Services may establish an
61 upper limit for reasonable costs associated with salary adjustments
62 beyond which the adjustment made pursuant to subsection (a) of this
63 section shall not apply. Nothing in this section shall require the
64 commissioner to distribute such adjustments in a way that jeopardizes
65 anticipated federal reimbursement. Such adjustment may not provide
66 disproportional increases to any nonprofit private provider
67 organization. If a nonprofit private provider organization receives an
68 adjustment under subsection (a) of this section, but does not provide
69 any increase in employee salaries on or before October 1, 2018, such
70 private provider may be subject to a rate decrease in the same amount
71 as the adjustment made for such provider under subsection (a) of this
72 section.

73 Sec. 3. (NEW) (*Effective July 1, 2018*) (a) The Department of
74 Developmental Disabilities shall establish a training and development
75 advisory committee to develop training guidelines and improve the
76 level of training received by direct care workers who provide services
77 to persons with intellectual disability. The committee shall determine
78 (1) the extent to which such direct care workers who serve persons
79 with high levels of need may require additional training to adequately
80 serve such persons, (2) the curricula that needs to be developed to
81 provide such additional training, and (3) the manner in which to
82 provide such training to ensure consistent care across the direct care
83 workforce and the appropriate state agencies.

84 (b) The training and development committee shall be comprised of
85 the following members:

86 (1) Two impartial representatives of the disability rights
87 community, who shall be appointed by the Governor;

88 (2) The Commissioner of Developmental Services, or the
89 commissioner's designee;

90 (3) The Commissioner of Social Services, or the commissioner's
91 designee;

92 (4) The Secretary of the Office of Policy and Management, or the
93 secretary's designee;

94 (5) Two representatives of private care providers, who shall be
95 designated by the Connecticut Community Nonprofit Alliance; and

96 (6) Two representatives of organizations that represent direct care
97 workers who provide services to persons with intellectual disability.

98 (c) The chairperson of the training and development committee
99 shall be selected by the Governor from among its members.

100 (d) On or before October 1, 2018, the training and development
101 advisory committee shall report to the Commissioner of
102 Developmental Services regarding an estimate of the funds required to
103 pay for the appropriate level of additional training it determines to be
104 necessary under subsection (a) of this section. Such training funds shall
105 be available to pay any private provider that wishes to participate in
106 the additional training program.

107 (e) On or before December 1, 2018, the training and advisory
108 committee shall report to the Commissioner of Developmental Services
109 regarding the guidelines it developed pursuant to subsection (a) of this
110 section and its recommendations regarding additional training
111 required for direct care workers.

112 (f) The Commissioner of Developmental Services shall adopt
113 regulations, in accordance with the provisions of chapter 54 of the
114 general statutes, to implement the provisions of this section.

This act shall take effect as follows and shall amend the following sections:

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Section 1	<i>October 1, 2018</i>	New section
Sec. 2	<i>July 1, 2018</i>	New section
Sec. 3	<i>July 1, 2018</i>	New section