

# Recent Legislation Affecting People Who Are Blind, Deaf, or Hard of Hearing

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## Issue

Provide summaries of recent Connecticut legislation enacted affecting people who are blind, deaf, or hard of hearing. This report covers legislation enacted from 2021 to 2023.

## Summary

Since 2021, the General Assembly has passed a number of acts affecting people who are blind, deaf, or hard of hearing. For example, these include laws (1) establishing a mental health bill of rights for individuals in these groups, (2) mandating police training for interacting with people who are deaf or blind, and (3) requiring appropriate translator services in medical and school settings.

Below we briefly summarize relevant provisions of those acts that specifically apply to people who are blind, deaf, or hard of hearing. Not all provisions of the acts are included; complete summaries are available on the General Assembly's website. Summaries of acts affecting people with disabilities or insurance more broadly can be found in OLR's [Acts Affecting](#) reports.

## 2021

### *Accessible Parking Placards*

A law passed in 2021 allows the parents or guardians of a person who is blind or has a disability to apply for and receive up to two accessible parking windshield placards on the person's behalf, regardless of the person's age. Under prior law, the parents or guardians of these individuals could only receive more than one placard if the person was under age 18 ([PA 21-106](#)).

## ***Advisory Board Appointments***

Legislation passed in 2021 changed the name of the Advisory Board for Persons Who are Deaf or Hard of Hearing to the Advisory Board for Persons Who are Deaf, Hard of Hearing or Deafblind. Prior law required the governor to appoint the board's 16 members, eight of whom are members by virtue of holding another office. This act eliminated the requirement that he appoint these ex-officio members, thus enabling their immediate board participation upon assuming their outside positions ([PA 21-151](#), § 5).

## ***Early Childhood Education Credentials***

The legislature enacted a law giving the education commissioner greater leeway in the credential needed to teach in the Birth-to-Three program. It authorizes her to allow someone to teach within the program if they hold a teaching endorsement in one of the following areas: (1) special education; (2) integrated early childhood and special education; (3) partially sighted; (4) blind; or (5) hard of hearing ([PA 21-172](#), § 15).

## ***Mental Health Bill of Rights for Individuals Who Are Deaf, Deafblind, or Hard of Hearing***

In 2021, the legislature established a bill of rights for individuals in need of mental health services who are deaf, deafblind, or hard of hearing. These include, among other things, a right to (1) access services delivered in the individual's primary language or communication mode or style; (2) specialized mental health services, when needed, using an appropriate oral, aural, or speech-based system tailored to his or her unique needs; and (3) express his or her opinion on the extent, content, and purpose of mental health treatment or services that accommodate his or her unique needs. The law specifies that the rights afforded these individuals must be available to them only to the extent that they are implemented in accordance with the general statutes, federal law, and the state and U.S. constitutions ([PA 21-72](#), § 2).

## **2022**

### ***ABLE Accounts***

By law, the ABLE program provides tax advantaged savings accounts to help individuals and their families save private funds to pay for certain expenses related to disability or blindness. Among other things, a law passed in 2022 requires funds invested in, contributed to, or distributed from an ABLE account to be disregarded when determining someone's eligibility for the State Supplement Program (SSP), to the extent the federal Supplemental Security Income (SSI) program allows. SSP provides cash assistance to individuals who are aged, blind, and disabled and (1) receive federal SSI benefits or (2) would be eligible for SSI, but for excess income.

The act also codified changes to federal regulations, including allowing eligible individuals to self-certify their disability status when opening an ABLE account. The disability self-certification must do the following to the U.S. Treasury secretary's satisfaction:

1. certify that the individual is blind or has a medically determinable physical or mental impairment that (a) results in marked and severe functional limitations and (b) can be expected to result in death or will last for at least 12 months;
2. certify that the impairment or blindness occurred before age 26;
3. certify that the person establishing the account is the designated beneficiary or is authorized to establish the account; and
4. include the diagnostic code for the individual's impairment ([PA 22-140](#), §§ 9-11).

### ***Advisory Board for Persons Who Are Deaf, Hard of Hearing, or Deafblind***

By law, the Advisory Board for Persons Who are Deaf, Hard of Hearing, or Deafblind (1) monitors services for this population, (2) periodically meets with relevant executive branch agency heads to discuss best practices and gaps in services, (3) refers complaints to Disability Rights Connecticut, and (4) makes recommendations to the governor and Human Services Committee. In 2022, the legislature enacted a law removing the governor's liaison to the disability community from the board. In doing so, the law reduced the advisory board's membership from 11 to 10. It also removed a provision that set the board's three chairpersons as the aging and disability services commissioner, the governor's liaison to the disability community, and one board member chosen by a majority of the board. The new law instead requires the advisory board to elect two chairpersons from among its members ([PA 22-21](#)).

### ***Information on Services for Deaf, Deafblind, and Hard of Hearing People***

In 2022, the legislature enacted a law requiring the Department of Aging and Disability Services (ADS) to establish a webpage with information on services for deaf, deafblind, and hard of hearing people, including services it provides and those provided by the Department of Children and Families, the Department of Mental Health and Addiction Services, and the Department of Social Services. The law also requires these agencies to maintain on their websites information on services for people with disabilities and a link to ADS's page on services for deaf, deafblind, and hard of hearing people ([PA 22-31](#), §§ 3-5).

## ***Interpreting in Medical Settings for Deaf, Deafblind, and Hard of Hearing People***

A law passed in 2022 allows interpreters holding an Approved Deaf Interpreter credential from the Massachusetts Commission on the Deaf and Hard of Hearing to work in medical and legal settings in Connecticut. It also (1) requires ADS to categorize interpreters in its online registry by the settings for which they are qualified and (2) establishes penalties for certain acts of false representation ([PA 22-31](#), § 1).

## ***Law Enforcement Training***

A 2022 law requires the Police Officer Standards and Training Council (POST) to develop training curricula for police officers on interacting with people who (1) have mental or physical disabilities and (2) are deaf, hard of hearing, or deafblind. In developing both curricula, POST must consult with people in these communities and advocates on their behalf. Beginning by October 1, 2023, each police basic or review training program conducted or administered by POST, the State Police, or a municipal police department must include the new curricula ([PA 22-64](#), § 2).

## ***State Library Board Services***

By law, the State Library Board must create and maintain a library service for people with disabilities or who are blind. Legislation enacted in 2022 requires the board to consult with the aging and disability services commissioner, or her designee, and the library's advisory committee for blind and physically disabled persons before making changes that could diminish or substantively change these library services ([PA 22-118](#), § 90).

## **2023**

### ***Interpreters and Translated Documents at Planning and Placement Team (PPT) Meetings***

In 2023, the legislature passed a law that aligns state statutes with federal requirements requiring interpreters at PPT meetings and translated individual education placement (IEP) documents to ensure student, parent, and guardian understanding. This includes registered interpreters for persons who are deaf, hard of hearing, or deafblind. Local and regional boards of education must provide these interpreters and translated documents if there is an apparent need or upon request. Language interpreters may appear in person, be available by phone, or through an online platform or application approved by the State Board of Education ([PA 23-137](#), § 39).

## ***Service Animals***

Prior law required a dog owner or keeper to restrain their dog when it is near a person with a disability who is with a guide dog that is licensed, under the person’s control, and wearing a harness or orange leash and collar that readily identifies the dog as a guide dog. A new law passed in 2023 eliminates the requirement that the animal wear a harness or orange leash and collar, but still requires the animal to be readily identified as a service animal. It also replaces the term “guide dog” with “service animal” ([PA 23-17](#), § 9).

## ***Service Gaps for People Who Are Deaf, Hard of Hearing, or Deafblind Study***

Legislation enacted in 2023 requires the ADS commissioner, in consultation with the Advisory Board for Persons Who are Deaf, Hard of Hearing, or Deafblind, to (1) conduct a study evaluating gaps in these individuals’ access to communication with medical providers and (2) develop recommendations to improve this access, including interpreting through American Sign Language or Spanish Sign Language as applicable. The commissioner must report on the study to the Aging, Human Services, and Public Health committees by October 1, 2023 ([PA 23-97](#), § 39).

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