



Substitute House Bill No. 7163

Public Act No. 19-157

**AN ACT CONCERNING THE DEPARTMENT ON AGING AND
DISABILITY SERVICES AND MEALS ON WHEELS.**

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

Section 1. Subsection (c) of section 3-123aa of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2019*):

(c) There is established an advisory committee to the Connecticut Homecare Option Program for the Elderly, which shall consist of the State Treasurer, the State Comptroller, the Commissioner of Social Services, the Commissioner of [Rehabilitation] Aging and Disability Services, the director of the long-term care partnership policy program within the Office of Policy and Management, and the cochairpersons and ranking members of the joint standing committees of the General Assembly having cognizance of matters relating to aging, human services and finance, revenue and bonding, or their designees. The Governor shall appoint one provider of home care services for the elderly and a physician specializing in geriatric care. The advisory committee shall meet at least annually. The State Comptroller shall convene the meetings of the committee.

Sec. 2. Section 4-5 of the general statutes, as amended by section 3 of

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public act 18-91, is repealed and the following is substituted in lieu thereof (*Effective October 1, 2019*):

As used in sections 4-6, 4-7 and 4-8, the term "department head" means Secretary of the Office of Policy and Management, Commissioner of Administrative Services, [Commissioner on Aging,] Commissioner of Revenue Services, Banking Commissioner, Commissioner of Children and Families, Commissioner of Consumer Protection, Commissioner of Correction, Commissioner of Economic and Community Development, State Board of Education, Commissioner of Emergency Services and Public Protection, Commissioner of Energy and Environmental Protection, Commissioner of Agriculture, Commissioner of Public Health, Insurance Commissioner, Labor Commissioner, Commissioner of Mental Health and Addiction Services, Commissioner of Social Services, Commissioner of Developmental Services, Commissioner of Motor Vehicles, Commissioner of Transportation, Commissioner of Veterans Affairs, Commissioner of Housing, Commissioner of [Rehabilitation] Aging and Disability Services, the Commissioner of Early Childhood, the executive director of the Office of Military Affairs, and the executive director of the Office of Health Strategy. As used in sections 4-6 and 4-7, "department head" also means the Commissioner of Education.

Sec. 3. Section 4-5 of the general statutes, as amended by section 6 of public act 17-237, section 279 of public act 17-2 of the June special session and section 20 of public act 18-182, is repealed and the following is substituted in lieu thereof (*Effective July 1, 2020*):

As used in sections 4-6, 4-7 and 4-8, the term "department head" means Secretary of the Office of Policy and Management, Commissioner of Administrative Services, Commissioner of Revenue Services, Banking Commissioner, Commissioner of Children and Families, Commissioner of Consumer Protection, Commissioner of

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Correction, Commissioner of Economic and Community Development, State Board of Education, Commissioner of Emergency Services and Public Protection, Commissioner of Energy and Environmental Protection, Commissioner of Agriculture, Commissioner of Public Health, Insurance Commissioner, Labor Commissioner, Commissioner of Mental Health and Addiction Services, Commissioner of Social Services, Commissioner of Developmental Services, Commissioner of Motor Vehicles, Commissioner of Transportation, Commissioner of Veterans Affairs, Commissioner of Housing, Commissioner of [Rehabilitation] Aging and Disability Services, the Commissioner of Early Childhood, the executive director of the Office of Military Affairs and the executive director of the Technical Education and Career System. As used in sections 4-6 and 4-7, "department head" also means the Commissioner of Education.

Sec. 4. Section 4-38c of the general statutes, as amended by section 13 of public act 18-169, is repealed and the following is substituted in lieu thereof (*Effective October 1, 2019*):

There shall be within the executive branch of state government the following departments: Office of Policy and Management, Department of Administrative Services, [Department on Aging,] Department of Revenue Services, Department of Banking, Department of Agriculture, Department of Children and Families, Department of Consumer Protection, Department of Correction, Department of Economic and Community Development, State Board of Education, Department of Emergency Services and Public Protection, Department of Energy and Environmental Protection, Department of Public Health, Board of Regents for Higher Education, Insurance Department, Labor Department, Department of Mental Health and Addiction Services, Department of Developmental Services, Department of Social Services, Department of [Rehabilitation] Aging and Disability Services, Department of Transportation, Department of Motor Vehicles and

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Department of Veterans Affairs.

Sec. 5. Section 4-38c of the general statutes, as amended by section 7 of public act 17-237, section 287 of public act 17-2 of the June special session and section 21 of public act 18-182, is repealed and the following is substituted in lieu thereof (*Effective July 1, 2020*):

There shall be within the executive branch of state government the following departments: Office of Policy and Management, Department of Administrative Services, Department of Aging and Disability Services, Department of Revenue Services, Department of Banking, Department of Agriculture, Department of Children and Families, Department of Consumer Protection, Department of Correction, Department of Economic and Community Development, State Board of Education, Department of Emergency Services and Public Protection, Department of Energy and Environmental Protection, Department of Public Health, Board of Regents for Higher Education, Insurance Department, Labor Department, Department of Mental Health and Addiction Services, Department of Developmental Services, Department of Social Services, Department of Transportation, Department of Motor Vehicles, Department of Veterans Affairs and the Technical Education and Career System.

Sec. 6. Subsection (a) of section 4-61aa of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2019*):

(a) For purposes of this section, "state Americans with Disabilities Act coordinator" means the person appointed by the Governor to coordinate state compliance with the federal Americans with Disabilities Act of 1990. There is established a committee to advise the state Americans with Disabilities Act coordinator. The state Americans with Disabilities Act coordinator shall appoint the members of the committee, which shall be chaired by said coordinator, or his designee,

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and include at least one representative of each of the following:

- (1) The Board of Education and Services to the Blind;
- (2) The Advisory Board for Persons Who are Deaf or Hard of Hearing;
- (3) The Department of [Rehabilitation] Aging and Disability Services;
- (4) The Department of Mental Health and Addiction Services;
- (5) The Department of Developmental Services;
- (6) The Labor Department;
- (7) The Department of Administrative Services; and
- (8) The Commission on Human Rights and Opportunities.

Sec. 7. Subsection (g) of section 4-89 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2019*):

(g) The provisions of this section shall not apply to appropriations to the Department of [Rehabilitation] Aging and Disability Services in an amount not greater than the amount of reimbursements of prior year expenditures for the services of interpreters received by the department during the fiscal year pursuant to section 46a-33b, as amended by this act, and such appropriations shall not lapse until the end of the fiscal year succeeding the fiscal year of the appropriation.

Sec. 8. Subdivision (7) of section 4-274 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2019*):

(7) "State-administered health or human services program" means

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programs administered by any of the following: The Department of Children and Families, the Department of Developmental Services, the Department of Mental Health and Addiction Services, the Department of Public Health, the Department of [Rehabilitation] Aging and Disability Services, the Department of Social Services, the Office of Early Childhood, and the Office of the State Comptroller, for the State Employee and Retiree Health programs, as well as other health care programs administered by the Office of the State Comptroller, and the Department of Administrative Services, for Workers' Compensation medical claims, including such programs reimbursed in whole or in part by the federal government.

Sec. 9. Subdivision (1) of subsection (a) of section 4a-82 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2019*):

(1) "Person with a disability" means any individual with a disability, excluding blindness, as such term is applied by the Department of Mental Health and Addiction Services, the Department of Developmental Services, the Department of [Rehabilitation] Aging and Disability Services or the United States Department of Veterans Affairs and who is certified by the Department of [Rehabilitation] Aging and Disability Services as qualified to participate in a qualified partnership, as described in subsections (e) to (l), inclusive, of this section;

Sec. 10. Subsections (h) to (k), inclusive, of section 4a-82 of the general statutes are repealed and the following is substituted in lieu thereof (*Effective October 1, 2019*):

(h) The Connecticut Community Providers Association shall develop an application process and submit a list of employees who have applied to participate in a partnership to the Department of [Rehabilitation] Aging and Disability Services for certification. Such association shall maintain a list of certified employees who are persons

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with disabilities and community rehabilitation programs.

(i) Any qualified partnership awarded a janitorial or service contract pursuant to the provisions of subsections (b) to (d), inclusive, of this section shall provide to the Connecticut Community Providers Association, not later than six months after the commencement date of such contract and annually thereafter, a list of the persons with disabilities and persons with a disadvantage employed by such contractor that includes the date of hire and employment location for each such person. Such association shall certify annually to the Department of Administrative Services, the Judicial Branch or the Board of Regents for Higher Education, as applicable, in such manner and form as prescribed by the Commissioner of Administrative Services, Chief Court Administrator or the president of the Board of Regents for Higher Education, that the requisite number of persons with disabilities for such contract continue to be employed by such contractor in positions equivalent to those created under such contract and have been integrated into the general workforce of such contractor.

(j) Notwithstanding any other provision of the general statutes, the responsibilities of the Department of [Rehabilitation] Aging and Disability Services, as established in subsections (e) to (l), inclusive, of this section, may not be delegated to an outside vendor.

(k) The Commissioner of [Rehabilitation] Aging and Disability Services may adopt regulations, in accordance with the provisions of chapter 54, to undertake the certification requirements established pursuant to subsections (e) to (l), inclusive, of this section.

Sec. 11. Subsection (a) of section 5-175a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2019*):

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(a) Vending stand operators, operating stands under permits held by the Department of [Rehabilitation] Aging and Disability Services pursuant to section 10-303, as amended by this act, shall be members of the state employees retirement system, part A, exclusive of the Social Security option and benefits in the state employees' retirement system dependent thereon. Each such person shall annually, on or before June thirtieth, pay five per cent of his adjusted gross income, arising out of the operation of such stand, as determined under the Internal Revenue Code, during the calendar year preceding to the Department of [Rehabilitation] Aging and Disability Services which shall, as the state administering agency for such persons, certify such payment and pay it over to the State Retirement Commission, provided membership of such persons in said system shall be exclusive of disability retirement upon the grounds of defects of vision.

Sec. 12. Subdivision (22) of section 5-198 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2019*):

(22) Professional employees in the education professions bargaining unit of the Department of [Rehabilitation] Aging and Disability Services;

Sec. 13. Subsection (e) of section 5-259 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2019*):

(e) Notwithstanding the provisions of subsection (a) of this section, vending stand operators eligible for membership in the state employees retirement system pursuant to section 5-175a, as amended by this act, shall be eligible for coverage under the group hospitalization and medical and surgical insurance plans procured under this section, provided the cost for such operators' insurance coverage shall be paid by the Department of [Rehabilitation] Aging

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and Disability Services from vending machine income pursuant to section 10-303, as amended by this act.

Sec. 14. Section 7-127b of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2019*):

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

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

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

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

Sec. 15. Section 8-119f of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2019*):

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

Sec. 16. Subsection (c) of section 9-20 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2019*):

(c) The application for admission as an elector shall include a statement that (1) specifies each eligibility requirement, (2) contains an attestation that the applicant meets each such requirement, and (3) requires the signature of the applicant under penalty of perjury. Each registrar of voters and town clerk shall maintain a copy of such statement in braille, large print and audio form. The Department of [Rehabilitation] Aging and Disability Services shall produce a videotape presenting such statement in voice and sign language and provide the videotape to the Secretary of the State who shall make copies of the videotape and provide a copy to the registrars of voters of any municipality, upon request and at a cost equal to the cost of making the copy. If a person applies for admission as an elector in

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person to an admitting official, such admitting official shall, upon the request of the applicant, administer the elector's oath.

Sec. 17. Subsection (a) of section 10-76i of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2019*):

(a) There shall be an Advisory Council for Special Education which shall advise the General Assembly, State Board of Education and the Commissioner of Education, and which shall engage in such other activities as described in this section. On and after July 1, 2012, the advisory council shall consist of the following members: (1) Nine appointed by the Commissioner of Education, (A) six of whom shall be (i) the parents of children with disabilities, provided such children are under the age of twenty-seven, or (ii) individuals with disabilities, (B) one of whom shall be an official of the Department of Education, (C) one of whom shall be a state or local official responsible for carrying out activities under Subtitle B of Title VII of the McKinney-Vento Homeless Assistance Act, 42 USC 11431 et seq., as amended from time to time, and (D) one of whom shall be a representative of an institution of higher education in the state that prepares teacher and related services personnel; (2) one appointed by the Commissioner of Developmental Services who shall be an official of the department; (3) one appointed by the Commissioner of Children and Families who shall be an official of the department; (4) one appointed by the Commissioner of Correction who shall be an official of the department; (5) one appointed by the director of the Parent Leadership Training Institute within the Commission on Women, Children and Seniors who shall be (A) the parent of a child with a disability, provided such child is under the age of twenty-seven, or (B) an individual with a disability; (6) a representative from the parent training and information center for Connecticut established pursuant to the Individuals With Disabilities Education Act, 20 USC 1400 et seq., as

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amended from time to time; (7) the Commissioner of [Rehabilitation] Aging and Disability Services, or the commissioner's designee; (8) five who are members of the General Assembly who shall serve as nonvoting members of the advisory council, one appointed by the speaker of the House of Representatives, one appointed by the majority leader of the House of Representatives, one appointed by the minority leader of the House of Representatives, one appointed by the president pro tempore of the Senate and one appointed by the minority leader of the Senate; (9) one appointed by the president pro tempore of the Senate who shall be a member of the Connecticut Speech-Language-Hearing Association; (10) one appointed by the majority leader of the Senate who shall be a public school teacher; (11) one appointed by the minority leader of the Senate who shall be a representative of a vocational, community or business organization concerned with the provision of transitional services to children with disabilities; (12) one appointed by the speaker of the House of Representatives who shall be a member of the Connecticut Council of Special Education Administrators and who is a local education official; (13) one appointed by the majority leader of the House of Representatives who shall be a representative of charter schools; (14) one appointed by the minority leader of the House of Representatives who shall be a member of the Connecticut Association of Private Special Education Facilities; (15) one appointed by the Chief Court Administrator of the Judicial Department who shall be an official of such department responsible for the provision of services to adjudicated children and youth; (16) seven appointed by the Governor, all of whom shall be (A) the parents of children with disabilities, provided such children are under the age of twenty-seven, or (B) individuals with disabilities; (17) the executive director of the nonprofit entity designated by the Governor in accordance with section 46a-10b to serve as the Connecticut protection and advocacy system, or the executive director's designee; and (18) such other members as required by the Individuals with Disabilities Education

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Act, 20 USC 1400 et seq., as amended from time to time, appointed by the Commissioner of Education. Appointments made pursuant to the provisions of this section shall be representative of the ethnic and racial diversity of, and the types of disabilities found in, the state population. The terms of the members of the council serving on June 8, 2010, shall expire on June 30, 2010. Appointments shall be made to the council by July 1, 2010. Members shall serve two-year terms, except that members appointed pursuant to subdivisions (1) to (3), inclusive, of this subsection whose terms commenced July 1, 2010, shall serve three-year terms and the successors to such members appointed pursuant to subdivisions (1) to (3), inclusive, of this subsection shall serve two-year terms.

Sec. 18. Subsection (a) of section 10-76y of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2019*):

(a) Notwithstanding any provision of the general statutes, school districts, regional educational service centers, the Department of [Rehabilitation] Aging and Disability Services, and all other state and local governmental agencies concerned with education may loan, lease or transfer an assistive device for the use and benefit of a student with a disability to such student or the parent or guardian of such student or to any other public or private nonprofit agency providing services to or on behalf of individuals with disabilities including, but not limited to, an agency providing educational, health or rehabilitative services. Such device may be sold or transferred pursuant to this section regardless of whether the device was declared surplus. The sale or transfer shall be recorded in an agreement between the parties and based upon the depreciated value of the device. For the purposes of this section, "assistive device" means any item, piece of equipment or product system, whether acquired commercially off-the-shelf, modified or customized, that is used to increase, maintain or improve

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the functional capabilities of individuals with disabilities.

Sec. 19. Subdivision (1) of subsection (b) of section 10-293 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2019*):

(b) (1) The Advisory Board for Persons Who are Blind or Visually Impaired shall consist of members appointed as follows: Six appointed by the Governor, one appointed by the president pro tempore of the Senate, one appointed by the speaker of the House of Representatives, one appointed by the majority leader of the Senate, one appointed by the minority leader of the Senate, one appointed by the majority leader of the House of Representatives and one appointed by the minority leader of the House of Representatives and all shall be residents of the state. The Commissioner of Social Services shall be an ex-officio member. One of the members appointed by the Governor shall be the parent of a child who receives services provided by the Department of [Rehabilitation] Aging and Disability Services, and not less than two of the members appointed by the Governor shall be persons who are blind.

Sec. 20. Section 10-295 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2019*):

(a) All residents of this state, regardless of age, who, because of blindness or impaired vision, require specialized vision-related educational programs, goods and services, on the signed recommendation of the Commissioner of [Rehabilitation] Aging and Disability Services, shall be entitled to receive such instruction, programs, goods and services for such length of time as is deemed expedient by said commissioner. Upon the petition of any parent or guardian of a child who is blind or visually impaired, a local board of education may provide such instruction within the town or it may provide for such instruction by agreement with other towns as

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provided in subsection (d) of section 10-76d. All educational privileges prescribed in part V of chapter 164, not inconsistent with the provisions of this chapter, shall apply to the pupils covered by this subsection.

(b) The Commissioner of [Rehabilitation] Aging and Disability Services shall expend funds for the services made available pursuant to subsection (a) of this section from the educational aid for children who are blind or visually impaired account in accordance with the provisions of this subsection. The Commissioner of [Rehabilitation] Aging and Disability Services may adopt, in accordance with the provisions of chapter 54, such regulations as the commissioner deems necessary to carry out the purpose and intent of this subsection.

(1) The Commissioner of [Rehabilitation] Aging and Disability Services shall provide, upon written request from any interested school district, the services of teachers who instruct students who are visually impaired, based on the levels established in the individualized education or service plan. The Commissioner of [Rehabilitation] Aging and Disability Services shall also make available resources, including, but not limited to, the braille and large print library, to all teachers of public and nonpublic school children. The commissioner may also provide vision-related professional development and training to all school districts and cover the actual cost for paraprofessionals from school districts to participate in agency-sponsored braille training programs. The commissioner shall utilize education consultant positions, funded by moneys appropriated from the General Fund, to supplement new staffing that will be made available through the educational aid for children who are blind or visually impaired account, which shall be governed by formal written policies established by the commissioner.

(2) The Commissioner of [Rehabilitation] Aging and Disability Services may use funds appropriated to said account to provide

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specialized books, materials, equipment, supplies, adaptive technology services and devices, specialist examinations and aids, preschool programs and vision-related independent living services, excluding primary educational placement, for eligible children.

(3) The Commissioner of [Rehabilitation] Aging and Disability Services may, within available appropriations, employ certified teachers who instruct students who are visually impaired in sufficient numbers to meet the requests for services received from school districts. In responding to such requests, the commissioner shall utilize a formula for determining the number of teachers needed to serve the school districts, crediting six points for each child learning braille and one point for each other child, with one full-time certified teacher who instructs students who are visually impaired assigned for every twenty-five points credited. The commissioner shall exercise due diligence to employ the needed number of certified teachers who instruct students who are visually impaired, but shall not be liable for lack of resources. Funds appropriated to said account may also be utilized to employ additional staff in numbers sufficient to provide compensatory skills, evaluations and training to children who are blind or visually impaired, special assistants and other support staff necessary to ensure the efficient operation of service delivery. Not later than October first of each year, the Commissioner of [Rehabilitation] Aging and Disability Services shall determine the number of teachers needed based on the formula provided in this subdivision. Based on such determination, the Commissioner of [Rehabilitation] Aging and Disability Services shall estimate the funding needed to pay such teachers' salaries and related expenses.

(4) In any fiscal year, when funds appropriated to cover the combined costs associated with providing the services set forth in subdivisions (2) and (3) of this subsection are projected to be insufficient, the Commissioner of [Rehabilitation] Aging and Disability Services

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Services may collect revenue from all school districts that have requested such services on a per student pro rata basis, in the sums necessary to cover the projected portion of these services for which there are insufficient appropriations.

(c) The Commissioner of [Rehabilitation] Aging and Disability Services may provide for the instruction of adults who are blind in their homes, expending annually for this purpose such sums as the General Assembly may appropriate.

(d) The Commissioner of [Rehabilitation] Aging and Disability Services may expend up to ten thousand dollars per fiscal year per person twenty-one years of age or older who is both blind or visually impaired and deaf, in addition to any other expenditures for such person, for the purpose of providing community inclusion services through specialized public and private entities from which such person can benefit. The commissioner may determine the criteria by which a person is eligible to receive specialized services and may adopt regulations necessary to carry out the provisions of this subsection. For purposes of this subsection, "community inclusion services" means the assistance provided to persons with disabilities to enable them to connect with their peers without disabilities and with the community at large.

(e) The Commissioner of [Rehabilitation] Aging and Disability Services may, within available appropriations, purchase adaptive equipment for persons receiving services pursuant to this chapter.

Sec. 21. Section 10-296 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2019*):

The Commissioner of [Rehabilitation] Aging and Disability Services may, within available appropriations, contract with public or private entities, individuals or private enterprises for the instruction of

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persons who are blind.

Sec. 22. Section 10-297 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2019*):

The Commissioner of [Rehabilitation] Aging and Disability Services is authorized to aid in securing employment for persons who are legally blind. Said commissioner may aid persons who are legally blind in such way as said commissioner deems expedient, expending for such purpose such sum as the General Assembly appropriates.

Sec. 23. Section 10-297a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2019*):

The Commissioner of [Rehabilitation] Aging and Disability Services may make grants, within available appropriations, to the Connecticut Radio Information Service, Inc., for the purchase of receivers and for costs related to the operation of said service.

Sec. 24. Section 10-298 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2019*):

(a) The Commissioner of [Rehabilitation] Aging and Disability Services shall prepare and maintain a register of persons who are blind in this state which shall describe their condition, cause of blindness and capacity for education and rehabilitative training. The commissioner may register cases of persons who are liable to become visually impaired or blind, and may take such measures in cooperation with other authorities as the commissioner deems advisable for the prevention of blindness or conservation of eyesight and, in appropriate cases, for the education of children and for the vocational guidance of adults whose eyesight approaches visual impairment or blindness. The commissioner shall establish criteria for low vision care and maintain a list of ophthalmologists and optometrists that are exclusively authorized to receive agency funds through established and existing

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state fee schedules for the delivery of specifically defined low vision services that increase the capacity of eligible recipients of such services to maximize the use of their remaining vision.

(b) The Commissioner of [Rehabilitation] Aging and Disability Services may accept and receive any bequest or gift of money or personal property and, subject to the consent of the Governor and Attorney General as provided in section 4b-22, any devise or gift of real property made to the Commissioner of [Rehabilitation] Aging and Disability Services, and may hold and use such money or property for the purposes, if any, specified in connection with such bequest, devise or gift.

(c) The Commissioner of [Rehabilitation] Aging and Disability Services shall provide the Department of Motor Vehicles with the names of all individuals sixteen years of age or older who, on or after October 1, 2005, have been determined to be blind by a physician, an advanced practice registered nurse or an optometrist, as provided in section 10-305, as amended by this act. The Commissioner of [Rehabilitation] Aging and Disability Services shall provide simultaneous written notification to any individual whose name is being transmitted by the Commissioner of [Rehabilitation] Aging and Disability Services to the Department of Motor Vehicles. The Commissioner of [Rehabilitation] Aging and Disability Services shall update the list of names provided to the Department of Motor Vehicles on a quarterly basis. The list shall also contain the address and date of birth for each individual reported, as shown on the records of the Department of [Rehabilitation] Aging and Disability Services. The Department of Motor Vehicles shall maintain such list on a confidential basis, in accordance with the provisions of section 14-46d. The Commissioner of [Rehabilitation] Aging and Disability Services shall enter into a memorandum of understanding with the Commissioner of Motor Vehicles to effectuate the purposes of this

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subsection.

Sec. 25. Section 10-303 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2019*):

(a) The authority in charge of any building or property owned, operated or leased by the state or any municipality therein shall grant to the Department of [Rehabilitation] Aging and Disability Services a permit to operate in such building or on such property a food service facility, a vending machine or a stand for the vending of newspapers, periodicals, confections, tobacco products, food and such other articles as such authority approves when, in the opinion of such authority, such facility, machine or stand is desirable in such location. Any person operating such a stand in any such location on October 1, 1945, shall be permitted to continue such operation, but upon such person's ceasing such operation such authority shall grant a permit for continued operation to the Department of [Rehabilitation] Aging and Disability Services. The department may establish a training facility at any such location.

(b) Pursuant to the Randolph-Sheppard Vending Stand Act, 49 Stat. 1559 (1936), 20 USC 107, as amended from time to time, the Department of [Rehabilitation] Aging and Disability Services is authorized to maintain a nonlapsing account and to accrue interest thereon for federal vending machine income which, in accordance with federal regulations, shall be used for the payment of fringe benefits to the vending facility operators by the Department of [Rehabilitation] Aging and Disability Services.

(c) The Department of [Rehabilitation] Aging and Disability Services may maintain a nonlapsing account and accrue interest thereon for state and local vending machine income which shall be used for the payment of fringe benefits, training and support to vending facilities operators, to provide entrepreneurial and independent-living training

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and equipment to children who are blind or visually impaired and adults who are blind and for other vocational rehabilitation programs and services for adults who are blind.

(d) The Department of [Rehabilitation] Aging and Disability Services may disburse state and local vending machine income to student or client activity funds, as defined in section 4-52.

Sec. 26. Section 10-305 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2019*):

Each physician, advanced practice registered nurse and optometrist shall report in writing to the Department of [Rehabilitation] Aging and Disability Services not later than thirty days after a person who is blind comes under his or her private or institutional care within this state. The report of such person shall include the name, address, Social Security number, date of birth, date of diagnosis of blindness and degree of vision. Such reports shall not be open to public inspection.

Sec. 27. Section 10-306 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2019*):

The Department of [Rehabilitation] Aging and Disability Services may maintain a vocational rehabilitation program as authorized under the Federal Rehabilitation Act of 1973, 29 USC 791 et seq., for the purpose of providing and coordinating the full scope of necessary services to assist persons who are legally blind and who receive services from the department to prepare for, enter into and maintain employment consistent with the purposes of said act.

Sec. 28. Section 10-307 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2019*):

The Department of [Rehabilitation] Aging and Disability Services is empowered to receive any federal funds made available to this state

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under which vocational rehabilitation is provided for a person whose visual acuity has been impaired and to expend such funds for the purpose or purposes for which they are made available. The State Treasurer shall be the custodian of such funds.

Sec. 29. Section 10-308 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2019*):

The Department of [Rehabilitation] Aging and Disability Services may cooperate, pursuant to agreements, with the federal government in carrying out the purposes of any federal statutes pertaining to vocational rehabilitation, and is authorized to adopt such methods of administration as are found by the federal government to be necessary for the proper and efficient operation of such agreements or plans for vocational rehabilitation and to comply with such conditions as may be necessary to secure the full benefits of such federal statutes.

Sec. 30. Section 10-308a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2019*):

The Department of [Rehabilitation] Aging and Disability Services shall adopt regulations, in accordance with chapter 54, to determine the order to be followed in selecting those eligible persons to whom vocational rehabilitation services will be provided, in accordance with federal regulations.

Sec. 31. Section 10-309 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2019*):

The Department of [Rehabilitation] Aging and Disability Services may place in remunerative occupations persons whose capacity to earn a living has been lost or impaired by lessened visual acuity and who, in the opinion of the Commissioner of [Rehabilitation] Aging and Disability Services, are susceptible of placement, and may make such regulations as are necessary for the administration of the provisions of

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this section and sections 10-306 to 10-308a, inclusive, as amended by this act.

Sec. 32. Section 10-311a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2019*):

The case records of the Department of [Rehabilitation] Aging and Disability Services maintained for the purposes of this chapter shall be confidential and the names and addresses of recipients of assistance under this chapter shall not be published or used for purposes not directly connected with the administration of this chapter, except as necessary to carry out the provisions of sections 10-298, as amended by this act, and 17b-6.

Sec. 33. Subdivision (4) of subsection (a) of section 12-217oo of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2019*):

(4) "New qualifying employee" means a person who (A) is receiving vocational rehabilitation services from the Department of [Rehabilitation] Aging and Disability Services, and (B) is hired by the employer to fill a new job after May 6, 2010, during the employer's income years commencing on or after January 1, 2010, and prior to January 1, 2012. A new qualifying employee does not include a person receiving vocational rehabilitation services pursuant to subparagraph (A) of this subdivision and who was employed in this state by a related person with respect to the employer during the prior twelve months;

Sec. 34. Subdivision (7) of subsection (a) of section 12-217pp of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2019*):

(7) "Qualifying employee" means a new employee who, at the time of hiring by the taxpayer:

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(A) (i) Is receiving unemployment compensation, or (ii) has exhausted unemployment compensation benefits and has not had an intervening full-time job; or

(B) Is (i) receiving vocational rehabilitation services from the Department of [Rehabilitation] Aging and Disability Services, (ii) receiving employment services from the Department of Mental Health and Addiction Services, or (iii) participating in employment opportunities and day services, as defined in section 17a-226, operated or funded by the Department of Developmental Services;

Sec. 35. Subdivision (1) of subsection (e) of section 12-217pp of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2019*):

(e) (1) To be eligible to claim the credit, a taxpayer shall apply to the commissioner in accordance with the provisions of this section. The application shall be on a form provided by the commissioner and shall contain sufficient information as required by the commissioner, including, but not limited to, the activities that the taxpayer primarily engages in, the North American Industrial Classification System code of the taxpayer, the current number of employees employed by the taxpayer as of the application date, and if applicable, the name and position or job title of the new, qualifying or veteran employee. The commissioner shall consult with the Labor Commissioner, the Commissioner of [Rehabilitation] Aging and Disability Services, the Commissioner of Veterans Affairs, the Commissioner of Mental Health and Addiction Services or the Commissioner of Developmental Services, as applicable, for any verification the commissioner deems necessary of unemployment compensation or vocational rehabilitation services received by a qualifying employee, or of service in the armed forces of the United States by a veteran employee. The commissioner may impose a fee for such application as the commissioner deems appropriate.

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Sec. 36. Section 14-11b of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2019*):

(a) There shall be within the Department of [Rehabilitation] Aging and Disability Services a unit for the purpose of evaluating and training persons with disabilities in the operation of motor vehicles. There shall be assigned to the driver training unit for persons with disabilities such staff as is necessary for the orderly administration of the driver training program for persons with disabilities. The personnel assigned to the driver training unit for persons with disabilities shall, while engaged in the evaluation or instruction of a person with disabilities, have the authority and immunities with respect to such activities as are granted under the general statutes to motor vehicle inspectors. The Commissioner of Motor Vehicles may permit a person whose license has been withdrawn as a result of a condition that makes such person eligible for evaluation and training under this section to operate a motor vehicle while accompanied by personnel assigned to the driver training unit for persons with disabilities. When a person with disabilities has successfully completed the driver training program for persons with disabilities, the Department of [Rehabilitation] Aging and Disability Services shall certify such completion in writing to the Commissioner of Motor Vehicles and shall recommend any license restrictions or limitations to be placed on the license of such person. The Commissioner of Motor Vehicles may accept such certification in lieu of the driving skills portion of the examination prescribed under subsection (e) of section 14-36. If such person with disabilities has met all other requirements for obtaining a license, the Commissioner of Motor Vehicles shall issue a license with such restrictions recommended by the Department of [Rehabilitation] Aging and Disability Services.

(b) Any resident of this state who has a serious physical or mental disability which does not render the resident incapable of operating a

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motor vehicle and who must utilize special equipment in order to operate a motor vehicle and who cannot obtain instruction in the operation of a motor vehicle through any alternate program, including, but not limited to, other state, federal or privately operated drivers' schools shall be eligible for instruction under the Department of [Rehabilitation] Aging and Disability Services driver training program for persons with disabilities.

Sec. 37. Subsection (b) of section 14-253a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2019*):

(b) The Commissioner of Motor Vehicles shall accept applications and renewal applications for removable windshield placards from (1) any person who is blind, as defined in section 1-1f; (2) any person with disabilities; (3) any parent or guardian of any person who is blind or any person with disabilities, if such person is under eighteen years of age at the time of application; (4) any parent or guardian of any person who is blind or any person with disabilities, if such person is unable to request or complete an application; and (5) any organization which meets criteria established by the commissioner and which certifies to the commissioner's satisfaction that the vehicle for which a placard is requested is primarily used to transport persons who are blind or persons with disabilities. Except as provided in subsection (c) of this section, on and after October 1, 2011, the commissioner shall not accept applications for special license plates, but shall accept renewal applications for such plates that were issued prior to October 1, 2011. No person shall be issued a placard in accordance with this section unless such person is the holder of a valid motor vehicle operator's license, or identification card issued in accordance with the provisions of section 1-1h. The commissioner is authorized to adopt regulations for the issuance of placards to persons who, by reason of hardship, do not hold or cannot obtain an operator's license or identification card.

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The commissioner shall maintain a record of each placard issued to any such person. Such applications and renewal applications shall be on a form prescribed by the commissioner. The application and renewal application shall include: (A) Certification by a licensed physician, a physician assistant, an advanced practice registered nurse licensed in accordance with the provisions of chapter 378, or a member of the driver training unit for persons with disabilities established pursuant to section 14-11b, as amended by this act, that the applicant meets the definition of a person with a disability which limits or impairs the ability to walk, as defined in 23 CFR Section 1235.2; or (B) certification by a psychiatrist who is employed by, or under contract with, the United States Department of Veterans Affairs that the applicant (i) is a veteran, as defined in subsection (a) of section 27-103, who has post-traumatic stress disorder certified as service-connected by the United States Department of Veterans Affairs, and (ii) meets the definition of a person with a disability which limits or impairs the ability to walk, as defined in 23 CFR Section 1235.2. In the case of persons who are blind, the application or renewal application shall include certification of legal blindness made by the Department of [Rehabilitation] Aging and Disability Services, an ophthalmologist or an optometrist. Any person who makes a certification required by this subsection shall sign the application or renewal application under penalty of false statement pursuant to section 53a-157b. The commissioner, in said commissioner's discretion, may accept the discharge papers of a disabled veteran, as defined in section 14-254, in lieu of such certification. The Commissioner of Motor Vehicles may require additional certification at the time of the original application or at any time thereafter. If a person who has been requested to submit additional certification fails to do so within thirty days of the request, or if such additional certification is deemed by the Commissioner of Motor Vehicles to be unfavorable to the applicant, the commissioner may refuse to issue or, if already issued, suspend or revoke such special license plate or placard. The commissioner shall not issue more

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than one placard per applicant. The fee for the issuance of a temporary removable windshield placard shall be five dollars. Any person whose application has been denied or whose special license plate or placard has been suspended or revoked shall be afforded an opportunity for a hearing in accordance with the provisions of chapter 54.

Sec. 38. Subsection (a) of section 17a-215d of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2019*):

(a) There is established the Autism Spectrum Disorder Advisory Council. The council shall consist of the following members: (1) The Commissioner of Social Services, or the commissioner's designee; (2) the Commissioner of Children and Families, or the commissioner's designee; (3) the Commissioner of Education, or the commissioner's designee; (4) the Commissioner of Mental Health and Addiction Services, or the commissioner's designee; (5) the Commissioner of Public Health, or the commissioner's designee; (6) the Commissioner of [Rehabilitation] Aging and Disability Services, or the commissioner's designee; (7) the Commissioner of Developmental Services, or the commissioner's designee; (8) the Commissioner of Early Childhood, or the commissioner's designee; (9) the Secretary of the Office of Policy and Management, or the secretary's designee; (10) two persons with autism spectrum disorder, one each appointed by the Governor and the speaker of the House of Representatives; (11) two persons who are parents or guardians of a child with autism spectrum disorder, one each appointed by the Governor and the minority leader of the Senate; (12) two persons who are parents or guardians of an adult with autism spectrum disorder, one each appointed by the president pro tempore of the Senate and the majority leader of the House of Representatives; (13) two persons who are advocates for persons with autism spectrum disorder, one each appointed by the Governor and the speaker of the House of Representatives; (14) two persons who are licensed

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professionals working in the field of autism spectrum disorder, one each appointed by the Governor and the majority leader of the Senate; (15) two persons who provide services for persons with autism spectrum disorder, one each appointed by the Governor and the minority leader of the House of Representatives; (16) two persons who shall be representatives of an institution of higher education in the state with experience in the field of autism spectrum disorder, one each appointed by the Governor and the president pro tempore of the Senate; (17) the executive director of the nonprofit entity designated by the Governor in accordance with section 46a-10b to serve as the Connecticut protection and advocacy system, or the executive director's designee; and (18) one person who is a physician who treats or diagnoses persons with autism spectrum disorder, appointed by the Governor.

Sec. 39. Subdivision (9) of section 17a-248 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2019*):

(9) "Participating agencies" includes, but is not limited to, the Departments of Education, Social Services, Public Health, Children and Families and Developmental Services, the Office of Early Childhood, the Insurance Department and the Department of [Rehabilitation] Aging and Disability Services.

Sec. 40. Subsection (a) of section 17a-302 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2019*):

(a) The Department of [Rehabilitation] Aging and Disability Services shall be responsible for the administration of programs which provide nutritionally sound diets to needy older persons and for the expansion of such programs when possible. Such programs shall be continued in such a manner as to fully utilize congregate feeding and

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nutrition education of older citizens who qualify for such program.

Sec. 41. Section 17a-302a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2019*):

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

Sec. 42. Section 17a-303a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2019*):

(a) The Department of [Rehabilitation] Aging and Disability Services shall establish, within available appropriations, a fall prevention program. Within such program, the department shall:

(1) Promote and support research to: (A) Improve the identification, diagnosis, treatment and rehabilitation of older persons and others who have a high risk of falling; (B) improve data collection and analysis to identify risk factors for falls and factors that reduce the likelihood of falls; (C) design, implement and evaluate the most effective fall prevention interventions; (D) improve intervention strategies that have been proven effective in reducing falls by tailoring such strategies to specific populations of older persons; (E) maximize the dissemination of proven, effective fall prevention interventions; (F)

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assess the risk of falls occurring in various settings; (G) identify barriers to the adoption of proven interventions with respect to the prevention of falls among older persons; (H) develop, implement and evaluate the most effective approaches to reducing falls among high-risk older persons living in communities and long-term care and assisted living facilities; and (I) evaluate the effectiveness of community programs designed to prevent falls among older persons;

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

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

(A) Targeted fall risk screening and referral programs;

(B) Programs designed for community-dwelling older persons that use fall intervention approaches, including physical activity, medication assessment and reduction of medication when possible, vision enhancement and home-modification strategies;

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

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functional limitations; and

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

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

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

Sec. 43. Section 17a-304 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2019*):

The state shall be divided into five elderly planning and service areas, in accordance with federal law and regulations, each having an area agency on aging to carry out the mandates of the federal Older Americans Act of 1965, as amended. The area agencies shall (1) represent older persons within their geographic areas, (2) develop an area plan for approval by the Department of [Rehabilitation] Aging and Disability Services and upon such approval administer the plan, (3) coordinate and assist local public and nonprofit, private agencies in the development of programs, (4) receive and distribute federal and

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state funds for such purposes, in accordance with applicable law, and (5) carry out any additional duties and functions required by federal law and regulations.

Sec. 44. Section 17a-305 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2019*):

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

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

(c) The Department of [Rehabilitation] Aging and Disability Services, in consultation with the five area agencies on aging, shall review the method of allocation set forth in subsection (a) of this section and shall report any findings or recommendations to the joint standing committees of the General Assembly having cognizance of

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matters relating to appropriations and the budgets of state agencies and human services.

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

Sec. 45. Section 17a-306 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2019*):

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

Sec. 46. Section 17a-310 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2019*):

The Department of [Rehabilitation] Aging and Disability Services may make a grant to any city, town or borough or public or private agency, organization or institution for the following purposes: (1) For community planning and coordination of programs carrying out the purposes of the Older Americans Act of 1965, as amended; (2) for demonstration programs or activities particularly valuable in carrying out such purposes; (3) for training of special personnel needed to carry out such programs and activities; (4) for establishment of new or expansion of existing programs to carry out such purposes, including

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

Sec. 47. Section 17a-313 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2019*):

The Department of [Rehabilitation] Aging and Disability Services may use moneys appropriated for the purposes of section 17a-310, as amended by this act, for the expenses of administering the grant program under said section, provided the total of such moneys so used shall not exceed five per cent of the moneys so appropriated.

Sec. 48. Section 17a-314 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2019*):

(a) As used in this section:

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

(2) "CHOICES health insurance assistance program" means the

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federally recognized state health insurance assistance program funded pursuant to P.L. 101-508 and administered by the Department of [Rehabilitation] Aging and Disability Services, in conjunction with the area agencies on aging and the Center for Medicare Advocacy, that provides free information and assistance related to health insurance issues and concerns of older persons and other Medicare beneficiaries in Connecticut.

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

(c) The program shall provide: (1) Toll-free telephone access for consumers to obtain advice and information on Medicare benefits, including prescription drug benefits available through the Medicare Part D program, the Medicare appeals process, health insurance matters applicable to Medicare beneficiaries and long-term care options available in the state at least five days per week during normal business hours; (2) information, advice and representation, where appropriate, concerning the Medicare appeals process, by a qualified attorney or paralegal at least five days per week during normal business hours; (3) information through appropriate means and format, including written materials, to Medicare beneficiaries, their families, senior citizens and organizations regarding Medicare benefits, including prescription drug benefits available through Medicare Part D and other pharmaceutical drug company programs and long-term care options available in the state; (4) information concerning Medicare plans and services, private insurance policies and federal and state-funded programs that are available to beneficiaries to supplement Medicare coverage; (5) information permitting Medicare beneficiaries to compare and evaluate their options for delivery of

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Medicare and supplemental insurance services; (6) information concerning the procedure to appeal a denial of care and the procedure to request an expedited appeal of a denial of care; and (7) any other information the program or the Commissioner of Rehabilitation Services deems relevant to Medicare beneficiaries.

(d) The Commissioner of [Rehabilitation] Aging and Disability Services may include any additional functions necessary to conform to federal grant requirements.

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

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

Sec. 49. Subsection (a) of section 17a-316a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2019*):

(a) The Commissioner of [Rehabilitation] Aging and Disability Services shall develop and administer a program to provide a single, coordinated system of information and access for individuals seeking long-term support, including in-home, community-based and institutional services. The program shall be the state Aging and Disability Resource Center Program in accordance with the federal Older Americans Act Amendments of 2006, P.L. 109-365 and shall be

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administered as part of the Department of [Rehabilitation] Aging and Disability Services' CHOICES program in accordance with subdivision (1) of subsection (a) of section 17a-314, as amended by this act. Consumers served by the program shall include, but not be limited to, those sixty years of age or older and those eighteen years of age or older with disabilities and caregivers.

Sec. 50. Subsections (a) and (b) of section 17a-405 of the general statutes are repealed and the following is substituted in lieu thereof (*Effective October 1, 2019*):

(a) As used in this chapter:

(1) "State agency" means the Department of [Rehabilitation] Aging and Disability Services.

(2) "Office" or "Office of the Long-Term Care Ombudsman" means the organizational unit which is headed by the State Long-Term Care Ombudsman established in this section.

(3) "State Ombudsman" means the individual who heads the office established in this section.

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

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

(6) "Resident" means an individual who resides in a long-term care facility.

(7) "Long-term care facility" means any skilled nursing facility, as defined in Section 1819(a) of the Social Security Act, (42 USC 1395i-

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3(a)) any nursing facility, as defined in Section 1919(a) of the Social Security Act, (42 USC 1396r(a)) a board and care facility as defined in Section 102(19) of the federal Older Americans Act, (42 USC 3002(19)) and for purposes of ombudsman program coverage, an institution regulated by the state pursuant to Section 1616(e) of the Social Security Act, (42 USC 1382e(e)) and any other adult care home similar to a facility or nursing facility or board and care home.

(8) "Commissioner" means the Commissioner of [Rehabilitation] Aging and Disability Services.

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

(10) "Resident representative" means (A) an individual chosen by the resident to act on behalf of the resident in order to support the resident in decision making, accessing medical, social or other personal information of the resident, managing financial matters, or receiving notifications; (B) a person authorized by state or federal law to act on behalf of the resident in order to support the resident in decision making, accessing medical, social or other personal information of the resident, managing financial matters, or receiving notifications; (C) a legal representative, as used in Section 712 of the Older Americans Act; or (D) the court-appointed guardian or conservator of a resident.

(b) There is established an independent Office of the Long-Term Care Ombudsman within the Department of [Rehabilitation] Aging and Disability Services. The Commissioner of [Rehabilitation] Aging and Disability Services shall appoint a State Ombudsman who shall be selected from among individuals with expertise and experience in the fields of long-term care and advocacy to head the office and the State Ombudsman shall appoint regional ombudsmen. In the event the State Ombudsman or a regional ombudsman is unable to fulfill the duties of the office, the commissioner shall appoint an acting State Ombudsman

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and the State Ombudsman shall appoint an acting regional ombudsman.

Sec. 51. Section 17a-407 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2019*):

No person may perform any functions as a residents' advocate until the person has successfully completed a course of training required by the State Ombudsman. Any residents' advocate who fails to complete such a course within a reasonable time after appointment may be removed by the State Ombudsman or the regional ombudsman for the region in which such residents' advocate serves. The Commissioner of [Rehabilitation] Aging and Disability Services, after consultation with the State Ombudsman, shall adopt regulations, in accordance with the provisions of chapter 54, to carry out the provisions of this section. Such regulations shall include, but not be limited to, the course of training required by this section.

Sec. 52. Subsection (c) of section 17a-411 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2019*):

(c) The Commissioner of [Rehabilitation] Aging and Disability Services shall have authority to seek funding for the purposes contained in this section from public and private sources, including, but not limited to, any federal or state funded programs.

Sec. 53. Section 17a-416 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2019*):

The Commissioner of [Rehabilitation] Aging and Disability Services, after consultation with the State Ombudsman, shall adopt regulations in accordance with the provisions of chapter 54, to carry out the provisions of sections 17a-405 to 17a-417, inclusive, as amended by this act, 19a-531 and 19a-532.

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Sec. 54. Section 17a-417 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2019*):

The Commissioner of [Rehabilitation] Aging and Disability Services shall require the State Ombudsman to:

(1) Prepare an annual report:

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

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

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

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

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

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

(2) Analyze, comment on and monitor the development and implementation of federal, state and local laws, regulations and other government policies and actions that pertain to long-term care facilities and services, and to the health, safety, welfare and rights of residents

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in the state, and recommend any changes in such laws, regulations and policies as the office determines to be appropriate.

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

Sec. 55. Subsection (c) of section 17a-422 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2019*):

(c) Not later than June 30, 2005, the Long-Term Care Ombudsman shall submit a report on the pilot program to the Commissioners of [Rehabilitation] Aging and Disability Services and Public Health, to the joint standing committees of the General Assembly having cognizance of matters relating to human services, public health and appropriations, and to the select committee of the General Assembly having cognizance of matters relating to aging. The report shall be submitted in accordance with section 11-4a.

Sec. 56. Subsection (b) of section 17a-667 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2019*):

(b) The council shall consist of the following members: (1) The Secretary of the Office of Policy and Management, or the secretary's designee; (2) the Commissioners of Children and Families, Consumer Protection, Correction, Education, Mental Health and Addiction

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Services, Public Health, Emergency Services and Public Protection, [Rehabilitation] Aging and Disability Services and Social Services, and the Insurance Commissioner, or their designees; (3) the Chief Court Administrator, or the Chief Court Administrator's designee; (4) the chairperson of the Board of Regents for Higher Education, or the chairperson's designee; (5) the president of The University of Connecticut, or the president's designee; (6) the Chief State's Attorney, or the Chief State's Attorney's designee; (7) the Chief Public Defender, or the Chief Public Defender's designee; and (8) the cochairpersons and ranking members of the joint standing committees of the General Assembly having cognizance of matters relating to public health, criminal justice and appropriations, or their designees. The Commissioner of Mental Health and Addiction Services and the Commissioner of Children and Families shall be cochairpersons of the council and may jointly appoint up to seven individuals to the council as follows: (A) Two individuals in recovery from a substance use disorder or representing an advocacy group for individuals with a substance use disorder; (B) a provider of community-based substance abuse services for adults; (C) a provider of community-based substance abuse services for adolescents; (D) an addiction medicine physician; (E) a family member of an individual in recovery from a substance use disorder; and (F) an emergency medicine physician currently practicing in a Connecticut hospital. The cochairpersons of the council may establish subcommittees and working groups and may appoint individuals other than members of the council to serve as members of the subcommittees or working groups. Such individuals may include, but need not be limited to: (i) Licensed alcohol and drug counselors; (ii) pharmacists; (iii) municipal police chiefs; (iv) emergency medical services personnel; and (v) representatives of organizations that provide education, prevention, intervention, referrals, rehabilitation or support services to individuals with substance use disorder or chemical dependency.

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Sec. 57. Subsection (b) of section 17b-4 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2019*):

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

Sec. 58. Subdivision (11) of subsection (c) of section 17b-28 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2019*):

(11) The Commissioners of Social Services, Children and Families, Public Health, Developmental Services, [Rehabilitation] Aging and Disability Services and Mental Health and Addiction Services, or their designees, who shall be ex-officio nonvoting members;

Sec. 59. Section 17b-251 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2019*):

The Department of [Rehabilitation] Aging and Disability Services shall establish an outreach program to educate consumers as to: (1) The need for long-term care; (2) mechanisms for financing such care; (3) the availability of long-term care insurance; and (4) the asset protection provided under sections 17b-252 to 17b-254, inclusive, and 38a-475, as amended by this act. The Department of [Rehabilitation] Aging and Disability Services shall provide public information to assist

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individuals in choosing appropriate insurance coverage.

Sec. 60. Subsection (c) of section 17b-337 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2019*):

(c) The Long-Term Care Planning Committee shall consist of: (1) The chairpersons and ranking members of the joint standing committees of the General Assembly having cognizance of matters relating to human services, public health, elderly services and long-term care; (2) the Commissioner of Social Services, or the commissioner's designee; (3) one member of the Office of Policy and Management appointed by the Secretary of the Office of Policy and Management; (4) one member from the Department of Public Health appointed by the Commissioner of Public Health; (5) one member from the Department of Housing appointed by the Commissioner of Housing; (6) one member from the Department of Developmental Services appointed by the Commissioner of Developmental Services; (7) one member from the Department of Mental Health and Addiction Services appointed by the Commissioner of Mental Health and Addiction Services; (8) one member from the Department of Transportation appointed by the Commissioner of Transportation; (9) one member from the Department of Children and Families appointed by the Commissioner of Children and Families; and (10) one member from the Health Systems Planning Unit of the Office of Health Strategy appointed by the executive director of the Office of Health Strategy; and (11) one member from the Department of [Rehabilitation] Aging and Disability Services appointed by the Commissioner of [Rehabilitation] Aging and Disability Services. The committee shall convene no later than ninety days after June 4, 1998. Any vacancy shall be filled by the appointing authority. The chairperson shall be elected from among the members of the committee. The committee shall seek the advice and participation of any person, organization or state or

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federal agency it deems necessary to carry out the provisions of this section.

Sec. 61. Subsection (b) of section 17b-349e of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2019*):

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

Sec. 62. Subsection (d) of section 17b-352 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2019*):

(d) Any facility acting pursuant to subdivision (3) of subsection (b) of this section shall provide written notice, at the same time it submits its letter of intent, to all patients, guardians or conservators, if any, or legally liable relatives or other responsible parties, if known, and shall post such notice in a conspicuous location at the facility. The facility's written notice shall be accompanied by an informational letter issued jointly from the Office of the Long-Term Care Ombudsman and the Department of [Rehabilitation] Aging and Disability Services on patients' rights and services available as they relate to the letter of

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intent. The notice shall state the following: (1) The projected date the facility will be submitting its certificate of need application, (2) that only the Department of Social Services has the authority to either grant, modify or deny the application, (3) that the Department of Social Services has up to ninety days to grant, modify or deny the certificate of need application, (4) a brief description of the reason or reasons for submitting a request for permission, (5) that no patient shall be involuntarily transferred or discharged within or from a facility pursuant to state and federal law because of the filing of the certificate of need application, (6) that all patients have a right to appeal any proposed transfer or discharge, and (7) the name, mailing address and telephone number of the Office of the Long-Term Care Ombudsman and local legal aid office.

Sec. 63. Section 17b-607 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2019*):

(a) The Commissioner of [Rehabilitation] Aging and Disability Services is authorized to establish and administer a fund to be known as the Assistive Technology Revolving Fund. Said fund shall be used by said commissioner to make loans to persons with disabilities, senior citizens or the family members of persons with disabilities or senior citizens for the purchase of assistive technology and adaptive equipment and services. Each such loan shall be made for a term of not more than ten years. Any loans made under this section after July 1, 2013, shall bear interest at a fixed rate not to exceed six per cent. Said commissioner is authorized to expend any funds necessary for the reasonable direct expenses relating to the administration of said fund. Said commissioner shall adopt regulations, in accordance with the provisions of chapter 54, to implement the purposes of this section.

(b) The State Bond Commission shall have power from time to time to authorize the issuance of bonds of the state in one or more series in accordance with section 3-20 and in a principal amount necessary to

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carry out the purposes of this section, but not in excess of an aggregate amount of one million dollars. All of said bonds shall be payable at such place or places as may be determined by the Treasurer pursuant to section 3-19 and shall bear such date or dates, mature at such time or times, not exceeding five years from their respective dates, bear interest at such rate or different or varying rates and payable at such time or times, be in such denominations, be in such form with or without interest coupons attached, carry such registration and transfer privileges, be payable in such medium of payment and be subject to such terms of redemption with or without premium as, irrespective of the provisions of said section 3-20, may be provided by the authorization of the State Bond Commission or fixed in accordance therewith. The proceeds of the sale of such bonds shall be deposited in the Assistive Technology Revolving Fund created by this section. Such bonds shall be general obligations of the state and the full faith and credit of the state of Connecticut are pledged for the payment of the principal of and interest on such bonds as the same become due. Accordingly, and as part of the contract of the state with the holders of such bonds, appropriation of all amounts necessary for punctual payment of such principal and interest is hereby made and the Treasurer shall pay such principal and interest as the same become due. Net earnings on investments or reinvestments of proceeds, accrued interest and premiums on the issuance of such bonds, after payment therefrom of expenses incurred by the Treasurer or State Bond Commission in connection with their issuance, shall be deposited in the General Fund of the state.

(c) The Connecticut Tech Act Project, within the Department of [Rehabilitation] Aging and Disability Services and as authorized by 29 USC 3001, may provide assistive technology evaluation and training services upon the request of any person or any public or private entity, to the extent persons who provide assistive technology services are available. The project may charge a fee to any person or entity

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receiving such assistive technology evaluation and training services to reimburse the department for its costs. The Commissioner of [Rehabilitation] Aging and Disability Services shall establish fees at reasonable rates that will cover the department's direct and indirect costs.

Sec. 64. Section 17b-612 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2019*):

The Department of [Rehabilitation] Aging and Disability Services shall establish a program to assist public school students with disabilities in preparing for and obtaining competitive employment and to strengthen the linkage between vocational rehabilitation services and public schools. Under the program, the Department of [Rehabilitation] Aging and Disability Services shall provide, within the limits of available appropriations, vocational evaluations and other appropriate transitional services and shall provide vocational rehabilitation counselors to school districts throughout the state. The counselors shall, if requested, assist those persons planning in-school skill development programs. The counselors shall, with planning and placement team members, develop transition plans and individual education and work rehabilitation plans for students with disabilities who will no longer be eligible for continued public school services. Students whose termination date for receipt of public school services is most immediate shall be given priority.

Sec. 65. Section 17b-614 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2019*):

(a) The Department of [Rehabilitation] Aging and Disability Services shall establish and maintain a state-wide network of centers for independent living.

(b) Not more than five per cent of the amount appropriated in any

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fiscal year for the purposes of this section may be used by the Department of [Rehabilitation] Aging and Disability Services to provide state-wide administration, evaluation and technical assistance relating to the implementation of this section.

Sec. 66. Subsection (b) of section 17b-615 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2019*):

(b) The council shall meet regularly with the Commissioner of [Rehabilitation] Aging and Disability Services and shall perform the following duties: (1) Issue an annual report by January first, with recommendations regarding independent living services and centers, to the Governor and the chairpersons of the joint standing committee of the General Assembly having cognizance of matters relating to human services, and (2) consult with, advise and make recommendations to the Department of [Rehabilitation] Aging and Disability Services concerning independent living and related policy, management and budgetary issues.

Sec. 67. Section 17b-650a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2019*):

(a) There is created a Department of [Rehabilitation] Aging and Disability Services. The Department of [Rehabilitation] Aging and Disability Services shall be responsible for providing the following: (1) Services to persons who are deaf or hard of hearing; (2) services for persons who are blind or visually impaired; (3) rehabilitation services in accordance with the provisions of the general statutes concerning the Department of [Rehabilitation] Aging and Disability Services; and (4) services for older persons and their families. The Department of [Rehabilitation] Aging and Disability Services shall constitute a successor authority to the [Bureau of Rehabilitative] Department of Rehabilitation Services in accordance with the provisions of sections 4-

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38d, 4-38e and 4-39.

(b) The department head shall be the Commissioner of [Rehabilitation] Aging and Disability Services, who shall be appointed by the Governor in accordance with the provisions of sections 4-5 to 4-8, inclusive, as amended by this act, and shall have the powers and duties described in said sections. The Commissioner of [Rehabilitation] Aging and Disability Services shall appoint such persons as may be necessary to administer the provisions of public act 11-44 and the Commissioner of Administrative Services shall fix the compensation of such persons in accordance with the provisions of section 4-40. The Commissioner of [Rehabilitation] Aging and Disability Services may create such sections within the Department of [Rehabilitation] Aging and Disability Services as will facilitate such administration, including a disability determinations section for which one hundred per cent federal funds may be accepted for the operation of such section in conformity with applicable state and federal regulations. The Commissioner of [Rehabilitation] Aging and Disability Services may adopt regulations, in accordance with the provisions of chapter 54, to implement the purposes of the department as established by statute.

(c) The Commissioner of [Rehabilitation] Aging and Disability Services shall, annually, in accordance with section 4-60, submit to the Governor a report in electronic format on the activities of the Department of [Rehabilitation] Aging and Disability Services relating to services provided by the department to persons who (1) are blind or visually impaired, (2) are deaf or hard of hearing, (3) receive vocational rehabilitation services, or (4) are older persons or their families. The report shall include the data the department provides to the federal government that relates to the evaluation standards and performance indicators for the vocational rehabilitation services program. The commissioner shall submit the report in electronic format, in accordance with the provisions of section 11-4a, to the joint standing

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committees of the General Assembly having cognizance of matters relating to human services and appropriations and the budgets of state agencies.

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

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

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

(g) The Department of [Rehabilitation] Aging and Disability Services is designated as the State Unit on Aging to administer, manage, design and advocate for benefits, programs and services for older persons and their families pursuant to the Older Americans Act.

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The department shall study continuously the conditions and needs of older persons in this state in relation to nutrition, transportation, home care, housing, income, employment, health, recreation and other matters. The department shall be responsible, in cooperation with federal, state, local and area planning agencies on aging, for the overall planning, development and administration of a comprehensive and integrated social service delivery system for older persons. The Department of [Rehabilitation] Aging and Disability Services is designated as the state agency for the administration of nutritional programs for elderly persons described in section 17a-302, as amended by this act, the fall prevention program described in section 17a-303a, as amended by this act, the CHOICES program described in section 17a-314, as amended by this act, the Aging and Disability Resource Center Program described in section 17a-316a, as amended by this act, and the Alzheimer's respite program described in section 17b-349e, as amended by this act.

Sec. 68. Section 17b-650e of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2019*):

The Department of [Rehabilitation] Aging and Disability Services may provide necessary services to persons who are deaf or hard of hearing, including, but not limited to, nonreimbursable interpreter services and message relay services for persons using telecommunication devices for persons who are deaf.

Sec. 69. Section 17b-651a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2019*):

The Commissioner of [Rehabilitation] Aging and Disability Services shall inquire into the criminal history of any applicant, who is not at the time of application employed by the Department of [Rehabilitation] Aging and Disability Services, for a position of employment with the department's disability determination services

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unit. Such inquiry shall be conducted in accordance with the provisions of section 31-51i. The commissioner shall require each such applicant to state whether the applicant has ever been convicted of a crime, whether criminal charges are pending against the applicant at the time of application, and, if so, to identify the charges and court in which such charges are pending. Each such applicant offered a position of employment with the department's disability determination services unit shall be required to submit to fingerprinting and state and national criminal history records checks, as provided in section 29-17a.

Sec. 70. Section 17b-653 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2019*):

(a) Vocational rehabilitation services shall be provided, with or without public cost, directly or through public or private instrumentalities, as part of an individual plan for employment for a person with disabilities determined to be eligible by the Department of [Rehabilitation] Aging and Disability Services, in accordance with Title I of the Rehabilitation Act, 29 USC 701 et seq., as amended from time to time. Nothing in this section shall be construed to mean that an individual's ability or inability to share in the cost of vocational rehabilitation services may be taken into account during the determination of eligibility for such services.

(b) If vocational rehabilitation services cannot be provided for all eligible persons with disabilities who apply for such services, the Department of [Rehabilitation] Aging and Disability Services shall determine, in accordance with Title I of the Rehabilitation Act of 1973, 29 USC 701 et seq., and federal regulations, as amended from time to time, the order to be followed in selecting those to whom such services will be provided.

(c) Nothing in section 17b-650 or subsection (a) of this section shall

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be construed to preclude provision of vocational rehabilitation services, with or without public cost, to a person with a disability under an extended evaluation for a total period not in excess of eighteen months, in accordance with Title I of the Rehabilitation Act of 1973, 29 USC 701 et seq., as amended from time to time.

(d) The Commissioner of [Rehabilitation] Aging and Disability Services may adopt regulations in accordance with the provisions of chapter 54 to establish standards and procedures governing the provision of vocational rehabilitation services and, where appropriate, a means test to determine, based upon the financial need of each eligible person with disabilities, the extent to which such services will be provided at public cost. Any funds received by the Department of [Rehabilitation] Aging and Disability Services from individuals or third parties for the provision of vocational rehabilitation services shall be used by the department to provide such services. The regulations may also prescribe the procedures to be used when payment is made by individuals required to contribute to the cost of vocational rehabilitation services. Regulations developed to implement a means test shall include, but not be limited to: (1) An exemption for any individual with an income of less than one hundred per cent of the state median income and assets which are less than five thousand dollars; (2) an exemption for services covered in an individual plan for employment in effect at the time of implementation of the means test; (3) an exclusion from an individual's income of the costs of necessary and reasonable disability-related expenses including, but not limited to, personal attendant services and medications for which payment is unavailable to the individual through other benefits or resources; (4) an exclusion from the individual's assets of the value of the individual's primary residence and motor vehicle; (5) a method by which the Commissioner of [Rehabilitation] Aging and Disability Services may reduce the level of required contributions by an individual in the case of undue hardship; and (6) a requirement that

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the Department of [Rehabilitation] Aging and Disability Services notify an individual of the results of the means test analysis within thirty days of receipt of necessary financial information from the individual. Such means test shall not apply to services covered under a determination of financial need made by an institution of higher education. The Department of [Rehabilitation] Aging and Disability Services shall develop the regulations in consultation with representatives of providers of vocational rehabilitation services and recipients of such services or their representatives.

Sec. 71. Section 17b-654 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2019*):

(a) Any applicant for or recipient of vocational rehabilitation services may request an informal review of any decision made by the Department of [Rehabilitation] Aging and Disability Services pursuant to section 17b-653, as amended by this act.

(b) Regardless of whether a person requests an informal review under subsection (a) of this section, any applicant for or recipient of vocational rehabilitation services who is aggrieved by a decision made by the Department of [Rehabilitation] Aging and Disability Services pursuant to section 17b-653, as amended by this act, may request an administrative hearing, by making written request to the Commissioner of [Rehabilitation] Aging and Disability Services.

(c) An individual who is aggrieved by a final agency decision made pursuant to subsection (b) of this section may appeal therefrom in accordance with section 4-183. Such appeals shall be privileged cases to be heard by the court as soon after the return day as shall be practicable.

Sec. 72. Section 17b-655 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2019*):

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(a) In carrying out sections 17b-650 to 17b-663, inclusive, the Department of [Rehabilitation] Aging and Disability Services shall cooperate with other departments, agencies and institutions, both public and private, in providing for the vocational rehabilitation of persons with disabilities, in studying the problems involved therein and in establishing, developing and providing such programs, facilities and services as it deems necessary or desirable. Notwithstanding any other provision of the general statutes, the Department of [Rehabilitation] Aging and Disability Services shall not be required to pay that portion of the cost of a program of postsecondary education or training which is properly designated as expected parental or family contribution in accordance with state and federal law regarding eligibility for student financial aid.

(b) Subject to the approval of all real estate acquisitions by the Commissioner of Administrative Services and the State Properties Review Board, in carrying out said sections, the Department of [Rehabilitation] Aging and Disability Services may (1) establish, operate, foster and promote the establishment of rehabilitation facilities and make grants to public and other nonprofit and nonsectarian organizations for such purposes; (2) assist persons with significant disabilities to establish and operate small businesses; and (3) make studies, investigations, demonstrations and reports, and provide training and instruction, including the establishment and maintenance of such research fellowships and traineeships with such stipends and allowances as may be deemed necessary, in matters relating to vocational rehabilitation.

(c) The Commissioner of [Rehabilitation] Aging and Disability Services shall develop and maintain a program of public education and information. The program shall include, but not be limited to, education of the public concerning services available from the Department of [Rehabilitation] Aging and Disability Services, its

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policies and goals, an outreach effort to discover persons with disabilities, including such persons who are minorities as defined in subsection (a) of section 32-9n, who may benefit from the services it offers and the dissemination of printed materials to persons at their initial meeting with staff of the department, including a statement of such person's rights. Each state agency providing services to persons with disabilities shall furnish to each person applying for such services, at the time of initial application, a written summary of all state programs for persons with disabilities. Such summary shall be developed by the Department of Social Services as the lead agency for services to persons with disabilities pursuant to section 17b-606. The Department of Social Services shall distribute sufficient copies of the summary to all state agencies providing services to persons with disabilities in order that such copies may be furnished in accordance with this subsection.

Sec. 73. Section 17b-657 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2019*):

The Department of [Rehabilitation] Aging and Disability Services is authorized to provide such medical, diagnostic, physical restoration, training and other rehabilitation services as may be needed to enable persons with disabilities to attain the maximum degree of self care. The powers herein delegated and authorized to the Department of [Rehabilitation] Aging and Disability Services shall be in addition to those authorized by any other law and shall become effective upon authorization of federal grant-in-aid funds for participation in the cost of independent living rehabilitation services for persons with disabilities. The Department of [Rehabilitation] Aging and Disability Services shall be authorized to cooperate with whatever federal agency is directed to administer the federal aspects of such program and to comply with such requirements and conditions as may be established for the receipt and disbursement of federal grant-in-aid funds which

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may be made available to the state of Connecticut in carrying out such program.

Sec. 74. Section 17b-658 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2019*):

The Department of [Rehabilitation] Aging and Disability Services is authorized to cooperate with the federal government in carrying out the purposes of any federal statutes pertaining to vocational rehabilitation, to adopt such methods of administration as it finds necessary for the proper and efficient operation of agreements or plans for vocational rehabilitation and to comply with such conditions as may be necessary to secure the full benefits of such federal statutes to this state.

Sec. 75. Section 17b-659 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2019*):

The State Treasurer is designated as the custodian of all funds received from the federal government for the purpose of carrying out any federal statutes pertaining to vocational rehabilitation or any agreements authorized by sections 17b-650 to 17b-663, inclusive, and shall make disbursements from such funds and from all state funds available for vocational rehabilitation purposes upon certification by the Commissioner of [Rehabilitation] Aging and Disability Services.

Sec. 76. Section 17b-660 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2019*):

The Commissioner of [Rehabilitation] Aging and Disability Services is authorized to accept and use gifts made unconditionally by will or otherwise for carrying out the purposes of the general statutes concerning the Department of [Rehabilitation] Aging and Disability Services. Gifts made under such conditions as in the judgment of the Commissioner of [Rehabilitation] Aging and Disability Services are

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proper and consistent with the provisions of said sections may be so accepted and shall be held, invested, reinvested and used in accordance with the conditions of the gift.

Sec. 77. Section 17b-661 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2019*):

Notwithstanding any other provision of the general statutes, the Department of [Rehabilitation] Aging and Disability Services may, within the limits of appropriations, purchase (1) wheelchairs and placement equipment directly and without the issuance of a purchase order, provided the cost of such purchases shall not be in excess of twenty thousand dollars per unit, and (2) adaptive equipment, including equipment to modify vehicles for persons with disabilities directly and without the issuance of a purchase order, provided the cost of such purchases of adaptive equipment shall not be in excess of one hundred twenty thousand dollars per unit. All such purchases shall be made in the open market, but shall, when possible, be based on at least three competitive bids. Such bids shall be solicited by sending notice to prospective suppliers and by posting notice on the Internet web site of the Department of [Rehabilitation] Aging and Disability Services. Each bid shall be opened publicly at the time stated in the notice soliciting such bid. Acceptance of a bid by the Department of [Rehabilitation] Aging and Disability Services shall be based on standard specifications as may be adopted by said department.

Sec. 78. Section 17b-666 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2019*):

(a) The Department of [Rehabilitation] Aging and Disability Services may receive state and federal funds to administer, within available appropriations, an employment opportunities program to serve individuals with the most significant disabilities who do not meet the eligibility requirements of supported employment programs

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administered by the Departments of Developmental Services, Social Services and Mental Health and Addiction Services. For the purposes of this section, "individuals with the most significant disabilities" means those individuals who (1) have serious employment limitations in a total of three or more functional areas including, but not limited to, mobility, communication, self-care, interpersonal skills, work tolerance or work skills, or (2) will require significant ongoing disability-related services on the job in order to maintain employment.

(b) The employment opportunities program shall provide extended services, as defined in 34 CFR 361.5(b)(19), that are necessary for individuals with the most significant disabilities to maintain supported employment. Such services shall include coaching and other related services that allow participants to obtain and maintain employment and maximize economic self-sufficiency.

(c) The Department of [Rehabilitation] Aging and Disability Services shall adopt regulations, in accordance with chapter 54, to implement the provisions of this section.

Sec. 79. Section 21a-3a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2019*):

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

Sec. 80. Section 23-15c of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2019*):

(a) Not later than December 1, 2015, and annually thereafter, any person who has a contractual agreement with the Department of [Rehabilitation] Aging and Disability Services for the operation in any

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state park of any food service facility, vending machine or stand for the vending of goods shall report to the Department of [Rehabilitation] Aging and Disability Services the amount of revenue that such person generated during the calendar year as a result of such contract. Not later than January 1, 2016, and each year thereafter, the Department of [Rehabilitation] Aging and Disability Services shall compile any reports received pursuant to this subsection and transmit such reports to the Commissioner of Energy and Environmental Protection.

(b) On or before January 30, 2016, and each year thereafter, the Commissioner of Energy and Environmental Protection shall compile the following information: (1) The number of food service facilities, vending machines and stands for the vending of goods that are located in the state parks and the location of the respective parks that have such facilities, machines or stands, (2) the amount of revenues generated from such food service facilities, vending machines and stands for the vending of goods, as reported to the commissioner by the Department of [Rehabilitation] Aging and Disability Services pursuant to subsection (a) of this section, (3) the contractual agreement or provision of law that provides for the payment of any portion of such revenues to the state or that prohibits or limits the payment of such revenues to the state, (4) the amount of such revenues paid to the state in the subject calendar year, and (5) the manner in which such revenues were used by the state, if identifiable by the commissioner.

Sec. 81. Section 26-29 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2019*):

No fee shall be charged for any sport fishing license issued under this chapter to any person who is blind, and such license shall be a lifetime license not subject to the expiration provisions of section 26-35. Proof of such blindness shall be furnished, in the case of a veteran, by the United States Department of Veterans Affairs and, in the case of any other person, by the Department of [Rehabilitation] Aging and

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Disability Services. For the purpose of this section, a person shall be blind only if his or her central visual acuity does not exceed 20/200 in the better eye with correcting lenses, or if his or her visual acuity is greater than 20/200 but is accompanied by a limitation in the fields of vision such that the widest diameter of the visual field subtends an angle no greater than twenty degrees.

Sec. 82. Subsection (d) of section 31-280 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2019*):

(d) The chairman and the Comptroller, as soon as practicable after August first in each year, shall ascertain the total amount of expenses incurred by the commission, including, in addition to the direct cost of personnel services, the cost of maintenance and operation, rentals for space occupied in state leased offices and all other direct and indirect costs, incurred by the commission and the expenses incurred by the Department of [Rehabilitation] Aging and Disability Services in providing rehabilitation services for employees suffering compensable injuries in accordance with the provisions of section 31-283a, as amended by this act, during the preceding fiscal year in connection with the administration of the Workers' Compensation Act and the total noncontributory payments required to be made to the Treasurer towards commissioners' retirement salaries as provided in sections 51-49, 51-50, 51-50a and 51-50b. An itemized statement of the expenses as so ascertained shall be available for public inspection in the office of the chairman of the Workers' Compensation Commission for thirty days after notice to all insurance carriers, and to all employers permitted to pay compensation directly affected thereby.

Sec. 83. Section 31-283a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2019*):

(a) The Department of [Rehabilitation] Aging and Disability

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Services shall provide rehabilitation programs for employees with compensable injuries within the provisions of this chapter, which injuries prevented such employees from performing their customary or most recent work. The Commissioner of [Rehabilitation] Aging and Disability Services shall establish rehabilitation programs which shall best suit the needs of such employees and shall make the programs available in convenient locations throughout the state. After consultation with the Labor Commissioner, the Commissioner of [Rehabilitation] Aging and Disability Services may establish fees for the programs, so as to provide the most effective rehabilitation programs at a minimum rate. In order to carry out the provisions of this section, the Commissioner of [Rehabilitation] Aging and Disability Services shall adopt regulations, in accordance with the provisions of chapter 54, and, subject to the provisions of chapter 67, provide for the employment of necessary assistants.

(b) The Commissioner of [Rehabilitation] Aging and Disability Services shall be authorized to (1) enter into agreements with other state or federal agencies to carry out the purposes of this section and expend money for that purpose, and (2) on behalf of the state of Connecticut, develop matching programs or activities to secure federal grants or funds for the purposes of this section and may pledge or use funds supplied from the administrative costs fund, as provided in section 31-345, as amended by this act, to finance the state's share of the programs or activities.

Sec. 84. Subsection (a) of section 31-296 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2019*):

(a) If an employer and an injured employee, or in case of fatal injury the employee's legal representative or dependent, at a date not earlier than the expiration of the waiting period, reach an agreement in regard to compensation, such agreement shall be submitted in writing to the

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commissioner by the employer with a statement of the time, place and nature of the injury upon which it is based; and, if such commissioner finds such agreement to conform to the provisions of this chapter in every regard, the commissioner shall so approve it. A copy of the agreement, with a statement of the commissioner's approval, shall be delivered to each of the parties and thereafter it shall be as binding upon both parties as an award by the commissioner. The commissioner's statement of approval shall also inform the employee or the employee's dependent, as the case may be, of any rights the individual may have to an annual cost-of-living adjustment or to participate in a rehabilitation program administered by the Department of [Rehabilitation] Aging and Disability Services under the provisions of this chapter. The commissioner shall retain the original agreement, with the commissioner's approval thereof, in the commissioner's office and, if an application is made to the superior court for an execution, the commissioner shall, upon the request of said court, file in the court a certified copy of the agreement and statement of approval.

Sec. 85. Section 31-300 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2019*):

As soon as may be after the conclusion of any hearing, but no later than one hundred twenty days after such conclusion, the commissioner shall send to each party a written copy of the commissioner's findings and award. The commissioner shall, as part of the written award, inform the employee or the employee's dependent, as the case may be, of any rights the individual may have to an annual cost-of-living adjustment or to participate in a rehabilitation program administered by the Department of [Rehabilitation] Aging and Disability Services under the provisions of this chapter. The commissioner shall retain the original findings and award in said commissioner's office. If no appeal from the decision is taken by either

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party within twenty days thereafter, such award shall be final and may be enforced in the same manner as a judgment of the Superior Court. The court may issue execution upon any uncontested or final award of a commissioner in the same manner as in cases of judgments rendered in the Superior Court; and, upon the filing of an application to the court for an execution, the commissioner in whose office the award is on file shall, upon the request of the clerk of said court, send to the clerk a certified copy of such findings and award. In cases where, through the fault or neglect of the employer or insurer, adjustments of compensation have been unduly delayed, or where through such fault or neglect, payments have been unduly delayed, the commissioner may include in the award interest at the rate prescribed in section 37-3a and a reasonable attorney's fee in the case of undue delay in adjustments of compensation and may include in the award in the case of undue delay in payments of compensation, interest at twelve per cent per annum and a reasonable attorney's fee. Payments not commenced within thirty-five days after the filing of a written notice of claim shall be presumed to be unduly delayed unless a notice to contest the claim is filed in accordance with section 31-297. In cases where there has been delay in either adjustment or payment, which delay has not been due to the fault or neglect of the employer or insurer, whether such delay was caused by appeals or otherwise, the commissioner may allow interest at such rate, not to exceed the rate prescribed in section 37-3a, as may be fair and reasonable, taking into account whatever advantage the employer or insurer, as the case may be, may have had from the use of the money, the burden of showing that the rate in such case should be less than the rate prescribed in section 37-3a to be upon the employer or insurer. In cases where the claimant prevails and the commissioner finds that the employer or insurer has unreasonably contested liability, the commissioner may allow to the claimant a reasonable attorney's fee. No employer or insurer shall discontinue or reduce payment on account of total or partial incapacity under any such award, if it is claimed by or on

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behalf of the injured person that such person's incapacity still continues, unless such employer or insurer notifies the commissioner and the employee of such proposed discontinuance or reduction in the manner prescribed in section 31-296, as amended by this act, and the commissioner specifically approves such discontinuance or reduction in writing. The commissioner shall render the decision within fourteen days of receipt of such notice and shall forward to all parties to the claim a copy of the decision not later than seven days after the decision has been rendered. If the decision of the commissioner finds for the employer or insurer, the injured person shall return any wrongful payments received from the day designated by the commissioner as the effective date for the discontinuance or reduction of benefits. Any employee whose benefits for total incapacity are discontinued under the provisions of this section and who is entitled to receive benefits for partial incapacity as a result of an award, shall receive those benefits commencing the day following the designated effective date for the discontinuance of benefits for total incapacity. In any case where the commissioner finds that the employer or insurer has discontinued or reduced any such payment without having given such notice and without the commissioner having approved such discontinuance or reduction in writing, the commissioner shall allow the claimant a reasonable attorney's fee together with interest at the rate prescribed in section 37-3a on the discontinued or reduced payments.

Sec. 86. Subdivision (2) of subsection (b) of section 31-345 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2019*):

(2) The chairman of the Workers' Compensation Commission shall annually, on or after July first of each fiscal year, determine an amount sufficient in the chairman's judgment to meet the expenses incurred by the Workers' Compensation Commission and the Department of [Rehabilitation] Aging and Disability Services in providing

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rehabilitation services for employees suffering compensable injuries in accordance with section 31-283a, as amended by this act. Such expenses shall include (A) the costs of the Division of Workers' Rehabilitation and the programs established by its director, for fiscal years prior to the fiscal year beginning July 1, 2011, (B) the costs of the Division of Worker Education and the programs established by its director, and (C) funding for the occupational health clinic program created pursuant to sections 31-396 to 31-402, inclusive. The Treasurer shall thereupon assess upon and collect from each employer, other than the state and any municipality participating for purposes of its liability under this chapter as a member in an interlocal risk management agency pursuant to chapter 113a, the proportion of such expenses, based on the immediately preceding fiscal year, that the total compensation and payment for hospital, medical and nursing care made by such self-insured employer or private insurance carrier acting on behalf of any such employer bore to the total compensation and payments for the immediately preceding fiscal year for hospital, medical and nursing care made by such insurance carriers and self-insurers. For the fiscal years ending June 30, 2000, and June 30, 2001, such assessments shall not exceed five per cent of such total compensation and payments made by such insurance carriers and self-insurers. For the fiscal years ending June 30, 2002, and June 30, 2003, such assessments shall not exceed four and one-half per cent of such total compensation and payments made by such insurance carriers and self-insurers. For any fiscal year ending on or after June 30, 2004, such assessment shall not exceed four per cent of such total compensation and payments made by such insurance carriers and self-insurers. Such assessments and expenses shall not exceed the budget estimates submitted in accordance with subsection (c) of section 31-280. For each fiscal year, such assessment shall be reduced pro rata by the amount of any surplus from the assessments of prior fiscal years. Said surplus shall be determined in accordance with subdivision (3) of this subsection. Such assessments shall be made in one annual assessment

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upon receipt of the chairman's expense determination by the Treasurer. All assessments shall be paid not later than sixty days following the date of the assessment by the Treasurer. Any employer who fails to pay such assessment to the Treasurer within the time prescribed by this subdivision shall pay interest to the Treasurer on the assessment at the rate of eight per cent per annum from the date the assessment is due until the date of payment. All assessments received by the Treasurer pursuant to this subdivision to meet the expenses of the Workers' Compensation Commission shall be deposited in the Workers' Compensation Administration Fund established under section 31-344a. All assessments received by the Treasurer pursuant to this subdivision to meet the expenses incurred by the Department of [Rehabilitation] Aging and Disability Services in providing rehabilitation services for employees suffering compensable injuries in accordance with section 31-283a, as amended by this act, shall be deposited in the Workers' Compensation Administration Fund. The Treasurer is hereby authorized to make credits or rebates for overpayments made under this subsection by any employer for any fiscal year.

Sec. 87. Subsection (a) of section 31-349b of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2019*):

(a) Any employee who has suffered a compensable injury under the provisions of this chapter, and who is receiving benefits for such injury from the Second Injury Fund pursuant to the provisions of section 31-349, may file a written request with the commissioner in the district where the original claim was filed for a hearing to determine whether the employee's injury constitutes a permanent vocational disability. The hearing shall be held within sixty days of the date the request was filed. Upon the request of the commissioner and prior to the conclusion of such hearing, the Commissioner of [Rehabilitation]

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Aging and Disability Services shall, after receiving such information on the case which the commissioner deems necessary, submit written recommendations concerning the case to the commissioner for his consideration. The commissioner shall issue his decision, in writing, within ten days after the conclusion of the hearing. If the commissioner determines that the employee's injury is a permanent vocational disability, the employee shall be issued a certificate of disability by the commissioner. Such certificate shall be effective for a stated period of time of from one to five years, as determined by the commissioner. The decision of the commissioner may be appealed in accordance with the provisions of section 31-301.

Sec. 88. Subdivision (4) of subsection (a) of section 38a-47 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2019*):

(4) The amount appropriated to the Department of [Rehabilitation] Aging and Disability Services for the fall prevention program established in section 17a-303a, as amended by this act, from the Insurance Fund for the fiscal year.

Sec. 89. Subsection (b) of section 38a-48 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2019*):

(b) On or before July thirty-first, annually, the Insurance Commissioner and the Office of the Healthcare Advocate shall render to each domestic insurance company or other domestic entity liable for payment under section 38a-47, as amended by this act: (1) A statement that includes (A) the amount appropriated to the Insurance Department, the Office of the Healthcare Advocate and the Office of Health Strategy from the Insurance Fund established under section 38a-52a for the fiscal year beginning July first of the same year, (B) the cost of fringe benefits for department and office personnel for such

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year, as estimated by the Comptroller, (C) the estimated expenditures on behalf of the department and the offices from the Capital Equipment Purchase Fund pursuant to section 4a-9 for such year, not including such estimated expenditures made on behalf of the Health Systems Planning Unit of the Office of Health Strategy, and (D) the amount appropriated to the Department of [Rehabilitation] Aging and Disability Services for the fall prevention program established in section 17a-303a, as amended by this act, from the Insurance Fund for the fiscal year; (2) a statement of the total taxes imposed on all domestic insurance companies and domestic insurance entities under chapter 207 on business done in this state during the preceding calendar year; and (3) the proposed assessment against that company or entity, calculated in accordance with the provisions of subsection (c) of this section, provided for the purposes of this calculation the amount appropriated to the Insurance Department, the Office of the Healthcare Advocate and the Office of Health Strategy from the Insurance Fund plus the cost of fringe benefits for department and office personnel and the estimated expenditures on behalf of the department and the office from the Capital Equipment Purchase Fund pursuant to section 4a-9, not including such expenditures made on behalf of the Health Systems Planning Unit of the Office of Health Strategy shall be deemed to be the actual expenditures of the department and the office, and the amount appropriated to the Department of [Rehabilitation] Aging and Disability Services from the Insurance Fund for the fiscal year for the fall prevention program established in section 17a-303a, as amended by this act, shall be deemed to be the actual expenditures for the program.

Sec. 90. Subsection (g) of section 38a-48 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2019*):

(g) If the actual expenditures for the fall prevention program

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established in section 17a-303a, as amended by this act, are less than the amount allocated, the Commissioner of [Rehabilitation] Aging and Disability Services shall notify the Insurance Commissioner and the Healthcare Advocate. Immediately following the close of the fiscal year, the Insurance Commissioner and the Healthcare Advocate shall recalculate the proposed assessment for each domestic insurance company or other domestic entity in accordance with subsection (c) of this section using the actual expenditures made during the fiscal year by the Insurance Department, the Office of the Healthcare Advocate and the Office of Health Strategy from the Insurance Fund, the actual expenditures made on behalf of the department and the offices from the Capital Equipment Purchase Fund pursuant to section 4a-9, not including such expenditures made on behalf of the Health Systems Planning Unit of the Office of Health Strategy, and the actual expenditures for the fall prevention program. On or before July thirty-first, the Insurance Commissioner and the Healthcare Advocate shall render to each such domestic insurance company and other domestic entity a statement showing the difference between their respective recalculated assessments and the amount they have previously paid. On or before August thirty-first, the Insurance Commissioner and the Healthcare Advocate, after receiving any objections to such statements, shall make such adjustments which in their opinion may be indicated, and shall render an adjusted assessment, if any, to the affected companies.

Sec. 91. Section 38a-475 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2019*):

The Insurance Department shall only precertify long-term care insurance policies that (1) alert the purchaser to the availability of consumer information and public education provided by the Department of [Rehabilitation] Aging and Disability Services pursuant to section 17b-251, as amended by this act; (2) offer the option of home

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and community-based services in addition to nursing home care; (3) in all home care plans, include case management services delivered by an access agency approved by the Office of Policy and Management and the Department of Social Services as meeting the requirements for such agency as defined in regulations adopted pursuant to subsection (e) of section 17b-342, which services shall include, but need not be limited to, the development of a comprehensive individualized assessment and care plan and, as needed, the coordination of appropriate services and the monitoring of the delivery of such services; (4) provide inflation protection; (5) provide for the keeping of records and an explanation of benefit reports on insurance payments which count toward Medicaid resource exclusion; and (6) provide the management information and reports necessary to document the extent of Medicaid resource protection offered and to evaluate the Connecticut Partnership for Long-Term Care. No policy shall be precertified if it requires prior hospitalization or a prior stay in a nursing home as a condition of providing benefits. The commissioner may adopt regulations, in accordance with chapter 54, to carry out the precertification provisions of this section.

Sec. 92. Subsection (a) of section 46a-28 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2019*):

(a) The Advisory Board for Persons Who are Deaf or Hard of Hearing shall consist of the following sixteen members appointed by the Governor: (1) The consultant appointed by the State Board of Education in accordance with section 10-316a, or the consultant's designee; (2) the president of the Connecticut Council of Organizations Serving the Deaf, or the president's designee; (3) the president of the Connecticut Association of the Deaf, or the president's designee; (4) the president of the Connecticut Registry of Interpreters for the Deaf, or the president's designee; (5) the Commissioner of [Rehabilitation]

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Aging and Disability Services, or the commissioner's designee; (6) the executive director of the American School for the Deaf, or the executive director's designee; (7) a parent of a student in a predominantly oral education program; (8) a parent of a student at the American School for the Deaf; (9) a person who is deaf; (10) a person who is hard of hearing; (11) a person who is deaf and blind; (12) an interpreting professional who serves deaf or hard of hearing persons; (13) a healthcare professional who works with persons who are deaf or hard of hearing; (14) the Governor's liaison to the disability community; (15) an educator who works with children who are deaf or hard of hearing; and (16) the director of the Connecticut Chapter of We the Deaf People. The Commissioner of [Rehabilitation] Aging and Disability Services, the Governor's liaison to the disability community and a member chosen by the majority of the board shall be the chairpersons of the advisory board.

Sec. 93. Subsection (a) of section 46a-29 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2019*):

(a) The Commissioner of [Rehabilitation] Aging and Disability Services may request and shall receive from any department, division, board, bureau, commission or agency of the state or of any political subdivision thereof such assistance and data as will enable the Department of [Rehabilitation] Aging and Disability Services to properly carry out its activities under sections 17b-650e, as amended by this act, and 46a-30 to 46a-33b, inclusive, as amended by this act, and to effectuate the purposes therein set forth.

Sec. 94. Section 46a-30 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2019*):

(a) The Commissioner of [Rehabilitation] Aging and Disability Services may receive moneys from any source, including gifts, grants,

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bequests and reimbursements which moneys may be expended for the purposes designated by the donor or to effectuate the provisions of sections 17b-650e, as amended by this act, and 46a-29 to 46a-33b, inclusive, as amended by this act.

(b) The Commissioner of [Rehabilitation] Aging and Disability Services is empowered to expend its appropriation and receipts to initiate and support the provisions of said sections by contract or other arrangement and to contract for and engage consultants.

Sec. 95. Subsections (b) to (e), inclusive, of section 46a-33a of the general statutes are repealed and the following is substituted in lieu thereof (*Effective October 1, 2019*):

(b) All persons providing interpreting services shall register, annually, with the Department of [Rehabilitation] Aging and Disability Services. Such registration shall be on a form prescribed or furnished by the Commissioner of [Rehabilitation] Aging and Disability Services and shall include the registrant's name, address, phone number, place of employment as interpreter and interpreter certification or credentials. The department shall issue identification cards for those who register in accordance with this section.

(c) No person shall provide interpreting services unless such person is registered with the Department of [Rehabilitation] Aging and Disability Services according to the provisions of this section and (1) has passed the National Registry of Interpreters for the Deaf written generalist test or the National Association of the Deaf-National Registry of Interpreters for the Deaf certification knowledge examination, holds a level three certification provided by the National Association of the Deaf, documents the achievement of two continuing education units per year for a maximum of five years of training approved by the Commissioner of [Rehabilitation] Aging and Disability Services, and on or before the fifth anniversary of having

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passed the National Registry of Interpreters for the Deaf written generalist test or the National Association of the Deaf-National Registry of Interpreters for the Deaf certification knowledge examination, has passed the National Registry of Interpreters for the Deaf performance examination or the National Association of the Deaf-National Registry of Interpreters for the Deaf national interpreter certification examination, (2) has passed the National Registry of Interpreters for the Deaf written generalist test or the National Association of the Deaf-National Registry of Interpreters for the Deaf certification knowledge examination and is a graduate of an accredited interpreter training program and documents the achievement of two continuing education units per year for a maximum of five years of training approved by the commissioner, and on or before the fifth anniversary of having passed the National Registry of Interpreters for the Deaf written generalist test or the National Association of the Deaf-National Registry of Interpreters for the Deaf certification knowledge examination, has passed the National Registry of Interpreters for the Deaf performance examination or the National Association of the Deaf-National Registry of Interpreters for the Deaf national interpreter certification examination, (3) holds a level four or higher certification from the National Association of the Deaf, (4) holds certification by the National Registry of Interpreters for the Deaf, (5) for situations requiring an oral interpreter only, holds oral certification from the National Registry of Interpreters for the Deaf, (6) for situations requiring a cued speech transliterator only, holds certification from the National Training, Evaluation and Certification Unit and has passed the National Registry of Interpreters for the Deaf written generalist test, (7) holds a reverse skills certificate or is a certified deaf interpreter under the National Registry of Interpreters for the Deaf, or (8) holds a National Association of the Deaf-National Registry of Interpreters for the Deaf national interpreting certificate.

(d) No person shall provide interpreting services in a medical

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setting unless such person is registered with the Department of [Rehabilitation] Aging and Disability Services according to the provisions of this section and (1) holds a comprehensive skills certificate from the National Registry of Interpreters for the Deaf, (2) holds a certificate of interpretation or a certificate of transliteration from the National Registry of Interpreters for the Deaf, (3) holds a level four or higher certification from the National Association of the Deaf, (4) holds a reverse skills certificate or is a certified deaf interpreter under the National Registry of Interpreters for the Deaf, (5) for situations requiring an oral interpreter only, holds oral certification from the National Registry of Interpreters for the Deaf, (6) for situations requiring a cued speech transliterator only, holds certification from the National Training, Evaluation and Certification Unit and has passed the National Registry of Interpreters for the Deaf written generalist test, or (7) holds a National Association of the Deaf-National Registry of Interpreters for the Deaf national interpreting certificate.

(e) No person shall provide interpreting services in a legal setting unless such person is registered with the Department of [Rehabilitation] Aging and Disability Services according to the provisions of this section and (1) holds a comprehensive skills certificate from the National Registry of Interpreters for the Deaf, (2) holds a certificate of interpretation and a certificate of transliteration from the National Registry of Interpreters for the Deaf, (3) holds a level five certification from the National Association of the Deaf, (4) holds a reverse skills certificate or is a certified deaf interpreter under the National Registry of Interpreters for the Deaf, (5) for situations requiring an oral interpreter only, holds oral certification from the National Registry of Interpreters for the Deaf, (6) for situations requiring a cued speech transliterator only, holds certification from the National Training, Evaluation and Certification Unit and has passed the National Registry of Interpreters for the Deaf written generalist

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test, or (7) holds a National Association of the Deaf-National Registry of Interpreters for the Deaf national interpreting certificate.

Sec. 96. Section 46a-33b of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2019*):

Upon the request of any person or any public or private entity, the Department of [Rehabilitation] Aging and Disability Services may provide interpreting services to assist such person or entity to the extent such persons who provide interpreting services are available. Any person or entity receiving interpreting services through the department shall reimburse the department for such services at a rate set by the Commissioner of [Rehabilitation] Aging and Disability Services. The commissioner may adopt regulations in accordance with the provisions of chapter 54 to establish the manner of rate setting.

Sec. 97. Section 46a-33c of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2019*):

For purposes of this section, "state agency" has the same meaning as provided in section 9-612 and "interpreting" has the same meaning as provided in section 46a-33a, as amended by this act. Any state agency that is unable to fulfill a request for interpreting services with its own interpreting staff shall first request such services from the Department of [Rehabilitation] Aging and Disability Services and may seek such services elsewhere if (1) the department is unable to fulfill the request in two business days, or (2) the agency shows good cause that it needs such services immediately. The provisions of this section shall not (A) apply to the Department of [Rehabilitation] Aging and Disability Services if the department needs interpreting services related to an internal matter and the use of department interpreters may raise confidentiality concerns, or (B) affect any preexisting contract for interpreting services. Interpreting services provided by a state agency shall be in accordance with the provisions of section 46a-33a, as

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amended by this act.

Sec. 98. Section 17b-343 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2019*):

The Commissioner of Social Services shall establish annually the maximum allowable rate to be paid by agencies for homemaker services, chore person services, companion services, respite care, meals on wheels, adult day care services, case management and assessment services, transportation, mental health counseling and elderly foster care. [, except that the maximum allowable rates in effect July 1, 1990, shall remain in effect during the fiscal years ending June 30, 1992, and June 30, 1993.] The Commissioner of Social Services shall prescribe uniform forms on which agencies providing such services shall report their costs for such services. Such rates shall be determined on the basis of a reasonable payment for necessary services rendered. The maximum allowable rates established by the Commissioner of Social Services for the Connecticut home-care program for the elderly established under section 17b-342 shall constitute the rates required under this section until revised in accordance with this section. The Commissioner of Social Services shall establish a fee schedule, to be effective on and after July 1, 1994, for homemaker services, chore person services, companion services, respite care, meals on wheels, adult day care services, case management and assessment services, transportation, mental health counseling and elderly foster care. The commissioner may annually increase [any fee in] the fee schedule based on an increase in the cost of services. The commissioner shall increase the fee schedule effective July 1, 2000, by not less than five per cent, for adult day care services. The commissioner shall increase the fee schedule effective July 1, 2011, by four dollars per person, per day for adult day care services. Effective July 1, 2020, and annually thereafter, the commissioner may increase the fee schedule for meals on wheels providers serving participants in the Connecticut home-care

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program for the elderly by, at a minimum, the cost-of-living adjustment as measured by the consumer price index. The commissioner may increase any fee payable to a meals on wheels provider upon the application of such provider evidencing extraordinary costs related to delivery of meals on wheels in sparsely populated rural regions of the state. Nothing contained in this section shall authorize a payment by the state to any agency for such services in excess of the amount charged by such agency for such services to the general public.

Sec. 99. Subsection (c) of section 17a-305 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2019*):

(c) The Department of Rehabilitation Services, in consultation with the five area agencies on aging, shall review the method of allocation set forth in subsection (a) of this section and shall report any findings or recommendations, as well as data on service levels and costs, to the joint standing committees of the General Assembly having cognizance of matters relating to appropriations and the budgets of state agencies and human services. Providers of meals under the department's elderly nutrition program shall annually provide the department with data on service levels and costs.

Sec. 100. Subsection (b) of section 19a-127l of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2019*):

(b) In carrying out its responsibilities under subsection (a) of this section, the department shall develop the following for the quality of care program:

(1) Comparable performance measures to be reported;

(2) Selection of patient satisfaction survey measures and

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instruments;

(3) Methods and format of standardized data collection;

(4) Format for a public quality performance measurement report;

(5) Human resources and quality measurements;

(6) Medical error reduction methods;

(7) Systems for sharing and implementing universally accepted best practices;

(8) Systems for reporting outcome data;

(9) Systems for continuum of care;

(10) Recommendations concerning the use of an ISO 9000 quality auditing program;

(11) Recommendations concerning the types of statutory protection needed prior to collecting any data or information under this section and sections 19a-127m and 19a-127n; [and]

(12) Recommendations concerning the collection and analysis of data on patient malnutrition for the purposes of improving quality of care; and

[(12)] (13) Any other issues that the department deems appropriate.

Approved July 8, 2019