



House of Representatives

File No. 724

General Assembly

January Session, 2023

(Reprint of File No. 455)

Substitute House Bill No. 6729
As Amended by House Amendment
Schedule "A"

Approved by the Legislative Commissioner
May 5, 2023

***AN ACT CONCERNING THE DEPARTMENT OF MENTAL HEALTH
AND ADDICTION SERVICES' RECOMMENDATIONS REGARDING THE
MEMBERSHIP OF VARIOUS ADVISORY BOARDS AND COUNCILS.***

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

1 Section 1. Section 17a-470 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2023*):

3 Each [state hospital,] state-operated facility [or the Whiting Forensic
4 Hospital] for the treatment of persons with psychiatric disabilities or
5 persons with substance use disorders, or both, [except the Connecticut
6 Mental Health Center, may] shall have an advisory board appointed by
7 the superintendent or director of the facility for terms to be decided by
8 such superintendent or director. The superintendent or director shall
9 appoint at least two persons with lived experience with a behavioral
10 health disorder to the advisory board. In any case where the present
11 number of members of an advisory board is less than the number of
12 members designated by the superintendent or director of the facility,

13 [he] the superintendent or director shall appoint additional members to
14 such board in accordance with this section in such manner that the terms
15 of an approximately equal number of members shall expire in each odd-
16 numbered year. The superintendent or director shall fill any vacancy
17 that may occur for the unexpired portion of any term. No member [may]
18 shall serve more than two successive terms plus the balance of any
19 unexpired term to which [he] the member had been appointed. The
20 superintendent or director of the facility shall be an ex-officio member
21 of the advisory board. Each member of an advisory board of a state-
22 operated facility within the Department of Mental Health and Addiction
23 Services assigned a geographical territory shall be a resident of the
24 assigned geographical territory. Members of said advisory boards shall
25 receive no compensation for their services but shall be reimbursed for
26 necessary expenses involved in the performance of their duties. At least
27 one-third of such members shall be from regional behavioral health
28 action organizations, established pursuant to section 17a-484f, and at
29 least one-third shall be members of the catchment area councils, as
30 provided in section 17a-483, for the catchment areas served by such
31 facility, except that members serving as of October 1, 1977, shall serve
32 out their terms.

33 Sec. 2. Section 17a-471a of the general statutes is repealed and the
34 following is substituted in lieu thereof (*Effective from passage*):

35 (a) The Commissioner of Mental Health and Addiction Services, in
36 consultation and coordination with the advisory council established
37 under subsection (b) of this section, shall develop policies and set
38 standards related to clients residing on the Connecticut Valley Hospital
39 campus and to the discharge of such clients from the hospital into the
40 adjacent community. Any such policies and standards shall [assure]
41 ensure that no discharge of any client admitted to Whiting Forensic
42 Hospital under commitment by the Superior Court or transfer from the
43 Department of Correction shall take place without full compliance with
44 sections 17a-511 to 17a-524, inclusive, 17a-566 to 17a-575, inclusive, 17a-
45 580 to 17a-603, inclusive, and 54-56d.

46 (b) There is established a Connecticut Valley Hospital Advisory
47 Council that shall advise the Commissioner of Mental Health and
48 Addiction Services on policies concerning, but not limited to, building
49 use, security, clients residing on the campus and the discharge of clients
50 from the campus into the adjacent community. In addition, the advisory
51 council shall periodically review the implementation of the policies and
52 standards established by the commissioner in consultation with the
53 advisory council. The council shall be composed of six members
54 appointed by the mayor of Middletown, [six] eight members appointed
55 by the Commissioner of Mental Health and Addiction Services and one
56 member who shall serve as chairperson appointed by the Governor. On
57 and after January 1, 2024, at least two members appointed by the
58 Commissioner of Mental Health and Addiction Services shall have lived
59 experience with a behavioral health disorder.

60 Sec. 3. Subsection (a) of section 17a-450a of the general statutes is
61 repealed and the following is substituted in lieu thereof (*Effective from*
62 *passage*):

63 (a) The Department of Mental Health and Addiction Services shall
64 constitute a successor department to the Department of Mental Health.
65 Whenever the words "Commissioner of Mental Health" are used or
66 referred to in the following general statutes, the words "Commissioner
67 of Mental Health and Addiction Services" shall be substituted in lieu
68 thereof and whenever the words "Department of Mental Health" are
69 used or referred to in the following general statutes, the words
70 "Department of Mental Health and Addiction Services" shall be
71 substituted in lieu thereof: 4-5, 4-38c, 4-77a, 4a-12, 4a-16, 5-142, 8-206d,
72 10-19, 10-71, 10-76d, 17a-14, 17a-26, 17a-31, 17a-33, 17a-218, 17a-246, 17a-
73 450, 17a-451, 17a-453, 17a-454, 17a-455, 17a-456, 17a-457, 17a-458, 17a-
74 459, [17a-460,] 17a-464, 17a-465, 17a-466, 17a-467, 17a-468, 17a-470, as
75 amended by this act, 17a-471, 17a-472, 17a-473, 17a-474, 17a-476, 17a-
76 478, 17a-479, 17a-480, 17a-481, 17a-482, 17a-483, 17a-498, 17a-499, 17a-
77 502, 17a-506, 17a-510, 17a-511, 17a-512, 17a-513, 17a-519, 17a-528, 17a-
78 560, 17a-561, 17a-562, 17a-565, 17a-581, 17a-582, 17a-675, 17-836a, 17b-
79 28, 17b-59a, 17b-222, 17b-223, 17b-225, 17b-359, 17b-694, 19a-82, 19a-495,

80 19a-498, 19a-507a, 19a-576, 19a-583, 20-14i, 20-14j, 21a-240, 21a-301, 27-
81 122a, 31-222, 38a-514, 51-51o, 52-146h and 54-56d.

82 Sec. 4. Section 17a-460 of the general statutes is repealed. (*Effective*
83 *from passage*)

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2023</i>	17a-470
Sec. 2	<i>from passage</i>	17a-471a
Sec. 3	<i>from passage</i>	17a-450a(a)
Sec. 4	<i>from passage</i>	Repealer section

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact: None

Municipal Impact: None

Explanation

The bill, which makes changes to certain advisory boards as well as technical, conforming and other changes, has no fiscal impact.

House "A" adjusts the number of appointees to certain advisory boards and councils and has no fiscal impact.

The Out Years

State Impact: None

Municipal Impact: None

OLR Bill Analysis**sHB 6729 (as amended by House "A")******AN ACT CONCERNING THE DEPARTMENT OF MENTAL HEALTH AND ADDICTION SERVICES' RECOMMENDATIONS REGARDING THE MEMBERSHIP OF VARIOUS ADVISORY BOARDS AND COUNCILS.*****SUMMARY**

By law, "state-operated facilities" are hospitals and facilities that the Department of Mental Health and Addiction Services (DMHAS) operates in whole or part that provide treatment for people with psychiatric disabilities, substance use disorders, or both (CGS § 17a-458) (see BACKGROUND).

This bill requires, rather than allows, all state-operated facilities to have an advisory board. Under current law, facilities with advisory boards must have their superintendent or director make member appointments. The bill requires these appointing authorities to appoint at least two members with lived experience with behavioral health disorders to their respective boards.

The bill also eliminates the advisory board to the Connecticut Mental Health Center (CMHC), a community mental health center that DMHAS operates in collaboration with the Yale Department of Psychiatry. Under current law, CMHC is not allowed to have a superintendent- or director-appointed advisory board and instead has a nine-member CMHC Advisory Board that the DMHAS commissioner appoints. Of these appointments, two each must be nominated by the Yale-New Haven Health System and Yale University. The bill instead subjects the center to its advisory board requirements for all other state-operated facilities.

The bill also (1) expands the existing Connecticut Valley Hospital Advisory Council from 13 to 15 members and (2) requires it to include, on and after January 1, 2024, at least two members appointed by the DMHAS commissioner with lived experience with behavioral health disorders. Under current law, the DMHAS commissioner appoints six members of the council; the bill correspondingly increases her number of appointments to eight. Existing law, unchanged by the bill, requires the council to advise DMHAS on topics such as building use, security, and clients residing at the facility and their discharge.

Lastly, the bill makes technical and conforming changes.

*House Amendment "A" (1) specifies that at least two members of state-operated facilities' advisory boards must be people with lived experience with behavioral health disorders and (2) increases the Connecticut Valley Hospital Advisory Council's membership.

EFFECTIVE DATE: Upon passage, except the advisory board requirements for state-operated facilities are effective October 1, 2023.

BACKGROUND

State-Operated Facilities and Advisory Boards

By law, state-operated facilities generally include, but are not limited to, the Capitol Region Mental Health Center, the Connecticut Valley Hospital (including its Addictions and General Psychiatric divisions), the Whiting Forensic Hospital, the Connecticut Mental Health Center, the Franklin S. DuBois Center, the Greater Bridgeport Community Mental Health Center, and River Valley Services (CGS § 17a-458).

An advisory board is required to (1) periodically meet with the facility superintendent or director to advise on the facility's programs and policies; (2) act as a liaison between the facility and residents of its assigned geographic area; and (3) issue reports to the governor and DMHAS commissioner on facility conditions and recommendations for changes or improvements (CGS § 17a-471).

COMMITTEE ACTION

Public Health Committee

Joint Favorable Substitute

Yea 37 Nay 0 (03/20/2023)