

Long Term Services and Support Legislation

Passed in the 2017 Session of the Connecticut General Assembly

As of June 15, 2017

An asterisk (*) indicates legislation that addresses a recommendation in the 2016 Long-Term Care Plan.

*** H.B. 6603 AN ACT CONCERNING A STUDY OF CERTAIN TENANTS OF STATE-FUNDED PUBLIC HOUSING PROJECTS. (Not yet signed by the Governor)**

Requires the Commissioner of the Department of Housing (DOH), in consultation with the Department of Mental Health and Addiction Services (DMHAS), the Department on Aging (SDA), the Department of Developmental Services (DDS) and Disability Rights CT, Inc. (DRCT), to, within available appropriations, conduct a study of the state-funded housing projects that provide services to elderly tenants and younger tenants with disabilities and specifies the minimum data points that must be part of the study. Additionally, as part of the study, the Commissioner of DOH, in consultation with DMHAS, SDA, DDS and DRCT, shall convene meetings of stakeholders to obtain information about each state-funded housing project as designated in this bill. Stakeholders shall include, at a minimum, the property manager of each state-funded housing project specified in this bill, the elderly tenants and younger tenants with disabilities residing in each such state-funded housing project, tenant advocates, the director of each affected municipality's social service department, or his or her designee, representatives from each affected municipality's first responder services, including police, fire, emergency medical technician personnel and local service providers. The Commissioner of DOH must report findings to the joint standing committee of the General Assembly having cognizance of matters relating to housing by March 18, 2018. *Effective Date: Upon Passage*

*** sH.B. 7020 AN ACT REQUIRING THE IMPLEMENTATION OF THE RECOMMENDATIONS OF THE PROGRAM REVIEW AND INVESTIGATIONS COMMITTEE CONCERNING LONG-TERM CARE. (Not yet signed by the Governor)**

This bill makes various changes in the collection and reporting of long-term care data. It requires the: (1) Department of Social Services (DSS) Commissioner to maintain a data collection system, within available resources and in accordance with federal law, to guide the development of the state's long-term care strategic plan; (2) Long-Term Care Planning Committee's (LTCPC) statewide long-term care plan to include the number of people receiving long-term care services and supports in the community and the number of those receiving these services in institutions; (3) LTCPC to report the above information to the Aging and Human Services committees annually, beginning January 1, 2018; (4) LTCPC, within available appropriations, to evaluate certain Medicaid long-term care expenditure data to help short- and long-term Medicaid expenditure forecasting; and (5) Department on Aging Commissioner to determine the frequency and appropriate data and program outcome measures that entities receiving a grant or entering into an agreement with the department to design, implement, or evaluate a fall prevention program must collect and report to the Department. *Effective Date: October 1, 2017*

*** sH.B. 7032 AN ACT REGARDING THE OFFICE OF THE STATE TREASURER'S RECOMMENDED REVISIONS TO THE ACHIEVING A BETTER LIFE EXPERIENCE PROGRAM. (Not yet signed by the Governor)**

This bill makes revisions to the Achieving a Better Life Experience (ABLE) account program including: (1) allows the state treasurer to contract with another state to provide Connecticut residents with access to the other state's federally qualified ABLE account program. (2) Removes the requirement that designated beneficiaries of federally qualified ABLE accounts be residents of Connecticut or a state without an ABLE account program that contracts with Connecticut to provide ABLE accounts to that state's residents. As under current law, the bill requires a beneficiary to be eligible (i.e., meet the disability requirements) and an owner of a qualified ABLE account. (3) Expands the existing annual reporting requirements by the Treasurer to include a report of any contract entered into with another state to provide ABLE account access to Connecticut residents. *Effective Date: October 1, 2017 except for the changes regarding designated beneficiaries and certain minor and technical changes, which take effect upon passage.*

S.B. 444 AN ACT AUTHORIZING THE HEALTH CARE CABINET TO RECOMMEND METHODS TO STUDY AND REPORT ON TOTAL STATE-WIDE HEALTH CARE SPENDING. (Not yet signed by the Governor)

This bill requires the state's Health Care Cabinet to advise the governor on total statewide health care spending, including methods to collect, analyze, and report health care spending data. *Effective Date: October 1, 2017*

*** S.B. 796 AN ACT CONCERNING THE USE OF RESPECTFUL AND PERSON-FIRST LANGUAGE. (Not yet signed by the Governor)**

This bill updates terminology to use "person first" language in various statutes relating to older adults and individuals with disabilities. Among other things, it substitutes the terms "person with disabilities" for "handicapped person," "deaf and hard of hearing" for "hearing impaired," and "older person" for "elderly person." The bill makes several other changes to existing statutes including: (1) removes the prohibition on certain older persons, disabled veterans, and individuals with disabilities working extended hours in manufacturing, mechanical, or mercantile establishments; restaurants; and various other settings (§§ 81-83); (2) designates October as "Disability Employment Awareness Month" (§ 85); and (3) renames the "Board of Education and Services for the Blind (BESB)" the "Advisory Board for Persons Who are Blind or Visually Impaired" (§§ 22 & 23). *Effective Date: October 1, 2017*

*** S.B. 811 AN ACT CONCERNING THE PATIENT BILL OF RIGHTS FOR LONG-TERM CARE RESIDENTS. (Not yet signed by the Governor)**

This bill requires the Commissioners of the Department of Public Health (DPH) and the Department of Social Services (DSS) to study whether the statutorily defined patient bill of rights adequately protects patient rights related to room transfers within the same facility. The Commissioners must submit a report to the General Assembly committees of cognizance on aging and public health by January 1, 2018. *Effective Date: Upon Passage*

Public Act 17-20 (S.B. 804) AN ACT CONCERNING A SOCIAL WORK IN-HOME SUPPORT PROGRAM. (Signed by the Governor June 6, 2017)

This bill renames the Department of Social Service's (DSS) community-based services program as the Social Work In-Home Support program. The program, which is funded through a federal block grant, provides non-medical home care services to adults age 18 to 64 with physical or mental disabilities.

The bill makes anyone participating in a Medicaid home- and community-based services program ineligible for the block grant-funded program, unless a particular service is not otherwise available under the Medicaid program. The bill also eliminates a provision requiring the DSS commissioner to disqualify from the block grant-funded program people who were receiving such services on October 1, 2000 and who were eligible for, and could be enrolled in, the personal care assistance Medicaid waiver program. *Effective Date: July 1, 2017*

Public Act 17-30 (sHB 7237) AN ACT CONCERNING AN ADVISORY BOARD FOR PERSONS WHO ARE DEAF OR HARD OF HEARING. (Signed by the Governor June 6, 2017)

This bill renames the Commission on the Deaf and Hearing Impaired as the “Advisory Board for Persons Who are Deaf or Hard of Hearing.” The bill also changes the board's membership, expands its duties, and requires it to advocate, strengthen, and advise the governor and the General Assembly, rather than the Department of Rehabilitation Services (DORS), on state policies affecting deaf and hard of hearing individuals and their relationship to the public, industry, health care, and educational opportunity. The bill increases, from seven to eight, the number of voting members needed for a quorum. It also removes a requirement that members be reimbursed for their expenses. The governor fills any vacancies, rather than the officer authorized to make the original appointments. The bill delays the initial review of the board from July 1, 2017 to July 1, 2020. *Effective date: Upon Passage*

Public Act 17-33 (S.B. 755) ACT CONCERNING THE COUNCIL ON MEDICAL ASSISTANCE PROGRAM OVERSIGHT. (Signed by the Governor June 8, 2017)

This bill eliminates the Council on Medical Assistance Program Oversight's standing subcommittee on Medicaid cost savings, thereby reducing the council's membership by six. *Effective Date: October 1, 2017*

*** Public Act 17-34 (S.B. 762) AN ACT CLARIFYING THE ROLE OF THE OFFICE OF THE LONG-TERM CARE OMBUDSMAN IN THE MANDATED REPORTING OF ABUSE OF ELDERLY PERSONS AND DELETING OBSOLETE STATUTORY PROVISIONS. (Signed by the Governor June 6, 2017)**

This bill clarifies that representatives of the Office of the Long-Term Care Ombudsman are not mandated reporters of elder abuse. In doing so, the bill conforms to state law and new federal regulations. The bill also makes technical changes, including replacing “patients' advocate” with “residents' advocate” to reflect current terminology. *Effective Date: Upon Passage*

Public Act 17-53 (S.B. 867) AN ACT CONCERNING NOTICE REQUIREMENTS FOR HOME HEALTH CARE REGISTRIES. (Signed by the Governor June 13, 2017)

With one exception, this bill requires homemaker-companion service registries to give consumers a written, legal liability notice before commencing services, rather than within four days after supplying, referring, or placing an individual homemaker or companion with a consumer. If a bona fide emergency exists, current law's four-day deadline applies, provided the registry details the specific nature of the emergency on a form approved by the Department of Consumer Protection (DCP) and signed by the consumer or his or her authorized representative. The bill also requires that the notice be in boldface type. *Effective Date: October 1, 2017*

Public Act 17-61 (sS.B. 246) AN ACT CONCERNING A STATE-WIDE WAITING LIST FOR RESIDENTIAL PLACEMENT FOR PERSONS WITH INTELLECTUAL AND DEVELOPMENTAL DISABILITIES.

(Not yet signed by the Governor)

This bill makes various changes affecting the Department of Developmental Services (DDS) and individuals with intellectual disability. As under current practice, the bill requires the DDS commissioner to maintain one statewide, comprehensive residential waiting list for individuals with intellectual disability and update the list at least quarterly. It also requires the commissioner or his designee to do the following: (1) starting by August 1, 2018, and in consultation with the individual and his or her legal representative, annually assess the future residential funding or service needs for certain individuals with intellectual disability; and (2) starting by December 1, 2018, annually review the residential waiting list with the DDS regional advisory and planning councils and the Council on Developmental Services.

The bill also: (1) specifically allows the DDS commissioner, in collaboration with the Office of Policy and Management (OPM) secretary and social services commissioner, to organize and participate in an Intellectual Disability Partnership; (2) replaces the term “priority status” with “category” in certain existing provisions on DDS’s assessment of the urgency for providing residential services or funding; and (3) requires DDS to make a specified annual report available online, rather than requiring the department to report the information to the Appropriations and Public Health committees.

Effective Date: July 1, 2018, except the provisions on the Intellectual Disability Partnership take effect upon passage.

*** Public Act 17-62 (S.B. 772) AN ACT REQUIRING EMERGENCY GENERATORS IN CERTAIN HOUSING FOR THE ELDERLY. *(Not yet signed by the Governor)***

This bill requires each privately owned, multifamily housing project in a municipality with a population of at least 130,000 but less than 135,000, to install and maintain at least one emergency power generator. The generator must be capable of providing a minimum of four to 12 hours of sufficient electrical power to each (1) unit for heating, water, lighting, and critical medical equipment and (2) passenger elevator. The bill defines “privately owned, multifamily housing project” as real property that (1) consists of, or encompasses, a building at least 15 stories high with dwelling units whose occupancy is restricted by age and (2) is subject, wholly or partially, to a mortgage insured under the federal National Housing Act. *Effective Date: October 1, 2017*

Public Act 17-74 (S.B. 126) AN ACT CONCERNING COMMUNITY HEALTH WORKERS. *(Not yet signed by the Governor)*

This bill establishes a statutory definition for a “community health worker,” and based on that definition, requires the director of the State Innovation Model Initiative Program Management Office to study the feasibility of creating a community health worker certification program. The director must do this within available resources and in consultation with the Department of Public Health (DPH) commissioner and the Community Health Worker Advisory Committee the office establishes. The study must examine the fiscal impact of implementing the certification program and make recommendations on: (1) requirements for initial and renewal certification, including training, experience, and continuing education requirements; (2) methods for administering the certification program, including an application; a standardized assessment of experience, knowledge, and skills; and an electronic registry; and (3) requirements for recognizing training program curricula that are sufficient to satisfy certification requirements. The director must report on the study and recommendations to the Public Health and Human Services committees by October 1, 2018. *Effective Date: October 1, 2017*