
OLR Bill Analysis

sSB 1158

AN ACT CONCERNING THE ESTABLISHMENT OF A DEPARTMENT ON AGING.

SUMMARY

This bill establishes a Department on Aging and transfers powers and duties related to providing services to older people (age 62 and older) and their families from the current Department of Aging and Disability Services (ADS) to the new department. The bill renames ADS as the "Department of Disability Services."

To transfer provisions on older people from ADS to the new department, the bill:

1. designates the new department as the State Unit on Aging under the federal Older Americans Act;
2. requires the new department to study older people's needs (e.g., nutrition, transportation, and home care);
3. requires the new department to administer a comprehensive and integrated social service delivery system for older people;
4. designates the new department as the state agency for various programs serving older people (e.g., the elderly nutrition program);
5. transfers the Office of the Long-Term Care Ombudsman from ADS to the new department.

The bill transfers ADS personnel, functions, duties, and powers related to the above topics to the new department and makes the new department a successor department to ADS for these programs. Under the bill, ADS regulations on aging topics remain in force as the new department's regulations until final regulations are effective. Similarly,

the bill requires ADS regulations on disability topics to remain in force as the Department of Disability Service's regulations. The bill authorizes the governor to transfer funds between ADS and the new department, with the Finance Advisory Committee's approval.

The bill establishes a commissioner on aging to supervise the new department as a full-time position appointed by the governor. It requires the commissioner to have experience and knowledge of older people's needs and grants the commissioner powers and duties applicable to department heads. The bill reassigns the ADS commissioner's duties on various existing councils and working groups between the new aging commissioner and the renamed disability services commissioner, depending on subject matter. Under the bill, both the aging commissioner and the disability services commissioner are department heads and both departments are executive branch departments. The bill also expands the membership of certain councils to include both the aging commissioner and the disability services commissioner.

Lastly, the bill makes conforming changes throughout the statutes and technical changes to remove obsolete provisions.

EFFECTIVE DATE: July 1, 2026

COMMISSIONER ON AGING

The bill establishes a commissioner on aging to supervise the new department and requires the governor to appoint the commissioner under existing laws on department heads. These laws generally require the governor to submit department head nominees to the Executive and Legislative Nominations Committee to be approved by either the House or Senate.

Powers and Duties

The bill requires the commissioner to administer all laws under the new department's jurisdiction and employ the most efficient and practical means to provide care for and protect older people. The bill gives the aging commissioner the following powers and duties to

achieve the department's purposes:

1. administer, coordinate, and direct the department's operation;
2. adopt and enforce regulations;
3. set rules for the department's internal operation and administration;
4. establish and develop programs and administer services;
5. contract for facilities, services, and programs;
6. act as an advocate for needed additional comprehensive and coordinated programs for older people;
7. help and advise all appropriate state, federal, local, and area planning agencies for older people perform their functions and duties as required by federal laws and regulations;
8. plan services and programs for older people;
9. coordinate outreach activities by public and private agencies serving older people, including area agencies on aging; and
10. consult and cooperate with area and private planning agencies.

The bill also requires the aging commissioner to appoint the state ombudsman, who heads the Office of the Long-Term Care Ombudsman, when the position becomes vacant.

DESIGNATED STATE AGENCY FOR VARIOUS PROGRAMS

The bill transfers to the new Department on Aging the statutory authority and framework to implement policies and programs that serve older people and are currently assigned to ADS. It does so mainly by replacing ADS with the new Department on Aging as the state agency for the following aging programs and activities:

1. state responsibilities under the federal Older Americans Act;

2. nutrition programs for elderly people;
3. fall prevention programs;
4. the CHOICES program, which provides free information and assistance related to health insurance issues;
5. the Aging and Disability Resource Center Program; and
6. the Alzheimer's Respite Program.

The bill makes the Department on Aging a successor department to ADS for services, duties, and functions related to services for older people.

The bill requires the Department on Aging, rather than ADS, to continuously study needs and conditions of older people in the state concerning nutrition, transportation, home care, housing, income, employment, health, recreation, and other matters. It makes the Department on Aging, rather than ADS, responsible for planning, developing, and administering a comprehensive and integrated social service delivery system for older people, in cooperation with federal, state, and local area agencies on aging.

The bill makes conforming changes, replacing ADS with the Department on Aging in laws on programs for older people. It similarly replaces ADS with the Department on Aging in laws that:

1. allow the Department of Social Services to adopt regulations, in conjunction with the department, on nursing home financial solvency and quality of care (§ 58); and
2. require the department to publish informational letters to be issued when a facility petitions for closure (§ 62).

DEPARTMENT OF DISABILITY SERVICES

Under the bill, the renamed Department of Disability Services retains ADS's responsibilities for programs serving people who are deaf, deafblind, or hard of hearing, people who are blind or visually

impaired, and rehabilitation services for people with disabilities. The bill makes the Department of Disability Services a successor authority to ADS with respect to these programs and services. The bill makes conforming changes throughout the statutes, renaming the department and removing references to programs and services for older people.

RESOURCE AND PERSONNEL TRANSFER

The bill transfers ADS's functions, powers, duties, and personnel related to services and programs for older people to the new Department on Aging. It does so in keeping with a process established in existing law for transferring an agency's duties to a successor agency. Among other things, this law addresses pending actions and proceedings, completion of unfinished business, records and property, federal aid, and state appropriations. Under existing law if the duties of any employee relate to functions that are divided and assigned to two or more departments, the department heads must determine where the employee is assigned and, if they cannot agree, the governor decides.

The bill also authorizes the governor, subject to the Finance Advisory Committee's approval, to transfer funds between ADS and the Department on Aging during FY 27.

REGULATIONS AND ORDERS

Under the bill, any ADS regulation or order related to programs and services for older people in force on July 1, 2026, must continue in force and effect as a Department on Aging regulation or order until it is amended, repealed, or superseded. The bill allows the new aging commissioner to implement policies and procedures while in the process of adopting regulations as long as the commissioner's intention to adopt regulations is posted on the department's website and on the eRegulations system within 20 days after implementing the policies or procedures, which are valid until the final regulations are effective.

The bill establishes the same requirements for ADS regulations and orders related to programs and services for people who are deaf, deafblind, or hard of hearing, people who are blind or visually impaired, and rehabilitation services for people with disabilities

continuing in force as Department of Disability Services regulations or orders.

APPOINTMENTS AND CONSULTATIONS WITH OTHER AGENCIES

For most council, commission, board, and other appointments, the bill replaces the ADS commissioner with the disability services commissioner, with some exceptions. The bill replaces the ADS commissioner with the aging commissioner on the:

1. Medical Assistance Program Oversight Committee (§ 59),
2. Long-Term Care Planning Committee (§ 61), and
3. Connecticut Homecare Program for the Elderly Advisory Committee (§ 79).

The bill replaces (1) ADS with both departments in laws that require the Chief Workforce Officer to plan for and establish a Human Services Career Pipeline Program (§ 85) and (2) the ADS commissioner with both the aging and disability services commissioners on the Connecticut Alcohol and Drug Policy Council (§ 111).

COMMITTEE ACTION

Human Services Committee

Joint Favorable

Yea 16 Nay 7 (03/04/2025)