



State of Connecticut  
Department of Developmental Services



M. Jodi Rell  
Governor

Peter H. O'Meara  
Commissioner

Kathryn du Pree  
Deputy Commissioner

**July 30, 2010**

**To: Interested Persons**

**From: Rod O'Connor and Christine Pollio Cooney**

**Re: 2010 DDS Legislative Session Summary**

The bills and public acts contained in this document from the 2010 session of the General Assembly in some way impact upon, or might be of interest to, DDS consumers and their families or guardians, DDS employees or DDS providers. If you are reading this online or via email, we have included the link to each Public Act for bills that passed. [Bracketed] language indicates a deletion. Underlined language or the word "NEW" indicates new language. We have also attached a list of bills that we were tracking that did NOT pass as of the end of session on May 5, 2010. We have provided a link to the bill history page for all bills in this summary, regardless of if they passed or not. These lists are by no means exhaustive. Please keep in mind that many multiple bills on the same or similar issues that did not pass (died) during the session may have been incorporated into a compromise bill. Summaries in this document include information from the Connecticut General Assembly's Office of Legislative Research and the Office of Fiscal Analysis.

Please note that this document is up-to-date as of July 30, 2010 including information from the 2010 Veto Override Session. Special Sessions concerning campaign finance issues are not included in this summary.

If you have questions on these or any other bills from the 2010 legislative session, please contact us at [Rod.OConnor@ct.gov](mailto:Rod.OConnor@ct.gov) or [Christine.Pollio@ct.gov](mailto:Christine.Pollio@ct.gov). Enjoy!

**Links to Sections of the 2010 Legislative Summary**

**[Bills Proposed by \(or at the Request of\) the Department of Developmental Services:](#)**

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***BILLS PROPOSED BY (OR AT THE REQUEST OF) THE DEPARTMENT OF DEVELOPMENTAL SERVICES:***

**H.B. No. 5380 AN ACT CONCERNING THE SEXUAL ASSAULT OF PERSONS PLACED OR TREATED UNDER THE DIRECTION OF THE COMMISSIONER OF DEVELOPMENTAL SERVICES.** This bill would have clarified the classification of second-degree sexual assault for people to have sexual intercourse and fourth-degree sexual assault for them to have sexual contact with anyone placed or treated in a public or private facility or program by the developmental services commissioner if they have supervisory or disciplinary authority over the person. Second-degree sexual assault is a class C felony unless the victim is under age 16 in which case it is a class B felony. Fourth-degree sexual assault is a class A misdemeanor unless the victim is under age 16 in which case it is a class D felony. The bill died in the Judiciary Committee.

**H.B. No. 5448 (Public Act 10-93) AN ACT CONCERNING THE ADMINISTRATION OF THE DEPARTMENT OF DEVELOPMENTAL SERVICES.** This act makes changes to the Department of Developmental Services' (DDS) Birth-to-Three System and several departmental advisory bodies. The act allows the Department of Children and Families (DCF) to provide DDS with limited abuse and neglect investigation summaries of children who are already enrolled in the DDS Voluntary Services Program. Prior law allowed this only for program applicants. It also removes from the sunset review process the DDS abuse and neglect registry. Effective Date: October 1, 2010.

In section 1, the act expands the definition of “parent” under the Birth-to-Three System to conform to the federal Individuals with Disabilities Education Act. Under the act, parent means a (1) biological, adoptive, or foster parent of a child; (2) a guardian, except the DCF commissioner; (3) an individual acting in the place of a biological or adoptive parent, including a grandparent, stepparent, or other relative with whom the child lives; (4) an individual legally responsible for the child's welfare; or (5) an appointed surrogate parent.

In section 2, the act allows DDS to establish a local interagency coordinating council in each region of the state; under prior law, DDS was required to establish at least one council per region. The act requires these councils to advise DDS rather than the regional Birth-to-Three managers.

In section 4, the act permits DDS to arrange for Birth-to-Three services through means other than by contracting with providers, including providing these services directly in DDS-run programs or arranging for services through other state agencies. It specifies that DDS establishes statewide rates for paying the Birth-to-Three service providers with which it contracts or otherwise arranges for early intervention services. The act removes a requirement for DDS to monitor contractors' administrative spending and annually justify to the Appropriations and Public Health Committees and the Office of Policy and Management expenditures over 20% of the contracted amount. It instead requires DDS to monitor all Birth-to-Three service providers for quality and accountability in accordance with the federal Individuals with Disabilities Education Act.

In section 6, the act specifies that for the purposes of fees charged by the Birth-to-Three System, “parent” includes only the child's biological or adoptive parent or legal guardian. By law, the DDS commissioner may charge fees to any parent or guardian, regardless of income, and must do so for any parent or guardian with a family income of \$45,000 or more unless the child is Medicaid-eligible.

Sections 1 through 6 correct references to federal laws governing the Birth-to-Three program and repeal several obsolete statutes.

In section 7, the act allows an appointed member of the Council on Developmental Services who has served the maximum of three consecutive terms to continue to serve until a successor is appointed.

In section 8, the act replaces the Camp Harkness Booster Club representative from the Camp Harkness Advisory Committee with a representative of a tax-exempt, nonprofit corporation that promotes and supports the camp and its camping programs. It also replaces obsolete language referring to the ARC of New London County.

In section 9, the act allows the Office of Protection and Advocacy's and Commission on Children's executive directors, the State Interagency Birth-to-Three Coordinating Council chair, and the state's Child Advocate to appoint designees to the Family Support Council.

In section 10, the act removes from the membership of DDS's regional planning and advisory councils the appointment of a practicing attorney in Connecticut familiar with mental retardation issues. Instead, it adds the appointment of one member who is receiving DDS services. It also replaces obsolete language referring to the ARC of Connecticut.

In section 11, the act allows DCF to disclose a written summary of any child abuse or neglect investigation it conducted for any child enrolled in DDS's Voluntary Services Program, not just for those applying for the program. It requires DDS to notify parents and guardians at the time a child's annual service plan is updated that DDS may obtain these records from DCF without their consent. Prior law required DDS to do this only when parents and guardians applied to enroll a child in the program. Before releasing a record under the act, DCF must determine disclosure is in a person's best interest and that the records are not privileged or confidential under state or federal law.

In section 12, the act removes from the sunset review process the DDS abuse and neglect registry.

<http://cga.ct.gov/2010/ACT/PA/2010PA-00093-R00HB-05448-PA.htm>

## ***BILLS THAT WERE SIGNED INTO LAW OR HAD VETOES OVERRIDDEN:***

**SB-25 (Public Act 10- 44) AN ACT AUTHORIZING AND ADJUSTING BONDS OF THE STATE FOR CAPITAL IMPROVEMENTS, TRANSPORTATION AND OTHER PURPOSES.** The Public Act cancels \$480.6 million in general obligation (GO) bond authorizations. The authorizations are for state and local capital projects and state grants and loans, including to municipalities and nonprofit entities. DDS bonding authorizations for \$315,626 were canceled in section 142 which reads: "Subdivision (1) of subsection (f) of section 13 of special act 05-1 of the June Special Session is amended to read as follows: Grants-in-aid to private, nonprofit organizations for alterations and improvements to nonresidential facilities, not exceeding [\$2,000,000] \$1,684,374. Effective Date: July 1, 2010. <http://cga.ct.gov/2010/ACT/PA/2010PA-00044-R00SB-00025-PA.htm>

**SB-149 (Public Act 10-50) AN ACT CONCERNING THE GOVERNOR'S POWER TO MODIFY OR SUSPEND STATUTES, REGULATIONS OR OTHER REQUIREMENTS DURING A PUBLIC HEALTH EMERGENCY.** This act allows the Governor, when she declares a civil preparedness emergency, to modify or suspend statutes, regulations, or other requirements that conflict with the protection of the public health, not just those that conflict with the efficient and expeditious execution of civil preparedness functions. Effective Date: October 1, 2010. <http://cga.ct.gov/2010/ACT/PA/2010PA-00050-R00SB-00149-PA.htm>

**SB-151 (Public Act 10-51) AN ACT LIMITING THE INDEMNIFICATION OF FIRE SERVICE INSTRUCTORS.** This act narrows the circumstances in which the state must hold harmless and indemnify fire service instructors from financial loss and expense. The act specifies the fire service instructor must also be (1) an employee or member of a municipal, state, or tribal fire department providing fire service training and instruction for other members or employees of his or her fire department; (2) a fire service instructor employed by the commission to provide training and instruction on its behalf; or (3) a fire service instructor employed by a regional fire school to provide training and instruction on its behalf. Effective Date: October 1, 2010. <http://cga.ct.gov/2010/ACT/PA/2010PA-00051-R00SB-00151-PA.htm>

**SB-283 (Public Act 10-116) AN ACT CONCERNING AUDITS BY THE DEPARTMENT OF SOCIAL SERVICES.** This act makes changes in the law governing audits of providers that bill the Department of Social Services (DSS) for services rendered to clients enrolled in DSS programs. It: 1. requires the reviewer of an audit report that a provider contests to issue a final decision after the review, 2. gives the provider the right to appeal final audit decisions to the Superior Court, and 3. requires (a) DSS to adopt regulations to carry out the auditing statute and (b) DSS or the entity it contracts with to perform the audits to provide a copy of these regulations when notifying a provider that it will be audited. Effective Date: July 1, 2010. <http://cga.ct.gov/2010/ACT/PA/2010PA-00116-R00SB-00283-PA.htm>

**SB-310 (Public Act 10-54) AN ACT CONCERNING THE LEGISLATIVE COMMISSIONERS' RECOMMENDATIONS FOR TECHNICAL CORRECTIONS TO THE PUBLIC SAFETY STATUTES AND AN EFFECTIVE DATE CHANGE** This act postpones by two years, from January 1, 2011 to January 1, 2013, the effective date of certain provisions of PA 09-177 mainly affecting the state Fire Prevention Code, including the adoption of regulations, regulation of hazardous chemicals, and criminal penalties for certain code violations. It also makes technical changes in various public safety statutes, mostly affecting hazardous chemicals and flammable liquids. Effective Date: Upon passage for the changes in effective dates; January 1, 2013 for the technical changes. <http://www.cga.ct.gov/2010/ACT/PA/2010PA-00054-R00SB-00310-PA.htm>

**SB-316 (Special Act 10-5) AN ACT ESTABLISHING A COMMISSION ON NONPROFIT HEALTH AND HUMAN SERVICES.** The special act establishes the Commission on Nonprofit Health and Human Services, within the Office of Policy and Management (OPM) for administrative purposes. The commission

shall examine the funding provided to nonprofit providers of health and human services under purchase of service contracts. The Commission's membership includes the Commissioner of Developmental Services and other commissioners of state agencies or their designees along with legislative, gubernatorial, provider, union and state employee appointments. Effective Date: Upon passage. <http://cga.ct.gov/2010/ACT/SA/2010SA-00005-R00SB-00316-SA.htm>

**SB-354 (Public Act 10-136) AN ACT CONCERNING BIOMEDICAL RESEARCH TRUST FUND RESEARCH GRANTS.** This act expands the purposes for which the Department of Public Health (DPH) may make grants from the Biomedical Research Trust Fund to include Alzheimer's disease and diabetes research. DPH may already award grants from the fund for biomedical research in the fields of heart disease, cancer, and other tobacco-related diseases. By law, it may award the grants to: (1) nonprofit, tax-exempt colleges or universities or (2) hospitals that conduct biomedical research. Effective Date: July 1, 2010. <http://cga.ct.gov/2010/ACT/PA/2010PA-00136-R00SB-00354-PA.htm>

**SB-402 (Public Act 10-119) AN ACT CONCERNING THE BEHAVIORAL HEALTH PARTNERSHIP.** This act makes a number of changes, primarily technical, to add the Department of Mental Health and Addiction Services (DHMAS) to the Connecticut Behavioral Health Partnership. The partnership is an integrated behavioral health system currently operated by the departments of Children and Families (DCF) and Social Services (DSS). The bill adds an appointee of the Commissioner of Developmental Services to the Behavioral Health Partnership Oversight Council as a nonvoting ex-officio member. Effective Date: Upon passage. <http://cga.ct.gov/2010/ACT/PA/2010PA-00119-R00SB-00402-PA.htm>

**SB-414 (Public Act 10-110) AN ACT MAKING REVISIONS TO STATUTES CONCERNING THE DEPARTMENT OF MOTOR VEHICLES.** This act, among various provisions: 1. imposes penalties on school bus operators and others who, among other things, (a) file false reports relating to the maintenance, repair, or use of school buses or (b) fail to inspect, maintain, and repair the buses (§§ 44 and 47), Effective Date: July 1, 2010; 2. makes it a crime for certain health professionals to falsely certify in writing that a driver requires a handicapped placard (§ 24), Effective Date: Upon passage; 3. allows automobile clubs and associations to process identity card renewals for non-drivers and conduct registration transactions (§ 21), Effective Date: July 1, 2010; and 4. exempts certain nonprofit organizations from requirements applicable to "carriers" (§ 36), Effective Date: July 1, 2011. <http://cga.ct.gov/2010/ACT/PA/2010PA-00110-R00SB-00414-PA.htm>

**SB-426 (Public Act 10-121) AN ACT CONCERNING PROBATE DISTRICTS.** Public Act 09-1 of the September Special Session, replaced the existing 117 probate districts with 54 probate districts beginning on January 5, 2011. When the new districts take effect, this act makes Union part of a district including Enfield, Somers, and Stafford instead of the district including Ashford, Brooklyn, Eastford, Pomfret, Putnam, Thompson, and Woodstock. <http://cga.ct.gov/2010/ACT/PA/2010PA-00121-R00SB-00426-PA.htm>

**SB-427 (Public Act 10-109) AN ACT CONCERNING THE USE OF HAND-HELD MOBILE TELEPHONES AND MOBILE ELECTRONIC DEVICES BY MOTOR VEHICLE OPERATORS.** This act: 1. specifies that it is illegal for a driver to type, send, or read text messages on a hand-held cell phone or mobile electronic device while operating a moving motor vehicle; 2. replaces, in most cases, the maximum \$100 fine for using a hand-held cell phone or mobile electronic device while driving with fines of \$100 for the first violation, \$150 for a second violation, and \$200 for subsequent violations, and explicitly imposes these fines on people who text while driving; 3. requires the state to remit 25% of the amount it receives from each summons to the municipality that issues the summons; and 4. eliminates the requirement that judges suspend the fine for a first-time offender who acquires a hands-free accessory before the fine is imposed. Effective Date: October 1, 2010. <http://cga.ct.gov/2010/ACT/PA/2010PA-00109-R00SB-00427-PA.htm>

**SB-428 (Public Act 10-117) AN ACT CONCERNING REVISIONS TO THE PUBLIC HEALTH RELATED STATUTES.** This act makes numerous substantive and minor changes in laws governing Department of Public Health (DPH) programs and health professional licensing and certification. In section 42, the bill permits unlicensed assistive personnel to administer jejunostomy and gastrojejunal tube feedings to people who (1) attend day programs or respite centers or (2) reside in residential facilities or receive support under Department of Developmental Services (DDS) jurisdiction. These feedings must be performed by trained, unlicensed personnel under the written order of either a (1) physician, (2) advanced practice registered nurse, or (3) physician assistant who is licensed to prescribe. Effective Date for Section 42: October 1, 2010.  
<http://cga.ct.gov/2010/ACT/PA/2010PA-00117-R00SB-00428-PA.htm>

**S.B. No. 443 (Special Act 10-1) AN ACT CONCERNING THE CANCELLATION OF UNISSUED BOND FUND AUTHORIZATIONS.** This special act allows the state treasurer to close out inactive bond funds, and updates bond authorizations originally adopted between 1967 and 1986 to reflect actual project allocations. The changes reduce net authorizations by \$9.22 million. In section 44 of the bill, it reduces the Department of Developmental Services net bonding allocation by \$362,955 for land acquisition, construction, or purchase and renovation of group homes as originally allocated in special act 84-54, as amended.  
<http://www.cga.ct.gov/2010/ACT/SA/2010SA-00001-R00SB-00443-SA.htm>

**SB-494 (Public Act 10-179) AN ACT MAKING ADJUSTMENTS TO STATE EXPENDITURES FOR THE FISCAL YEAR ENDING JUNE 30, 2011.** Public Act 10-179 makes modifications to the state's fiscal year 2011 (FY11) appropriations as revised by the deficit mitigation provisions contained in Public Act 10-3. It also includes several additional statutory changes affecting the state's budget in sections 9 through 161 of Public Act 10-179. The details and highlights of the Department of Developmental Services budget in S. B. No 494 can be found in the "[Budget Bills](#)" section of the Legislative Summary.  
<http://cga.ct.gov/2010/ACT/PA/2010PA-00179-R00SB-00494-PA.htm>

**HB-5004 (Public Act 10-163) AN ACT CONCERNING TRANSPARENCY IN HEALTH INSURANCE CLAIMS DATA.** This act requires an insurer or similar entity to disclose to a municipal employer certain information about its group insurance policy. It defines "employer" as a town; city; borough; or school, taxing, or fire district that has more than 50 employees. The information relates to services used, claims paid, premiums paid, and the number of people covered under the policy. The act requires an employer to use the information it receives only for the purposes of obtaining competitive quotes for group insurance or to promote wellness initiatives for employees. The act requires the insurer or entity to disclose only information that (1) cannot be used to identify an individual and (2) is disclosable under the federal Health Insurance Portability and Accountability Act (HIPAA) or its regulations. Effective Date: Upon passage.  
<http://cga.ct.gov/2010/ACT/PA/2010PA-00163-R00HB-05004-PA.htm>

**HB-5006 (Public Act 10-5) AN ACT CONCERNING THE LEGISLATIVE COMMISSIONERS' RECOMMENDATIONS FOR TECHNICAL REVISIONS AND MINOR CHANGES TO THE INSURANCE AND RELATED STATUTES.** This act makes changes in various insurance and transportation statutes including broadening the applicability of several health insurance benefits. In sections 21 and 28, the bill requires individual and group health insurance policies amended in Connecticut on or after January 1, 2011 to cover medically necessary general anesthesia, nursing, and related hospital services provided to patients with (1) complex dental conditions that require procedures to be performed in a hospital or (2) developmental disabilities that place them at serious risk. The law already requires policies delivered, issued, renewed, or continued in Connecticut to cover these services. Both the bill and current law apply to policies that cover (1) basic hospital expenses; (2) basic medical-surgical expenses; (3) major medical expenses; and (4) hospital or medical services, including coverage under an HMO plan. Also, in sections 22 and 29, the bill requires individual and group health insurance policies amended in Connecticut on or after January 1, 2011 to cover

medically necessary ostomy appliances and supplies, including collection devices, irrigation equipment and supplies, and skin barriers and protectors, up to \$ 1,000 annually. The law already requires policies delivered, issued, renewed, or continued in Connecticut to cover ostomy-related supplies. Effective Date for sections 21, 28 and 29: January 1, 2011. <http://cga.ct.gov/2010/ACT/PA/2010PA-00005-R00HB-05006-PA.htm>

**HB-5024 (Public Act 10-8) AN ACT CONCERNING AN EDUCATION DOCTORAL DEGREE PROGRAM IN NURSING EDUCATION.** This public act specifically authorizes the Connecticut State University System (CSUS) to award doctoral degrees in nursing education. Effective Date: Upon passage. <http://cga.ct.gov/2010/ACT/PA/2010PA-00008-R00HB-05024-PA.htm>

**HB-5163 (Public Act 10-155) AN ACT REQUIRING THE ESTABLISHMENT OF A SEARCHABLE DATABASE FOR STATE EXPENDITURES.** By July 1, 2011, this act requires the Office of Fiscal Analysis (OFA) to establish and maintain searchable databases of state expenditures, including state grants and contracts. The databases must be posted on OFA's Internet website. The act requires budgeted agencies to submit information that OFA requests. It states explicitly that its provisions do not require state agencies to (1) create unavailable financial or management data or a nonexistent information technology system or (2) disclose consumer, client, patient, or student information that is protected from disclosure under other laws. Starting by November 1, 2010, OFA must report quarterly to the Appropriations Committee on the databases, including any recommendations for improving or expanding their operation or capacity. The Auditors of Public Accounts must review the procedures and security used to develop the databases and report any findings or recommendations to the Appropriations Committee. Effective Date: Upon passage. <http://cga.ct.gov/2010/ACT/PA/2010PA-00155-R00HB-05163-PA.htm>

**HB-5197 (Public Act 10-165) AN ACT IMPLEMENTING THE RECOMMENDATIONS OF THE PROGRAM REVIEW AND INVESTIGATIONS COMMITTEE CONCERNING THE POSTPONEMENT OF PROGRAM TERMINATION DATES IN THE SUNSET LAW.** This act delays for one year the review of all agencies and programs subject to termination under the sunset law. Under the sunset law, 78 licensing, regulatory, and other state agencies and programs terminate on set dates unless the General Assembly reestablishes them after the Legislative Program Review and Investigations Committee conducts a performance audit of each and recommends for the entity's abolition, reestablishment, modification, or consolidation. In this act, DDS's Regional Advisory and Planning Councils, established under section 17a-273 have been extended until July 1, 2017. Effective Date: Upon passage. <http://cga.ct.gov/2010/ACT/PA/2010PA-00165-R00HB-05197-PA.htm>

**HB-5202 (Public Act 10-169) AN ACT CONCERNING TELECOMMUTING OPTIONS FOR STATE EMPLOYEES.** The act requires, instead of allows, the Commissioner of Administrative Services (DAS) to develop and implement guidelines authorizing state employee telecommuting and work-at-home programs, within available appropriations, to (1) increase worker efficiency and productivity, (2) benefit the environment, and (3) reduce traffic congestion. Under the act, a telecommuting or work-at-home assignment must meet the programs' guidelines. It eliminates the requirement that an assignment must be determined to be cost effective. It specifies that the guidelines and the decision on whether a position is appropriate for telecommuting are not subject to collective bargaining. The telecommuting guidelines must be developed and implemented in cooperation with state employee unions. Effective Date: July 1, 2010. <http://cga.ct.gov/2010/ACT/PA/2010PA-00169-R00HB-05202-PA.htm>

**HB-5204 (Public Act 10-12) AN ACT IMPLEMENTING THE RECOMMENDATIONS OF THE JOINT ENFORCEMENT COMMISSION ON EMPLOYEE MISCLASSIFICATION.** By law, any employer who misrepresents either the number of its employees or casts them as independent contractors to defraud or deceive an insurance company in order to pay lower workers' compensation insurance is (1) guilty of a class D felony, (2) subject to a stop work order, and (3) liable to the Labor Department for a \$300 civil penalty. This public act

applies the same penalty to an employer who defrauds or deceives the state in the same way. The act also increases the civil penalty for this violation by specifying that each day of the violation constitutes a separate offense. The act specifies that any employer who is fully insured for workers' compensation and fails to pay the required state assessments for (1) administration of the Workers' Compensation Commission and (2) administration and funding of the Second Injury Fund (SIF), is guilty of a class D felony and subject to a stop work order. Effective Date: October 1, 2010. <http://cga.ct.gov/2010/ACT/PA/2010PA-00012-R00HB-05204-PA.htm>

**HB-5207 (Public Act 10-142) AN ACT CONCERNING CRIMINAL BACKGROUND CHECKS FOR PROSPECTIVE STATE EMPLOYEES.** This act prohibits certain state employers from asking about a prospective employee's past convictions until the person is deemed otherwise qualified for the position. The prohibition does not apply if a statute specifically disqualifies someone from a position due to a prior conviction. The applicable employers are the state; the executive and judicial branches, including any of their boards, departments, commissions, institutions, agencies, or units; boards of trustees of state-owned or -supported colleges, universities, or their branches; public and quasi-public state corporations; authorities established by law; and anyone designated by such employers to act in their interest with employees. The act does not cover the state Board of Labor Relations, Board of Mediation and Arbitration, or the Legislative Branch. Effective Date: October 1, 2010. <http://cga.ct.gov/2010/ACT/PA/2010PA-00142-R00HB-05207-PA.htm>

The Governor vetoed **HB-5207**. The House re-passed HB-5207 on a vote of 120 to 19. The Senate re-passed HB-5207 on a vote of 31 to 5. The Governor's veto was overridden.

**HB-5219 (Public Act 10-13) AN ACT EXTENDING STATE CONTINUATION OF HEALTH INSURANCE COVERAGE.** This act extends the period for which certain people and their dependents may continue group health insurance under the state's "mini-COBRA" law from 18 to 30 months. To qualify for the continued coverage, the person must have experienced a specified qualifying event, including a layoff, reduced hours, leave of absence, or termination of employment for other than death or gross misconduct. The act's extended coverage provision applies to people who are already continuing coverage due to those qualifying events and people who elect to do so on and after the act's passage (i.e., May 5, 2010). By law, unchanged by the act, spouses and dependents who are continuing coverage for any other reason (e. g., death of employee or divorce) are permitted to continue coverage for 36 months under federal COBRA. The act requires each insurer and HMO that has issued a group health insurance policy subject to the continuation requirements, in conjunction with their group policyholders, to provide notice of the extended coverage period to affected people within 60 days of the act's passage (i. e., notice must be sent by July 4, 2010). Group policyholders include those with fewer than 20 employees. Effective Date: Upon passage. <http://cga.ct.gov/2010/ACT/PA/2010PA-00013-R00HB-05219-PA.htm>

**HB-5253 (Public Act 10-180) AN ACT CONCERNING REVISIONS TO VARIOUS STATUTES CONCERNING THE CRIMINAL JUSTICE SYSTEM.** Among other provisions, this act, in section 3, subjects jurors, who fail to appear for jury duty, to a civil penalty in an amount that the Superior Court judges must establish. Under current law, the jurors are guilty of an infraction. The bill requires the attorney general, within available appropriations, to enforce the provision. Effective Date of section 3: October 1, 2010. The original raised bill as first proposed would have allowed the court to suspend the execution of the mandatory minimum sentence for sexual assault in the first degree if at the time of the commission of the offense (A) such person was under eighteen years of age, or (B) such person's mental capacity was significantly impaired but not so impaired as to constitute a defense to prosecution. This provision of the bill was removed in the Judiciary Committee's substitute language. <http://cga.ct.gov/2010/ACT/PA/2010PA-00180-R00HB-05253-PA.htm>

**HB-5286 (Public Act 10-38) AN ACT CONCERNING LICENSURE OF MASTER AND CLINICAL SOCIAL WORKERS.** This act creates a new license category of "master social worker." A licensed master



social worker can practice clinical social work and can offer a mental health diagnosis under the professional supervision of a licensed physician, advanced practice registered nurse (APRN), psychologist, marital and family therapist, clinical social worker, or professional counselor. Effective Date: October 1, 2010.

<http://cga.ct.gov/2010/ACT/PA/2010PA-00038-R00HB-05286-PA.htm>

The Governor vetoed **HB-5286**. The House re-passed HB-5286 on a vote of 138 to 1. The Senate re-passed HB-5286 on a vote of 34 to 2. The Governor's veto was overridden.

**HB-5290 (Public Act 10-82) AN ACT CONCERNING THE ADMINISTRATION OF VACCINES BY LICENSED PHARMACISTS.** This act expands the authority of licensed pharmacists to administer vaccines to adults. Under existing law, pharmacists may administer flu vaccine to adults; the act allows them also to administer federally approved vaccines for the prevention of (1) invasive pneumococcal disease and (2) herpes zoster (shingles) and its after effects. As under existing law, pharmacists must administer the vaccine according to a licensed health care provider's order and Department of Consumer Protection regulations. By law, pharmacists are required to complete an immunization training course to administer flu vaccine. The act expands this training requirement to pharmacists administering any of the above vaccines. Effective Date: October 1, 2010. <http://cga.ct.gov/2010/ACT/PA/2010PA-00082-R00HB-05290-PA.htm>

**HB-5295 (Public Act 10-131) AN ACT CONCERNING THE PURCHASING OF PRESCRIPTION DRUGS BY NON-STATE PUBLIC EMPLOYERS.** This act requires the comptroller to (1) offer non-state public employers the option to purchase prescription drugs through the state's bulk purchasing authority under PA 09-206 and (2) establish procedures for doing this. The prescription drugs must be purchased for the employers' employees, employees' dependents, or retirees. The act defines "non-state public employer" as (1) a municipality or other state political subdivision, including a board of education, quasi-public agency, or public library and (2) the Teachers' Retirement Board. The act requires non-state public employers to pay the full cost of their own claims and prescription drugs. The act permits two or more non-state public employers to join together to purchase prescription drugs for their employees, employees' dependents, and retirees. It specifies that such an arrangement does not constitute a multiple employer welfare arrangement (MEWA) as defined under federal law. Effective Date: Upon passage. <http://cga.ct.gov/2010/ACT/PA/2010PA-00131-R00HB-05295-PA.htm>

**HB-5360 (Public Act 10-133) AN ACT CONCERNING CHILDREN IN THE RECESSION.** This act creates new state agency responsibilities, and reporting requirements intended to provide an emergency response to children affected by the recession. The Department of Social Services (DSS) is the agency most affected, but the other state agencies given new responsibilities are: the departments of Children and Families (DCF), Education (SDE), Labor (DOL), and Public Health (DPH). Additional responsibilities are all to be achieved within available appropriations. The act designates the state's Child Poverty and Prevention Council as the children in the recession leadership team to make recommendations for the state's emergency response to children affected by the recession. H.B. 5360 was amended to remove the DDS Commissioner as a member of the children in recession leadership team although the Commissioner continues to be a member of the Child Poverty and Prevention Council. Effective Date: Upon passage. <http://cga.ct.gov/2010/ACT/PA/2010PA-00133-R00HB-05360-PA.htm>

**HB-5372 (Public Act 10-56) AN ACT CONCERNING VISITABLE HOUSING.** This act authorizes the Department of Economic and Community Development (DECD), in consultation with the Connecticut Housing Finance Authority, to establish a program that encourages Connecticut developers to build residential homes that are easy for people with disabilities to visit. It defines "visitable housing" as one-to-four family residential housing with "visitable features," which are (1) interior doorways that provide a minimum 32-inch wide clear opening, (2) at least one accessible means of egress, and (3) at least one full or half bathroom on the first floor that complies with the Americans with Disabilities Act of 1990, as amended. The act exempts developers from a requirement to obtain a State Building Code variance or exemption to construct visitable homes. And it

authorizes municipal legislative bodies to adopt ordinances giving these developers a property tax abatement. Within available appropriations, the act requires DECD to establish an informational webpage in a conspicuous place on its website that provides links to available visitable housing resources. Effective Date: October 1, 2010, and the property tax abatement provision is applicable to assessment years beginning on and after that date. <http://cga.ct.gov/2010/ACT/PA/2010PA-00056-R00HB-05372-PA.htm>

**HB-5387 (Public Act 10-182) AN ACT CONCERNING THE REMOVAL OF SNOW AND ICE FROM MOTOR VEHICLES.** This act requires a motorist to remove accumulated snow and ice from the hood, trunk, and roof of his or her motor vehicle so that it does not pose a threat to people or property while the vehicle is being operated on a state street or highway. A violator faces a \$75 fine. It imposes a fine of between \$200 and \$1,000 on operators of noncommercial motor vehicles and \$500 and \$1,250 on operators of commercial motor vehicles who violate the act if snow or ice dislodged from the vehicle causes personal injury or property damage. Drivers are not required to clean snow or ice from a vehicle (1) while it is parked or (2) if snow, sleet, or freezing rain began, and accumulated, while they were driving. Effective Date: December 31, 2013. <http://cga.ct.gov/2010/ACT/PA/2010PA-00182-R00HB-05387-PA.htm>

**HB-5393 (Public Act 10-173) AN ACT CONCERNING THE ESTABLISHMENT OF AN ACCOUNT TO FUND THE TWENTY-SEVENTH STATE PAYROLL PERIOD.** This act establishes a separate non-lapsing account within the General Fund, called the "GAAP salary reserve account." The account must be used to set aside funds to help pay the 27<sup>th</sup> payroll that occurs every 11 years because of the state's biweekly pay schedule. Beginning in fiscal year 2013 (FY13), the act annually appropriates to the account one-tenth of the projected amount needed to fund the next 27<sup>th</sup> payroll. Effective Date: Upon passage. <http://cga.ct.gov/2010/ACT/PA/2010PA-00173-R00HB-05393-PA.htm>

**HB-5398 (Special Act 10-7) AN ACT ESTABLISHING A TASK FORCE TO STUDY THE TRANSFER OF HOSPITAL PATIENTS WHO RECEIVE MEDICAID BENEFITS TO NURSING HOMES.** This special act requires the Department of Social Services (DSS) to develop a plan for implementing a pilot program in at least two New Haven hospitals (Yale-New Haven and St. Raphael) to reduce the amount of time Medicaid patients requiring long term care remain in the hospitals before being transferred to long-term care facilities. If the legislative committees of cognizance approve the plan, the DSS commissioner must implement the program by April 1, 2011. Effective Date: Upon passage. <http://cga.ct.gov/2010/ACT/SA/2010SA-00007-R00HB-05398-SA.htm>

**HB-5399 (Public Act 10-183) AN ACT CONCERNING NOTICE BY THE DEPARTMENT OF SOCIAL SERVICES REGARDING REPAYMENT FOR SERVICES.** This act requires the Department of Social Services (DSS) to notify (1) applicants for aid from DSS's major public assistance programs and (2) other people who DSS knows may be liable to repay such aid, under the state's public assistance recoveries law, that they may be liable to make repayments. DSS must give the notice to (1) the applicant at the time of the application and (2) the liable party at the time of the application or within 30 days after the applicant is determined eligible for assistance. The act applies to the State Supplement, medical assistance (Medicaid), Temporary Family Assistance (TFA), and State-Administered General Assistance (SAGA) programs. DSS's existing application for its major public assistance programs includes a page notifying applicants of their liability for repaying the state from their property, financial windfalls, or estates when they die. Effective Date: July 1, 2010. <http://cga.ct.gov/2010/ACT/PA/2010PA-00183-R00HB-05399-PA.htm>

**HB-5406 (Public Act 10-34) AN ACT CONCERNING THE COURTS OF PROBATE.** This act: 1. allows the probate court administrator to make, and requires him to enforce, regulations governing record maintenance and eliminates the requirement that he follow Uniform Administrative Procedure Act (UAPA) rules in regulating some other areas, and 2. allows towns assigned to the same probate district to agree on how to share costs associated with court operations. It also allows probate judges to conduct business in any location in

Connecticut to facilitate a party's attendance. Prior law limited their jurisdiction to towns in their districts. Effective Date: October 1, 2010. <http://cga.ct.gov/2010/ACT/PA/2010PA-00034-R00HB-05406-PA.htm>

**HB-5407 (Public Act 10-184) AN ACT CONCERNING PROBATE FEES AND THE RECORDING OF PROBATE PROCEEDINGS.** This act makes several changes regarding probate court fees and related matters. Among its various provisions, section 7 of the act provides, upon the written request of a party or his or her attorney, for the recording of probate proceedings not required by law to be recorded. Effective Date for section 7: October 1, 2010. <http://cga.ct.gov/2010/ACT/PA/2010PA-00184-R00HB-05407-PA.htm>

**HB-5413 (Public Act 10-185) AN ACT CONCERNING TEMPORARY ASSISTANCE FOR NEEDY FAMILIES EMERGENCY CONTINGENCY FUNDS.** The original bill, titled **An Act Concerning Expenditures of State Agencies Providing Social Services**, required the Secretary of the Office of Policy and Management to review the programs administered by each state agency that provides social services to residents of the state in order to determine: (1) The cost and effectiveness of each such program in relation to all such programs; (2) the relative importance of the services provided under each such program to the recipients of such services; (3) the likelihood that recipients could qualify for similar services under federal, local or private programs; and (4) the effects of the phase-out or elimination of such programs. The bill as enacted specifies how the Department of Social Services (DSS) must spend money it receives from the Temporary Assistance for Needy Families (TANF) Emergency Contingency Fund, which was established by the federal American Recovery and Reinvestment Act of 2009 (ARRA). Effective Date: Upon passage. <http://cga.ct.gov/2010/ACT/PA/2010PA-00185-R00HB-05413-PA.htm>

**HB-5425 (Public Act 10-175) AN ACT CONCERNING SPECIAL EDUCATION.** The act requires school districts, starting July 1, 2012, to use only behavior analysts licensed or certified in accordance with its requirements to provide applied behavior analysis for students with autism spectrum disorders who require the services (1) according to a special education individualized education program (IEP) or (2) under an educational plan established under section 504 of the federal Rehabilitation Act of 1973. It establishes standards for people who may provide applied behavioral analysis services if the education commissioner finds there are not enough licensed or certified personnel available. The act also revamps the Advisory Council for Special Education by reducing its statutorily specified membership from 37 to 30 and updating those members' qualifications (PA 10-1, June Special Session increased the new membership to 31). The DDS Commissioner's appointments to this council were reduced from two to one. The act also requires the council's membership to reflect the ethnic and racial diversity and types of disabilities found in the state. Effective Date: Upon passage for the changes in the advisory council and July 1, 2010 for the applied behavior analysis provisions. <http://cga.ct.gov/2010/ACT/PA/2010PA-00175-R00HB-05425-PA.htm>

**HB-5426 (Special Act 10-9) AN ACT CONCERNING INDIVIDUALIZED EDUCATIONAL PROGRAMS.** The act establishes a task force to study individualized educational programs. The task force must report its findings and recommendations to the Education, Higher Education, and Human Services Committees by February 1, 2011. The Commissioner of Developmental Services and other state agency commissioners or their designees will serve as members of the task force along with legislative appointees including parents of children who receive special education services. Effective Date: Upon passage. <http://cga.ct.gov/2010/ACT/SA/2010SA-00009-R00HB-05426-SA.htm>

**HB-5435 (Public Act 10-75) AN ACT CONCERNING THE RECOMMENDATIONS OF THE MAJORITY LEADERS' JOB GROWTH ROUNDTABLE.** This act, among various provisions, authorizes programs and policies for establishing or expanding businesses and creating jobs. It authorizes tax credits for investing in new and expanding businesses and pre-seed capital for those developing new concepts. Sections 9 and 10 of the act authorize insurance premium, corporation business, and personal income tax credits for businesses hiring Connecticut residents with disabilities under terms and conditions similar to those governing

its small business job creation credits. A business cannot apply the credit against its payroll withholding taxes. The act imposes a combined \$11-million-per-year cap on these credits, the job creation credits described above, and the credits authorized under the existing job incentive tax credit program. The act authorizes three-year credits for businesses that hire people with disabilities who meet the act's criteria. The maximum credit is \$200 per month for each new employee. A business can claim the credit if it hires new employees who live in Connecticut and who have a physical or mental impairment that makes it hard for them to find work. The business qualifies for credits only for employees hired after May 6, 2010 for the income years beginning on or after January 1, 2010. The employee must work at least 20 hours per week for at least 48 weeks per calendar year. He or she must also be on the payroll at the close of the business' income year. Effective Date for sections 9 and 10: Upon passage and applicable to income years beginning on or after January 1, 2010.

<http://cga.ct.gov/2010/ACT/PA/2010PA-00075-R00HB-05435-PA.htm>

**HB-5448 (Public Act 10-93) AN ACT CONCERNING THE ADMINISTRATION OF THE DEPARTMENT OF DEVELOPMENTAL SERVICES.** This act makes changes to the Department of Developmental Services' (DDS) Birth-to-Three System and several departmental advisory bodies. The act allows the Department of Children and Families (DCF) to provide DDS with limited abuse and neglect investigation summaries of children who are already enrolled in the DDS Voluntary Services Program. Prior law allowed this only for program applicants. It also removes from the sunset review process the DDS abuse and neglect registry. Effective Date: October 1, 2010. (See summary section "[Bills Proposed by \(or at the Request of\) the Department of Developmental Services](#)" for a full description of the provisions of the bill.)  
<http://cga.ct.gov/2010/ACT/PA/2010PA-00093-R00HB-05448-PA.htm>

**HB-5452 (Public Act 10-23) AN ACT CONCERNING THE PROVISION OF VOLUNTEER HEALTH CARE SERVICES ON A TEMPORARY BASIS.** This act allows out-of-state, volunteer health care practitioners to provide health care services in Connecticut at (1) a free clinic or similar charitable medical event providing free health care services or (2) the Special Olympics or similar athletic event attracting a large number of out-of-state participants provided the practitioners meet certain criteria. The practitioner must: 1. hold an unrestricted license or certificate in another state, territory, or the District of Columbia; 2. not represent himself or herself as a Connecticut-licensed or -certified health care practitioner; 3. provide services only to patients or athletes participating in these events; 4. provide only those services permitted by Connecticut law; 5. provide services only under the supervision of a Connecticut-licensed or -certified health care practitioner within the same licensure or certification category; and 6. maintain, either personally or through the sponsoring organization, professional liability insurance or other professional malpractice insurance in an amount equal to or greater than that required for a comparable Connecticut licensee or certificate holder. Effective Date: July 1, 2010. <http://cga.ct.gov/2010/ACT/PA/2010PA-00023-R00HB-05452-PA.htm>

**HB-5516 (Public Act 10-189) AN ACT CONCERNING A PILOT PROGRAM OF THE DEPARTMENT OF ADMINISTRATIVE SERVICES.** This act extends, from four to seven years, the duration of the Department of Administrative Services (DAS) pilot program to create and expand janitorial work opportunities for people with disabilities and disadvantages. It also specifies that if DAS awards an exclusive contract during the pilot's term under the state's preference purchasing law for people with disabilities, including one for janitorial services, the contract must remain in effect with no change in the fair market value formula used by DAS for determining whether a vendor should be awarded the contract. Under prior law, this requirement applied to any new contract, not just an exclusive one. Effective Date: Upon passage.  
<http://cga.ct.gov/2010/ACT/PA/2010PA-00189-R00HB-05516-PA.htm>

## ***BILLS THAT WERE VETOED BY THE GOVERNOR:***

The General Assembly held a “Veto Session” on Monday, June 21, 2010 to attempt to override the Governor’s veto of certain bills. To override a Governor’s veto the Senate and the House of Representatives must first vote by a simple majority to reconsider the bill. Then each chamber must vote to re-pass the bill by a two-thirds majority. In Connecticut, in order to re-pass a bill, it would have to get at least 24 votes in the Senate and at least 101 votes in the House of Representatives.

Of the bills the department had been tracking during the 2010 session, there were two that had been vetoed. Below you will find those bills that were vetoed by the Governor and the results of the General Assembly’s attempt to override them.

### ***Vetoed Bills Re-Passed (Veto Overridden) By the General Assembly***

**[HB-5207](#) (Public Act 10-142) AN ACT CONCERNING CRIMINAL BACKGROUND CHECKS FOR PROSPECTIVE STATE EMPLOYEES.** This act prohibits certain state employers from asking about a prospective employee's past convictions until the person is deemed otherwise qualified for the position. The prohibition does not apply if a statute specifically disqualifies someone from a position due to a prior conviction. The applicable employers are the state; the executive and judicial branches, including any of their boards, departments, commissions, institutions, agencies, or units; boards of trustees of state-owned or -supported colleges, universities, or their branches; public and quasi-public state corporations; authorities established by law; and anyone designated by such employers to act in their interest with employees. The act does not cover the state Board of Labor Relations, Board of Mediation and Arbitration, or the Legislative Branch. Effective Date: October 1, 2010. <http://cga.ct.gov/2010/ACT/PA/2010PA-00142-R00HB-05207-PA.htm>

The House re-passed **[HB-5207](#)** on a vote of 120 to 19. The Senate re-passed **[HB-5207](#)** on a vote of 31 to 5. The Governor’s veto was overridden.

**[HB-5286](#) (Public Act 10-38) AN ACT CONCERNING LICENSURE OF MASTER AND CLINICAL SOCIAL WORKERS.** This act creates a new license category of “master social worker.” A licensed master social worker can practice clinical social work and can offer a mental health diagnosis under the professional supervision of a licensed physician, advanced practice registered nurse (APRN), psychologist, marital and family therapist, clinical social worker, or professional counselor. Effective Date: October 1, 2010. <http://cga.ct.gov/2010/ACT/PA/2010PA-00038-R00HB-05286-PA.htm>

The House re-passed **[HB-5286](#)** on a vote of 138 to 1. The Senate re-passed **[HB-5286](#)** on a vote of 34 to 2. The Governor’s veto was overridden.

## ***BUDGET BILLS:***

**S.B. No. 443 (Special Act 10-1) AN ACT CONCERNING THE CANCELLATION OF UNISSUED BOND FUND AUTHORIZATIONS.** This special act allows the state treasurer to close out inactive bond funds, and updates bond authorizations originally adopted between 1967 and 1986 to reflect actual project allocations. The changes reduce net authorizations by \$9.22 million. In section 44 of the bill, it reduces the Department of Developmental Services net bonding allocation by \$362,955 for land acquisition, construction, or purchase and renovation of group homes as originally allocated in special act 84-54, as amended. <http://www.cga.ct.gov/2010/ACT/SA/2010SA-00001-R00SB-00443-SA.htm>

**SB-494 (Public Act 10-179) AN ACT MAKING ADJUSTMENTS TO STATE EXPENDITURES FOR THE FISCAL YEAR ENDING JUNE 30, 2011.** Public Act 10-179 makes modifications to the state's fiscal year 2011 (FY11) appropriations as revised by the deficit mitigation provisions contained in Public Act 10-3. It also includes several additional statutory changes affecting the state's budget in sections 9 through 161 of Public Act 10-179. The details and highlights of the Department of Developmental Services budget in S. B. No 494 are as follows:

**Personal Services:** The budget for FY11 provides sufficient funding within the Personal Services (PS) account to adequately fund the Department's programmatic and administrative infrastructures in order to serve the Department's consumer population.

The Personal Services account included the following reductions or transfers: (1) continued savings from the 2009 Retirement Incentive Program (RIP); (2) reduction options that were proposed by the Department and accepted as part of the budget including reductions through the management of overtime; attrition; and through building closures at Southbury Training School (STS) allowed by a reduced census at STS; and (3) a reallocation of funds to the Community Residential Services Program to fund the conversion of 17 public Community Living Arrangements (CLA) to privately-operated CLA programs.

After all of the adjustments in personal services, the budget authorizes 3,657 FTE DDS employees for FY11, a 397 employee reduction from the 4,054 FTE employees that the Department was authorized for in FY09.

**Other Expenses:** The budget contains sufficient funding to address all essential DDS business functions including meeting the Department's obligations for Title XIX and the Home and Community Based Waiver Programs; and provides sufficient resources to ensure that all health and safety needs of our consumers are met.

**Clinical Services:** Although the budget includes rescissions of \$170,000 in the Clinical Services account, the Department has determined that there is adequate funding to provide for all clinical services during FY11.

**Cooperative Placements:** For FY11, the budget provides funding for the annualization of six FY10 placements. No funding for additional placements was requested in FY11.

**Employment Opportunities and Day Services:** For individuals who have aged out or will age out of Department of Children and Family (DCF) services or Local Education Agency (LEA)-funded residential placements (Age Outs), the budget maintains the funding for both the annualization of 73 FY10 placements and funding for 70 new individuals in FY11. This budget also maintains funding for both the annualization of 278 FY10 placements for high school graduates and funding for 254 new high school graduates.

The budget makes a \$5,946,000 reduction to annualize the savings associated with a FY10 change to an attendance based rate reimbursement system for day services. The budget also makes a net \$68,884 reduction resulting from moving individuals, living in out-of-state placements back to Connecticut to allow for Medicaid billing for these services.

**Community Residential Services:** The budget continues funding for the annualization of 72 FY10 placements for individuals who have aged out and funding for 67 new individuals who are aging out in FY11.

For FY11, the budget provides (1) \$2.4 million for the annualization of the FY10 transfer of individuals from public residential programs to private contracted residential programs; (2) \$13.54 million for the balance of the annualization required to fund the FY10 conversion of 17 publicly operated CLAs to CLAs operated by private residential providers; and (3) a \$500,000 transfer from the Department of Social Services (DSS) for Home Health Services that will be provided by DDS.

**Early Intervention:** The budget provides \$9.3 million for the annualization of the FY10 shortfall that was due to unbudgeted caseload growth, an increase in service hours paid at the supplemental rates and the anticipated delay in the implementation of increased parent fees and insurance reimbursement. The budget also includes a \$251,946 reduction to reflect the redirection of Birth to Three insurance recoveries that were formerly retained by the providers.

**Voluntary Services Program:** The budget reduces Voluntary Services Program (VSP) funding by \$1,696,390. This reduction is a result of 38 young adults aging out of VSP services and into DDS adult services and the decision to only start new services for eligible applicants based on the Department's available appropriation.

**Family Reunion Program:** The budget annualizes the FY10 rescission of \$3,000 in the Family Reunion Program.

**Section 37** of the Public Act incorporates the provisions of [SB-355 AN ACT CONCERNING CAPITAL IMPROVEMENTS REQUIRED BY THE DEPARTMENT OF DEVELOPMENTAL SERVICES](#). The section permits a higher rate for facilities that made or will make capital improvements in FY10 or FY11 because the Department of Developmental Services requires them to do so for residents' health or safety. PA 09-5, September Special Session froze the FY 10 and 11 rates the state pays private residential facilities at their FY 09 level. Section 37 is effective as of July 1, 2010.

<http://cga.ct.gov/2010/ACT/PA/2010PA-00179-R00SB-00494-PA.htm>

**[H.B. No. 5016 AN ACT MAKING DEFICIENCY APPROPRIATIONS FOR THE FISCAL YEAR ENDING JUNE 30, 2010](#)** The bill would have reduced appropriations in the General Fund and Special Transportation Fund and would have increased appropriations by the same amounts in each fund and was intended to deal with a portion of certain agency's shortfalls in funding. This bill had no specific impact on DDS. The bill died in the House.

**[H.B. No. 5018 AN ACT MAKING ADJUSTMENTS TO STATE EXPENDITURES FOR THE FISCAL YEAR ENDING JUNE 30, 2011](#)**. The Governor's Recommended budget bill would have made overall net adjustments of \$345.7 million to the state's fiscal year 2011 (FY11) appropriations. Many of the Governor's Recommended budget adjustments related to the Department of Developmental Services were included in the final budget bill [SB-494 \(Public Act 10-179\) AN ACT MAKING ADJUSTMENTS TO STATE EXPENDITURES FOR THE FISCAL YEAR ENDING JUNE 30, 2011](#) that was passed by the General Assembly and signed by the Governor.

Some of the provisions in H.B. No. 5018 that were included in the final budget bill were reductions or transfers in the Personal Services account due to: (1) continued savings from the 2009 Retirement Incentive Program (RIP); (2) reductions through the management of overtime; attrition; and through building closures at Southbury Training School (STS); and (3) a reallocation of funds to the Community Residential Services Program to partially fund the conversion of 17 public Community Living Arrangements (CLA) to privately-operated CLA programs. Also, provisions from the Governor's Recommended budget that were included in the final budget bill are: (1) funding for the annualization of six FY10 cooperative placements; (2) funding for both the

annualization of 73 FY10 placements and funding for 70 new placements in FY11 for individuals who have aged out or will age out of Department of Children and Family (DCF) services or Local Education Agency (LEA)-funded residential placements (Age Outs); (3) funding for both the annualization of 278 FY10 placements for high school graduates and funding for 254 new high school graduate placements and (4) funding for the annualization of 72 FY10 placements for individuals in Community Residential Services (CRS) who have aged out and funding for 67 new (CRS) placements for individuals who will be aging out.

Other provisions of the Governor's FY11 Recommended budget that were included in the final budget bill were: (1) a \$5,946,000 reduction to annualize the savings associated with a FY10 change to an attendance based rate reimbursement system for day services; (2) a net \$68,884 reduction resulting from moving individuals, living in out-of-state placements back to Connecticut to allow for Medicaid billing for these services; (3) \$9.3 million for the annualization of the FY10 shortfall in the Birth to Three System; and (4) a \$1,696,390 reduction in Voluntary Services Program (VSP) funding as a result of the aging out of 38 young adults into DDS adult services and the decision to only start new services for eligible applicants based on the Department's available appropriations. H.B. No. 5018 died in the House.



## ***BILLS THAT WERE REPORTED OUT OF COMMITTEE BUT DID NOT PASS:***

**SB-14 AN ACT PROHIBITING COPAYMENTS FOR PREVENTIVE CARE.** This bill would have prohibited individual and group health insurance policies delivered, issued, renewed, amended, or continued in Connecticut on or after January 1, 2012 that cover (1) basic hospital expenses; (2) basic medical-surgical expenses; (3) major medical expenses; and (4) hospital or medical services, including coverage under an HMO plan from imposing a copayment, deductible, or other out-of-pocket expense (e.g., coinsurance) for preventive care services including: 1. annual physicals and periodic health evaluations, including tests and diagnostic procedures ordered in connection with them; 2. routine prenatal and well-child care; 3. child and adult immunizations; 4. tobacco cessation programs; and 5. obesity weight loss programs prescribed by a licensed physician. The bill died in the Appropriations Committee.

**SB-15 AN ACT CONCERNING PRESCRIPTION DRUG COPAYMENTS.** This bill would have prohibited certain health insurance policies and medical contracts from imposing payment provisions or conditions (e.g., copayment, reimbursement amount, number of doses) for prescriptions obtained from one retail pharmacy that are more restrictive than those imposed for prescriptions obtained from another retail pharmacy. The bill would have applied to individual health insurance policies and group medical benefits contracts covering prescription drugs that insurers, hospital or medical service corporations, or HMOs issue. The bill died in the Senate.

**S.B. No. 32 AN ACT IMPLEMENTING THE GOVERNOR'S BUDGET RECOMMENDATIONS CONCERNING SOCIAL SERVICES** This bill would have made various changes to several, unrelated social services and health laws. Among its provisions, it would have changed the way the Department of Social Services (DSS) pays for foreign language interpreters for Medicaid beneficiaries and would have required Medicaid to cover tuberculosis treatment for anyone eligible. The bill died in the Senate.

**SB-52 AN ACT CONCERNING A TASK FORCE TO STUDY HEALTH CARE FOR UNINSURED CHILDREN.** The bill would have established a task force to study the establishment of additional programs to provide health care to uninsured children in the state. The task force would have been required to report its findings and recommendations to the Public Health and Insurance and Real Estate Committees by January 1, 2011. The bill died in the Senate.

**SB-61 AN ACT REMOVING THE REQUIREMENT OF EMPLOYER OR INSURER PREAPPROVAL FOR THE PROVISION OF CERTAIN MEDICAL EXAMINATIONS AND TREATMENT TO INJURED WORKERS.** Under this bill, insurers or employers would have been required to provide routine medical exams or treatment in cases when the parties agree that the employee's injury is work related. It would have provided that (1) no pre-approval of routine exams or treatment is needed and (2) a workers' compensation commissioner could order such exam or treatment without a hearing. Under current law, a workers' compensation commissioner can order the treatment or exam only after holding a formal hearing. The bill also would have required an employer or insurer to provide an employee with advance notice, with the employee having an opportunity for a hearing, before discontinuing (1) a medical or surgical service or (2) routine exam or treatment. The bill died in the Senate.

**SB-63 AN ACT MANDATING EMPLOYERS PROVIDE PAID SICK LEAVE TO EMPLOYEES.** This bill would have required all employers with 50 or more employees in the state to provide their employees with paid sick leave that accrues at a rate of one hour for each 40 hours worked. These employees would have been eligible for the benefit once they worked 520 hours for an employer and accrued sick leave from the first day of work. The leave could have been used for an employee's or the employee's child's illness or injury, treatment of a physical or mental illness or injury, diagnosis, and preventive medical care. Exempted from the bill's provisions were (1) day or temporary workers and (2) certain state college or university employees, including

part-time or adjunct faculty members. The bill would have banned employers from taking retaliatory or discriminatory action against an employee because the employee requests or uses paid sick leave as provided by the bill. The bill specified that it would not preempt the terms of any union contract that was effective before January 1, 2011 or diminish any rights provided to any employee under a union contract. The bill died in the Senate.

**S.B. No. 92 AN ACT CONCERNING PRESCRIPTION EYE DROPS.** This bill would have required certain health insurance policies that provide prescription eye drop benefits to cover one additional bottle of drops when (1) it is requested by the insured or the prescribing physician when the original prescription is filled and (2) the prescribing physician indicates on the original prescription that the insured needs an additional bottle for use in a day care setting or school. The bill would have applied to individual and group health insurance policies delivered, issued, renewed, amended, or continued in Connecticut that cover (1) basic hospital expenses; (2) basic medical-surgical expenses; (3) major medical expenses; and (4) hospital or medical services, including coverage under an HMO plan. The bill died in the House.

**SB-105 AN ACT CONCERNING LIABILITY OF NURSING HOME OWNERS FOR NEGLECT AND ABUSE OF NURSING HOME RESIDENTS.** The bill would have required the Department of Public Health (DPH) to prepare a written application form for changes in nursing home ownership that includes a statement notifying the potential nursing home licensee or owner that he or she may be held criminally liable for abuse or neglect of a resident by a nursing home employee. The bill died in the House.

**S.B. No. 148 AN ACT CONCERNING THE TERM "EMERGENCY MANAGEMENT DIRECTOR" AND REDEFINING "MAJOR DISASTER" AND "EMERGENCY"** This bill would have redefined "major disaster" to include catastrophes for which the Governor has declared a civil preparedness emergency, to redefine "emergency" to include state-declared emergencies, to add the term "emergency" to the definition of "civil preparedness" and to substitute the term "local emergency management director" for the term "local civil preparedness director". The bill died in the House.

**SB-172 AN ACT MANDATING HOME HEALTH AGENCIES PROVIDE PAID SICK LEAVE TO EMPLOYEES.** This bill would have required certain home health agencies to provide their employees with up to 40 hours of paid sick leave a year. Current law does not require any employer to provide sick leave, whether paid or unpaid. Under the bill, paid leave would have accrued at a rate of one hour for each 40 hours worked and could be used once an employee had worked 520 hours. The bill died in the Appropriations Committee.

**S.B. No. 189 AN ACT ESTABLISHING AN ADVISORY COUNCIL ON SERVICES FOR PERSONS WITH TRAUMATIC BRAIN INJURY.** The bill would have established a 19-member, permanent traumatic brain injury (TBI) advisory council to the governor and the Department of Social Services (DSS). The council would have been charged with developing a comprehensive plan to address the needs of people with TBI. The bill died in the House.

**SB-192 AN ACT CONCERNING THE LISTING OF ADVANCED PRACTICE REGISTERED NURSES IN MANAGED CARE ORGANIZATION PROVIDER LISTINGS, AND PRIMARY CARE PROVIDER DESIGNATIONS.** The original bill would have required managed care organizations (MCOs) to include, under a separate category or heading, participating advanced practice registered nurses (APRNs), in the list of health care providers participating in the plan that is provided annually to health plan enrollees. The bill also would have allowed an enrollee of a managed care plan that requires selection of a primary care provider to choose a participating, in-network APRN. Under current law, they may only select a participating, in-network primary care physician. Also, the bill would have required an MCO to notify an enrollee as soon as possible when his or her primary care provider leaves the MCO's provider network. The bill died in the House.

**SB-217 AN ACT LIMITING FINANCIAL INSTITUTION FEES FOR RECORDS NEEDED FOR MEDICAID APPLICATIONS.** This bill would have limited to 20 dollars the amount a financial institution may charge a person applying for Medicaid benefits for an account record the Department of Social Services requires to determine the person's eligibility. The bill died in the Banks Committee.

**SB-219 AN ACT CONCERNING STATE CONTRACT REDUCTIONS.** This bill would have permitted private providers with state purchase of service (POS) contracts to adjust their budgets when the state reduced their funding by five percent. It would have allowed providers that (1) enter into new contracts or renew existing ones with a state agency and (2) whose payments under the contracts the agency reduces by at least 5%; to adjust their budget expenditures by the same amount as the reduction without the agency's approval. The provider would have had to notify the state agency of any such adjustment. The bill died in the Senate.

**SB-234 AN ACT CONCERNING NOTIFICATION OF FINANCIAL STABILITY OF NURSING HOME FACILITIES AND MANAGED RESIDENTIAL COMMUNITIES TO PATIENTS AND RESIDENTS.** This bill would have required (1) nursing homes, residential care homes, rest homes with nursing supervision, and chronic and convalescent nursing homes and (2) managed residential care communities to notify any prospective and current resident about certain financial conditions the facilities may be experiencing. It would have required these facilities to notify any legally liable relative, guardian, conservator, or person a resident has designated to make decisions for the resident, if the facility knows of such a person. The bill also would have required these facilities to provide notice if the facility is placed in receivership or files for bankruptcy. The bill died in the House.

**SB-241 AN ACT CONCERNING THE DEPARTMENT OF ADMINISTRATIVE SERVICES AND PREQUALIFICATION AND EVALUATION OF CONTRACTORS.** This bill would have permitted the Department of Administrative Services (DAS) to deny a prequalification certificate to any contractor or substantial subcontractor that has received three or more unsatisfactory written project evaluations in the past three years. Receiving a DAS prequalification certificate permits a contractor or subcontractor to bid on all or parts of state building construction projects. The bill died in the Senate.

**SB-242 AN ACT CONCERNING THE RETENTION OF JOBS IN CONNECTICUT.** This bill would have made various changes to state government contracting laws including requiring state agencies in awarding contracts to give preference to goods made and services originating in Connecticut if they are equal in all other respects to those made, or originating from, outside the state. The bill died in the Senate.

**SB-245 AN ACT CONCERNING SMOKING IN WORKPLACES.** This bill would have banned smoking in the workplace regardless of the number of employees in the business facility. Under current law, the smoking prohibition applies to business facilities with five or more employees. The bill would have applied to a self-employed individual, whether or not he has any employees. The bill died in the House.

**SB-254 AN ACT CONCERNING DISCLOSURE OF MAXIMUM ALLOWABLE COSTS FOR PHARMACY REIMBURSEMENTS.** This bill would have required a pharmacy benefits manager (PBM) who administers that part of a health benefit plan that covers either; (1) prescription drug, prescription device, or pharmacist services or (2) prescription drug and device and pharmacist services to establish and maintain a list of maximum allowable costs (MAC) the plan will pay for generic prescription drugs. The bill would have required a PBM to establish and maintain a process by which a pharmacy could request a review of a MAC for a generic drug. The bill died in the House.

**S.B. No. 258 AN ACT CONCERNING APPEALS OF HEALTH INSURANCE BENEFITS DENIALS.** The bill would have specified a presumption of medical necessity for appeals reviewed by review entities on behalf of the Insurance Commissioner pursuant to section 38a-478n of the general statutes, would have required

managed care companies, health insurers and utilization review companies to provide to providers of record and enrollees after a final determination not to certify an admission, service, procedure or extension of stay, documents and information considered in such final determination, and would have required dispensation and coverage of a prescribed drug for the duration of any appeal of a determination not to certify such dispensation. The bill died in the House.

**SB-265 AN ACT REQUIRING HEALTH CARE PROVIDERS TO DISPLAY PHOTOGRAPHIC IDENTIFICATION BADGES.** This bill would have required a health care provider who provides direct patient care to wear an employer-issued photo identification badge during normal working hours. The badge would have been required to be worn in plain view and include (1) the name of the provider's employer; (2) the provider's name; and (3) the provider's license, certificate, or employment title. A "healthcare provider" means any person employed by or acting on behalf of a healthcare facility or institution. The original bill also included residential care homes and homemaker-companion agencies as covered by the provisions of this bill but Senate Amendment A removed them from the list of covered health care facilities. The bill died in the House.

**SB-269 AN ACT IMPLEMENTING THE RECOMMENDATIONS OF THE PROGRAM REVIEW AND INVESTIGATIONS COMMITTEE CONCERNING AN INITIATIVE TO SHARE AGENCY DATA TO PROMOTE THE WELL-BEING OF CHILDREN AND FAMILIES.** This bill would have required the Secretary of the Office of Policy and Management (OPM), within available appropriations, to develop and implement policies and procedures that promote (1) information sharing among executive branch agencies, including DDS, that provide services related to children's well-being and (2) integration of these agencies' automated data systems to improve children's safety, health, and well-being. In developing these, the secretary would have had to consult with representatives of the state agencies and their contracted private providers that serve children and families. The bill died in the Senate.

**SB-284 AN ACT CREATING A DIVISION OF ADMINISTRATIVE HEARINGS.** This bill would have established a Division of Administrative Hearings (DAH) within the Commission on Human Rights and Opportunities (CHRO). The bill would have required DAH to impartially hear contested cases for CHRO and the departments of Children and Families and Transportation. The bill died in the Senate.

**SB-286 AN ACT CONCERNING THE DUTIES OF THE DEPARTMENT OF INFORMATION TECHNOLOGY.** This bill would have required the Department of Information Technology (DOIT) to establish guidelines for agencies on the calculation of fees charged for copies of computer-stored public records that are requested under the Freedom of Information Act (FOIA). The bill also would have eliminated a requirement that DOIT provide professional development for information technology (IT) employees in all state agencies. Instead, it would have required DOIT to provide only general guidelines for professional development of IT employees in other agencies. The bill also would have added DOIT to the statutory list of executive branch agencies. The bill died in the Senate.

**SB-287 AN ACT CONCERNING ACCESSIBLE VOTING FOR VOTERS WITH DISABILITIES OR NEEDING ASSISTANCE.** This bill would have required each voting system, which the secretary of the state must approve for use in an election, including those equipped for individuals with disabilities that comply with the Help America Vote Act (HAVA) (P. L. 107-252), be delivered no later than one hour before the polls open. The bill would have given the State Elections Enforcement Commission (SEEC) authority to investigate complaints concerning voting systems for individuals with disabilities (currently the IVS vote-by-phone), not only optical scan machines. The bill died in the Senate.

**SB-289 AN ACT CONCERNING THE ONLINE SUBMISSION AND POSTING OF STATEMENTS OF FINANCIAL INTERESTS.** This bill would have required state officials and employees who must file an annual statement of financial interests to submit it electronically. Beginning January 1, 2012, it would have

required the Office of State Ethics (OSE) to (1) make newly submitted statements available through the Internet and (2) provide a computer terminal in its office through which the public could use to access them. The bill died in the Senate.

**SB-290 AN ACT CONCERNING THE PUBLICATION OF STATE AGENCY REGULATIONS ON THE INTERNET.** This bill would have required each state agency to post on its website its regulations that the Commission on Official Legal Publications publishes in the *Connecticut Law Journal* on or after the same date. By January 1, 2012, each agency would have been required to post all of its regulations that are in effect. The bill died in the Senate.

**SB-291 AN ACT CONCERNING THE APPOINTMENT OF DEPARTMENT HEADS.** This bill would have required the governor to get the advice and consent of both chambers of the General Assembly instead of only one chamber when appointing Executive Branch department heads. By law, unchanged by the bill, the Governor would submit the nomination to either chamber for confirmation. The bill died in the Senate.

**SB-314 AN ACT CONCERNING MILITARY OR VETERAN STATUS ON STATE-ISSUED FORMS AND PUBLICATIONS, BENEFITS FOR VETERANS AND STATE EMPLOYEES CALLED TO ACTIVE SERVICE AND THE DISPOSITION OF REMAINS OF MEMBERS OF THE ARMED FORCES.** This bill would have made changes in the laws affecting state-issued forms and publications, insurance coverage and vacation and sick time accrual for armed forces members called to active service, disposition of service members' bodies or remains, and posting of veterans' benefits on the Department of Veterans' Affairs (VA) website. The bill would have required any new form or publication issued by a state agency, department, or office for public distribution and returnable to that agency, department, or office to include a question asking whether the recipient is a service member or veteran who would like information about veterans' benefits. The bill died in the Senate.

**SB-315 AN ACT CONCERNING THE SEXUAL ASSAULT OF PERSONS WHOSE ABILITY TO COMMUNICATE LACK OF CONSENT IS SUBSTANTIALLY IMPAIRED.** This bill would have changed the factors for determining guilt in cases of second and fourth degree sexual assault involving a person with a mental or physical disability. Under the bill, a person would be guilty of these crimes if: 1. the assault victim's ability to communicate his or her lack of consent to sexual intercourse (for 2<sup>nd</sup> degree) or sexual contact (for 4<sup>th</sup> degree) is substantially impaired because of a mental or physical condition and 2. the person accused of the assault knew or had reasonable cause to believe the victim's ability to communicate lack of consent was impaired by that condition.

Under current law, a person is guilty of 2<sup>nd</sup> degree sexual assault if the victim is (1) "mentally defective" and consequently unable to consent to sexual intercourse or (2) physically helpless. A person is guilty of 4<sup>th</sup> degree sexual assault if the victim is (1) "mentally defective" or "mentally incapacitated" and consequently unable to consent to sexual contact or (2) physically helpless. A person is "mentally defective" if a mental disease or defect renders him or her incapable of appraising the nature of his or her conduct. The bill would have repealed the terms "mentally defective" and "physically helpless" and their use as a factor in 2<sup>nd</sup> and 4<sup>th</sup> degree sexual assault cases. A person is "mentally incapacitated" under current law if he or she becomes temporarily incapable of appraising or controlling his or her conduct because, without consent, (1) another person administered drugs or intoxicants to him or her or (2) some other act was committed on the person. The bill would have removed a victim's mental incapacity from the factors that can be used in deciding guilt in 4<sup>th</sup> degree sexual assault, but it would have remained a factor in 1<sup>st</sup> degree sexual assault (CGS § 53a-70). Senate Amendment "A" eliminated the expansion of the definition of mentally incapacitated to include people who become permanently incapable of judging or controlling their conduct. The bill died in the House.

**SB-355 AN ACT CONCERNING CAPITAL IMPROVEMENTS REQUIRED BY THE DEPARTMENT OF DEVELOPMENTAL SERVICES.** The bill would have allowed the Department of Social Services (DSS) to provide higher room and board rates to providers of Community Living Arrangements (CLAs) when capital improvements are required by the Department of Developmental Services (DDS) for the health and safety of its residents. The bill died in the Senate. However, the concept of this bill was included in **Section 37** of **SB-494 (Public Act 10-179) AN ACT MAKING ADJUSTMENTS TO STATE EXPENDITURES FOR THE FISCAL YEAR ENDING JUNE 30, 2011.**

**SB-357 AN ACT CONCERNING REDUCTIONS TO STATE CONTRACTS.** The bill would have allowed private provider organizations to transfer funds among line items in an approved budget under a purchase of service contract with a state agency. The provider could only do this when the contract is reduced by five per cent (5%) or more in any given year. The amount transferred could not exceed the amount by which the contract was reduced. The provider would have been required to notify the contracting agency within 30 days of the transfer. The bill died in the Senate.

**SB-359 AN ACT CONCERNING REPORTING BY STATE AGENCIES.** The bill would have altered and, in certain cases, expanded the reporting requirements by the Department of Economic and Community Development (DECD), the Office of Policy and Management (OPM), and the Department of Revenue Services (DRS) to the General Assembly and the Office of Fiscal Analysis (OFA). The bill also would have required the Office of the State Comptroller (OSC), OFA, and OPM to develop a plan to enhance the capacity and information capabilities of the CORE-CT statewide accounting system. The bill died in the Senate.

**SB-360 AN ACT CONCERNING FLEXIBLE SPENDING ACCOUNTS.** This bill would have provided a mechanism for the Comptroller to implement a flexible spending account (FSA) program for state employees. The bill requires the Comptroller to pay for the administrative costs associated with the program by transferring savings from the social security account and by using any FSA forfeitures. FSAs permit employees to allocate a portion of their salaries pre-tax for certain incurred medical expenses not covered by their health insurance policies, including health care deductibles, coinsurances, as well as dependent care expenses. Employers may also contribute to the accounts, but are not required to do so. The bill died in the Senate.

**SB-362 AN ACT STREAMLINING STATE GRANT DISTRIBUTION.** The bill would have required the Office of Policy and Management (OPM) to review the processes for the distribution of all current state grants, and identify ways to streamline the process. Additionally, the bill would have required state agencies to implement the recommendations made by OPM. The bill died in the Senate.

**S.B. No. 372 AN ACT CONCERNING EXPENDITURES OF APPROPRIATED FUNDS OTHER THAN THE GENERAL FUND.** The bill would have required the Office of Fiscal Analysis (OFA) to conduct a review of appropriations authorized from appropriated funds other than the General Fund in the state budget for the biennium ending June 30, 2009 and identify general areas of spending for which appropriations increased by ten per cent or more over appropriations authorized in the state budget for the immediately preceding biennium. OFA would have had to report its findings to the Appropriations Committee on or before May 1, 2010. The bill died in the Finance, Revenue and Bonding Committee.

**SB-375 AN ACT CONCERNING EXPENDITURES OF STATE AGENCIES PROVIDING PUBLIC HEALTH, MENTAL HEALTH AND DEVELOPMENTAL SERVICES.** The bill would have required the Office of Policy and Management (OPM) to review the state's public health, mental health and developmental services to: (1) evaluate the cost-effectiveness and benefits of such programs and services; and (2) assign priority for the continued funding of such programs and services, and report OPM's findings and recommendations to the Appropriations Committee. The bill died in the Finance, Revenue and Bonding Committee.

**S.B. No. 380 AN ACT CONCERNING EARLY CHILDHOOD EDUCATION CREDENTIALING.** The bill would have made changes to school readiness staff qualifications. These changes would have included reducing the qualifications required, starting July 1, 2015, and giving the education commissioner more authority in determining if credits meet subject area requirements. It also would have changed how excess school readiness funds would be used by requiring the commissioner to use such funds to help school readiness staff with the cost of higher education courses leading to associates' or bachelors' degrees. School readiness programs provide developmentally appropriate learning of not less than 450 hours over 180 days for (1) children ages three and four and (2) some five-year-olds depending upon where their birthday falls during the school calendar. The bill died in the House.

**SB-390 AN ACT CONCERNING COOPERATIVE PURCHASING PLANS.** The bill would have authorized the Department of Administrative Services (DAS), on the state's behalf, to purchase equipment, supplies, materials, and services by joining existing purchasing contracts with other states, Connecticut political subdivisions, nonprofit organizations, or public consortia. The state would be subject to the existing contracts' terms and conditions. Under current law, the DAS can join with other governmental entities and nonprofit organizations to make cooperative purchases when doing so is in the best interest of the state but does not have the explicit authority to join an existing purchasing contract. The bill died in the Senate.

**SB-392 AN ACT ADJUSTING THE MINIMUM PROFESSIONAL LIABILITY INSURANCE CARRIED BY HEALTH CARE PROVIDERS.** The original bill would have required health insurance coverage for acupuncture treatments provided by a chiropractor and to increase the minimum amount of professional liability insurance a person licensed to practice chiropractic is required to carry. The bill, as amended, would have required licensed physicians and surgeons, osteopaths, chiropractors, naturopaths, podiatrists, physical therapists, radiologist assistants, advanced practice registered nurses, dentists, dental hygienists, and optometrists, who provide direct patient care services, to increase professional liability insurance or other indemnity against professional malpractice liability from the required minimum coverage amounts of (1) \$500,000 to \$1 million per incident per individual and (2) \$1.5 million to \$3 million in the aggregate. The bill died in the Senate.

**SB-399 AN ACT ESTABLISHING A CIVIL ACTION WITH RESPECT TO CRIMINAL RECORDS USED IN EMPLOYMENT DECISIONS.** This bill would have permitted an employee or prospective employee, as applicable, to bring a civil action for damages, court costs, and reasonable attorney's fees against an employer or the employer's agent, representative, or designee that knowingly does the following, or aids in such violations: (1) requests the disclosure of erased criminal records; (2) denies a prospective employee a job based solely on an erased record, or on the basis of a prior conviction for which the person received a provisional pardon; or (3) discharges or otherwise discriminates against the employee solely on such a basis. The bill died in the House.

**S.B. No. 401 AN ACT CONCERNING AN INITIATIVE TO INCREASE AND IMPROVE THE STATE'S HEALTH CARE WORKFORCE** This bill would have required the Department of Public Health, in collaboration with the Department of Higher Education, the Labor Department, the Office of Workforce Competitiveness, The University of Connecticut, The University of Connecticut School of Medicine, The University of Connecticut School of Dentistry, the Connecticut State University System and the regional community-technical college system, to develop an initiative to address the state's health care workforce shortage. The initiative would have sought to increase the number of health care workers in the state through the offering of expanded and enhanced educational programs at public institutions of higher education. The bill died in the Senate.

**SB-403 AN ACT CONCERNING HEALTH INFORMATION TECHNOLOGY.** The bill would have established the “Health Information Technology Exchange of Connecticut” as a quasi-public agency for health information technology (HIT) and health information exchange (HIE) in the state. Under current law, the Department of Public Health (DPH) is the designated lead HIE organization for the state. The new quasi-public agency would have taken over DPH's responsibilities for the implementation and periodic review of the HIT plan that includes the implementation of an integrated statewide electronic health information infrastructure for sharing electronic health information among health care facilities, health care professionals, public and private payers, and patients. The bill died in the House.

**SB-409 AN ACT ESTABLISHING A PILOT PROGRAM USING CIVILIAN VOLUNTEERS TO ASSIST IN THE ENFORCEMENT OF STATE AND MUNICIPAL LAWS CONCERNING PARKING FOR PERSONS WITH DISABILITIES THAT LIMIT OR IMPAIR THE ABILITY TO WALK AND PERSONS WITH BLINDNESS.** The bill would have required the Department of Motor Vehicles (DMV) to conduct a pilot program and study on the enforcement of handicapped parking by civilian volunteers. The bill died in the Senate.

**SB-410 AN ACT CONCERNING PERSONS WHO TRANSPORT PATIENTS OR CLIENTS UNDER THE CARE, CONTROL OR CUSTODY OF A STATE AGENCY.** This bill would have required state agency employees who transport patients or clients under the agency's care, custody, or control to be trained in the proper method of safely transporting them. It would have barred a state employee convicted of certain motor vehicle violations from transporting patients or clients for at least one year. It would have established a cost-sharing pilot program for state employee license checks in which the Department of Motor Vehicles (DMV) would have been required to provide the departments of Developmental Services (DDS) and Transportation (DOT) with the motor vehicle records of 50 of their employees. The bill died in the Appropriations Committee.

**S.B. No. 418 AN ACT CONCERNING AUDIT OF THE STATE'S TELECOMMUNICATIONS EXPENSES.** The bill would have required the state auditors to perform an audit of the state's telecommunications expenses. The bill died in the House.

**SB-422 AN ACT CONCERNING THE DEPARTMENT OF ADMINISTRATIVE SERVICES' PILOT PROGRAM.** This bill would have extended, from four to seven years, the duration of a Department of Administrative Services (DAS) pilot program to create and expand janitorial work opportunities for disabled or disadvantaged people. Target employees included people with disabilities, except blindness, and those with a disadvantage. The bill died in the Senate. Provisions of the bill concerning the pilot program were included in **HB-5516 (Public Act 10-189) AN ACT CONCERNING A PILOT PROGRAM OF THE DEPARTMENT OF ADMINISTRATIVE SERVICES.**

**SB-424 ACT CONCERNING AGENCY CONSOLIDATION AND THE CREATION OF THE HEALTH AND HUMAN SERVICES CONSOLIDATION STEERING COMMITTEE AND THE EXTENSION OF A PILOT PROGRAM.** This bill would have established the Health and Human Services Consolidation Steering Committee to develop a five-year plan for consolidating five executive branch agencies into a new department of human services. The agencies to be consolidated were the departments of Public Health (DPH), Developmental Services (DDS), Children and Families (DCF), Mental Health and Addiction Services (DMHAS), and Social Services (DSS). The bill would have required the plan to (1) provide for the transfer of all state employees affected, (2) prohibit any layoffs of these employees, and (3) ensure that the agencies' programs were not affected. The Senate recommitted the bill to the Government Administration and Elections Committee.



**S.B. No. 447 AN ACT CONCERNING THE APPOINTMENT OF A GUARDIAN AD LITEM FOR AN ADULT WHO IS SUBJECT TO A CONSERVATORSHIP OR A CONSERVATORSHIP**

**PROCEEDING** This bill would have provided that a person who is subject to a proceeding to appoint a conservator or who has been appointed a conservator shall not be appointed a guardian ad litem in a probate, family or other proceeding, except for the limited purpose of determining the person's preferences. The bill died in the House.

**SB-453 AN ACT CONCERNING THE STATE'S REGULATORY ENVIRONMENT.** Among its various provisions, this bill would have required all state agencies to use regulatory methods to mitigate the adverse impact of proposed regulations on small businesses and "minor and less complex activities." "Minor and less complex activities" are defined as "activities that do not require a high level of government oversight, but that may be included unnecessarily in the requirements imposed by a regulation aimed at a larger and more complex activity and necessary for the public health and safety." The bill also would have required the Legislative Program Review and Investigations Committee to study how the state's regulations affect businesses. The bill died in the Appropriations Committee.

**SB-467 AN ACT ESTABLISHING THE LEAN GOVERNMENT STEERING COMMITTEE.** The bill would have established a Lean Government Steering Committee, and appointed the Secretary of the Office of Policy and Management to serve on the committee. The bill would have required the Connecticut Center for Advanced Technology (CCAT), a non-profit organization, to assist the committee. For purposes of this bill "lean techniques" were defined as a method of improving administrative processes that (1) is based upon a focus on a customer service perspective that seeks to optimize value delivered to the public, (2) involves employees, the regulated community and the public in continual improvements and the finding of solutions, (3) uses a continual improvement framework that emphasizes rapid implementation rather than lengthy planning, (4) seeks to reduce the complexity of the process, and (5) uses metrics and visual controls to improve decision making and problem solving. The bill died in the Senate.

**SB-468 AN ACT CONCERNING THE DEPARTMENT OF PUBLIC WORKS AND A REPORT OF UNEXPENDED BOND PROCEEDS.** This bill would have required any state department, institution, or agency responsible for a bond-funded construction project that (1) the Department of Public Works administers and (2) is estimated to cost over \$10,000 to submit copies of an annual report on unexpended bond proceeds, currently submitted to the Finance, Revenue and Bonding Committee, to the Senate and House clerks, State Library, and Office of Legislative Research. The report includes information filed with the Bond Commission on project costs, the amount held in retainage, and the amount of the unspent bond allotment. The bill died in the Senate.

**SB-469 AN ACT CONCERNING THE COMMISSION ON ENHANCING AGENCY OUTCOMES.** The bill would have required the Commission on Enhancing Agency Outcomes to submit an additional report on state government efficiency and accountability to the Government Administration and Elections Committee by December 31, 2011. The bill died in the Senate.

**SB-473 AN ACT CONCERNING STATE CONTRACTING, A PILOT PROGRAM AND THE PREQUALIFICATION OF CONTRACTORS.** The original bill would have allowed a private service provider with a state agency contract that has been reduced by three per cent (3%) or more during any fiscal year to adjust its budget expenditures in an amount equal to the funding reduction without the state agency's approval. The bill as amended dealt with contracting by the Department of Transportation (DOT). The bill died in the Transportation Committee. The provision of the original bill concerning the pilot program was included in **HB-5516 (Public Act 10-189) AN ACT CONCERNING A PILOT PROGRAM OF THE DEPARTMENT OF ADMINISTRATIVE SERVICES.**

**SB-478 AN ACT CONCERNING CHANGES TO THE ESTATE AND GIFT TAX, THE HOSPITAL TAX AND THE ATTORNEYS' OCCUPATIONAL TAX.** This bill, among several provisions, would have: 1. imposed a 5.5% tax on hospital gross earnings and, for four years, required \$20 million of the annual revenue collected to be redistributed to hospitals to mitigate their losses; and 2. transferred hospital disproportionate share (DSH) funds within the Department of Social Services budget to increase each hospital's Medicaid rate to fully offset the DSH transfer. The bill died in the Senate.

**HB-5009 AN ACT CONCERNING WELLNESS PROGRAMS AND EXPANSION OF HEALTH INSURANCE COVERAGE.** This bill, among various provisions, would have (1) required health insurance policies to cover, subject to specified conditions, prosthetic devices and human leukocyte antigen (bone marrow) testing and (2) prohibited insurers from charging an insured person for a second or subsequent colonoscopy a physician orders for him or her in a policy year. The bill also would have expanded insurance coverage for (1) medically necessary ostomy appliances and supplies; and (2) children's hearing aids, requiring coverage for children under age 19, instead of under age 13. The bill also would have broadened the applicability of several health insurance benefits required by law, including ostomy supplies, treatment of tumors and leukemia, reconstructive surgery, non-dental prostheses, chemotherapy, and wigs for chemotherapy patients. The bill died in the House.

**HB-5013 AN ACT ESTABLISHING A CATASTROPHIC MEDICAL EXPENSES POOL.** This bill would have established (1) the Catastrophic Medical Expenses Advisory Commission and (2) a catastrophic medical expenses pool to reimburse or pay for certain medical and related expenses incurred for a child age 18 or younger when the family's expenses exceed a specified percentage of income. The healthcare advocate would have administered the pool with the commission's advice. The bill would have established the catastrophic medical expenses account as a separate, non-lapsing account within the Insurance Fund. To fund the account, the bill would require Connecticut health insurers, HMOs, other entities issuing individual or group health insurance, and third party administrators to collect a fee of \$1 per person covered under health insurance policies and plans. It would have required the social services commissioner to apply for any available federal matching funds. The bill died in the House.

**H.B. No. 5016 AN ACT MAKING DEFICIENCY APPROPRIATIONS FOR THE FISCAL YEAR ENDING JUNE 30, 2010** The bill would have reduced appropriations in the General Fund and Special Transportation Fund and would have increased appropriations by the same amounts in each fund and was intended to deal with a portion of certain agency's shortfalls in funding. The bill died in the House.

**HB-5018 AN ACT MAKING ADJUSTMENTS TO STATE EXPENDITURES FOR THE FISCAL YEAR ENDING JUNE 30, 2011.** The Governor's Recommended budget bill would have made overall net adjustments of \$345.7 million to the state's fiscal year 2011 (FY11) appropriations. Details of the bill concerning the DDS recommended budget may be found in the "[Budget Bills](#)" section of this summary.

**HB-5058 AN ACT CONCERNING THE RIGHT TO ORGANIZE FOR CERTAIN STATE EMPLOYEES.** The bill would have permitted more state employees to join unions by providing collective bargaining rights to state managers and certain State Capitol Police employees. It also would have created the title "bureau head," and exempted bureau heads from collective bargaining, and limited how many of these positions can be in a department or agency. The bill died in the House.

**HB-5068 AN ACT CONCERNING AMENDMENTS TO THE MEDICAID STATE PLAN.** Current law requires the Commissioner of Social Services to notify the Human Services and Appropriations committees before submitting a proposed Medicaid state plan amendment to the federal government for approval. This bill would have required (1) the notice to be in writing and (2) the commissioner to submit a copy of the amendment

to the committees, at least 10 days before submitting the proposed amendment for federal approval. The bill died in the House.

**HB-5070 AN ACT CONCERNING THE DEBT SERVICE LINE ITEM IN THE STATE BUDGET.** The bill would have required the Office of the State Treasurer to produce an annual report that itemized the amount of the General Fund debt service appropriation that is attributable to each state agency. The bill died in the House.

**HB-5087 AN ACT CONCERNING FISCAL NOTES.** This bill would have required the Office of Fiscal Analysis (OFA) to provide a fiscal note at least 24 hours before a legislative committee meets to take final action on any bill that may require state or municipal spending or affect state or municipal revenue in the current fiscal year or any of the five following fiscal years. The requirement would have applied only to bills considered by joint standing committees but would not have applied to select committee bills or bills with proposed substitute language. The bill also would have expanded the required information in fiscal notes to include, where applicable, the number of public sector jobs a bill would create in the current and the five following fiscal years. The bill died in the House.

**HB-5090 AN ACT REGULATING THIRD-PARTY ADMINISTRATORS AND RATE APPROVALS FOR CERTAIN HEALTH INSURANCE POLICIES.** This bill would have established a new rate approval process for individual health insurance companies, HMOs, and hospital and medical service corporations. The bill died in the Senate.

**HB-5110 AN ACT CONCERNING CRIMINAL BACKGROUND CHECKS FOR EMPLOYEES OF HOMEMAKER-COMPANION AGENCIES AND HOME HEALTH AGENCIES.** The bill would have: 1. required a homemaker-companion agency applicant to submit to state and national criminal history record checks; 2. allowed the Department of Consumer Protection (DCP) commissioner to revoke, suspend, or deny registration certificates if a homemaker-companion agency fails to perform a comprehensive background check of any applicant for employment; and 3. required home health agency employees hired on or after October 1, 2010 to submit to a comprehensive background check, sign a written form regarding prior disciplinary action, and face a penalty for making a false statement. The bill died in the Senate.

**HB-5111 AN ACT CONCERNING THE ALZHEIMER'S RESPITE CARE PROGRAM.** This bill would have removed the requirement that the Department of Social Services (DSS) operate an Alzheimer's respite care program within available appropriations. Because DSS is required to operate this program, the bill would have required it to reallocate funds from other programs or incur a deficiency. The Alzheimer's respite care program provides funds (up to \$3,500 a year) for homemaker, companion, adult day care, home-health, or personal care assistant services or out-of-home care that permits people to take time off from caring for individuals with Alzheimer's disease. The bill died in the House.

**HB-5130 AN ACT CONCERNING CHILD SAFE PRODUCTS.** This bill would have phased out the use of certain chemicals in children's products. It authorized the Department of Public Health (DPH), in consultation with other agencies, to adopt regulations establishing a list of priority chemicals that are of high concern to children's health and development. The bill defined "priority chemicals" as those identified by a state or federal agency, accredited research university, or through scientific research as known to have one or more of the following characteristics: (1) causes cancer, genetic damage, or reproductive harm; (2) disrupts the endocrine system; (3) is persistent, bio-accumulative, and toxic; or (4) is very persistent and very bio-accumulative. The bill died in the House.

**HB-5145 AN ACT CONCERNING AN INCREASE IN THE AMOUNT OF FEDERAL FUNDS RECEIVED BY STATE AGENCIES.** The bill would have required the Commissioners of Social Services,

Children and Families, Mental Health and Addiction Services, and Developmental Services to each submit a plan to the Human Services and Appropriations Committees detailing ways each department would increase the amount of federal funding the department receives in the fiscal year 2011. The bill died in the Appropriations Committee.

**HB-5245 AN ACT CONCERNING A REPORT ON THE PRIVATIZATION OF GROUP HOMES.** The bill would have required the Department of Developmental Services (DDS) to provide the General Assembly with a report comparing the cost and services of group homes operated by DDS and those operated by private providers. The bill died in the House.

**HB-5258 AN ACT IMPLEMENTING THE RECOMMENDATIONS OF THE PROGRAM REVIEW AND INVESTIGATIONS COMMITTEE CONCERNING SCOPE OF PRACTICE DETERMINATIONS FOR HEALTH CARE PROFESSIONS.** This bill would have established a formal process for the submission and review of requests from health care professions seeking to revise their existing scope of practice or to establish a new scope of practice prior to consideration by the General Assembly. Under the bill, scope of practice review committees would review and evaluate scope of practice requests and provide written assessments to the Public Health Committee, including any legislative recommendations. The bill died in the House.

**HB-5271 AN ACT CONCERNING ACCESS TO RECORDS OF THE DEPARTMENT OF CHILDREN AND FAMILIES.** This bill would have expanded the parties to whom the Department of Children and Families (DCF) would be required to disclose its otherwise confidential records without the consent of the person named in the record. It also would have expanded the list of parties to whom DCF may, at its discretion, disclose records without consent. It made some of the disclosures that are mandatory under current law, discretionary and others that are currently discretionary, mandatory. The bill died in the House.

**HB-5307 AN ACT CONCERNING THE FILLING OF PRESCRIPTIONS FOR ANTIPILEPTIC DRUGS.** This bill would have prohibited retail pharmacists from substituting any alternative for a drug prescribed to treat epilepsy or prevent seizures without the prior written approval of the prescribing practitioner. The law already permits a prescriber to tell a pharmacist not to substitute a generic name drug for any brand name one. The bill died in the House.

**HB-5323 AN ACT REQUIRING STATE AGENCY AND CONTRACTOR AFFIRMATIVE ACTION PLANS TO BE SUBMITTED TO THE DEPARTMENT OF ADMINISTRATIVE SERVICES.** The bill, among several provisions, would have transferred, from the Commission on Human Rights and Opportunities (CHRO) to the Department of Administrative Services (DAS), responsibility for reviewing, approving, and monitoring affirmative action plans submitted by state agencies (departments, boards, commissions, agencies), and contractors and bidders. The bill specified that affirmative action plans would not be developed in cooperation with CHRO or be subject to CHRO regulations, and it would have removed from CHRO the responsibility for providing training and technical assistance to affirmative action officers in developing and implementing a plan. The bill eliminated the requirement to file the affirmative action plans with CHRO and instead (1) would have required plans to be filed electronically with DAS, (2) would have reduced the frequency with which state agencies must file their plans, and (3) would have allowed these entities to file a federal affirmative action plan with DAS instead of a separate state plan. The bill died in the House.

**HB-5325 AN ACT CONCERNING THE ELECTRONIC SUBMISSION OF REPORTS.** This bill would have required state agencies and task forces, commissions, and committees to electronically submit their reports and would have removed the state librarian's authority to require multiple hard copy submissions of a report. The bill died in the House.

**HB-5327 AN ACT EXPANDING CERTAIN REVERSE AUCTION AUTHORITY TO THE PURCHASE OF CERTAIN SERVICES BY MUNICIPALITIES, SCHOOL DISTRICTS AND STATE AGENCIES.** This bill would have expanded the use of reverse auctions by state agencies, political subdivisions of the state, and school districts. It would have allowed these entities to use reverse auctions to award service contracts that would be performed by someone other than the contracting entity's employees. The bill died in the Education Committee.

**HB-5329 AN ACT CONCERNING REIMBURSEMENT RATES TO PHYSICIANS WHO PROVIDE EMERGENCY ROOM SERVICES TO MEDICAID RECIPIENTS.** This bill would have required the Department of Social Services (DSS) to pay a rate to an emergency room physician who (1) provides professional services to a Medicaid beneficiary in the emergency room of a hospital, and (2) does not receive a salary or subsidy to provide these services in the hospital, that would be separate and distinct from the rate provided to such hospital for the provision of services. Under current DSS policy, DSS pays hospitals a global, all-inclusive rate when a Medicaid recipient goes to the ER and is subsequently admitted to the hospital. This rate, which covers each 24-hour period the patient is in the hospital, includes the time spent in the ER and all emergency services rendered. DSS pays separate rate for professional services rendered in an ER when the patient is not admitted. The bill died in the Appropriations Committee.

**H.B. No. 5346 AN ACT IMPLEMENTING THE RECOMMENDATIONS OF THE PROGRAM REVIEW AND INVESTIGATIONS COMMITTEE CONCERNING THE WELL-BEING OF ALL CONNECTICUT CHILDREN AND REQUIRING AN ANNUAL REPORT CARD EVALUATING STATE POLICIES AND PROGRAMS IMPACTING CHILDREN.** The bill would have required the offices of Fiscal Analysis and Legislative Research and the Commission on Children to help the Children's Committee to develop an annual report card evaluating the progress of state policies and programs in promoting the result that all Connecticut children grow up safe, healthy, and ready to lead successful lives. The committee would have been required to use as primary indicators of child well-being: (1) statewide rates of child abuse, child poverty, low birth-weight, and third-grade reading proficiency and (2) the Commission on Children's annual social health index. The bill died in the Senate.

**HB-5348 AN ACT IMPLEMENTING ADDITIONAL RECOMMENDATIONS OF THE PROGRAM REVIEW AND INVESTIGATIONS COMMITTEE CONCERNING RETALIATION FOR WHISTLEBLOWER COMPLAINTS.** This bill would have expanded current protections for whistleblowers and would have established new ones. It would have (1) extended, from one to two years after reporting misconduct, the period during which there is a rebuttable presumption that negative personnel actions against whistleblowers are retaliatory; (2) extended, from 30 to 90 days, the time whistleblowers have to file complaints of retaliation; and (3) expanded the rebuttable presumption to protect individuals retaliated against for making internal disclosures, such as a disclosure to a supervisor. The bill died in the House.

**HB-5354 AN ACT TO PROVIDE INCENTIVES FOR HOSPITALS TO ADOPT ELECTRONIC HEALTH RECORDS.** This bill would have removed the Public Health Department's statutory designation as the state's lead health information exchange (HIE) organization and its specific authority to seek federal funds available under the American Recovery and Reinvestment Act of 2009 (ARRA) for initial development of a statewide health information exchange. The bill would not have changed DPH's responsibility to (1) seek federal and private funds for this activity and (2) use any funds it receives to establish health information technology (HIT) pilot and grant programs. The bill also would have required the Department of Social Services (DSS) commissioner to take whatever action the DPH commissioner deems needed to meet federal criteria to qualify for Medicaid funds for (1) DSS health information technology planning activities and (2) incentive payments to hospitals and health professionals. The bill died in the House.

**HB-5356 AN ACT CONCERNING PURCHASE OF SERVICE CONTRACTS.** The bill would have required the Office of Policy and Management to issue a report and make recommendations on human services purchase of service contracts. The bill died in the House.

**HB-5394 AN ACT INCREASING THE AMOUNT OF UNAPPROPRIATED SURPLUS DEPOSITED IN THE BUDGET RESERVE FUND.** The bill would have increased, from ten to fifteen percent of the net General Fund appropriations for the fiscal year in progress, the maximum amount that may be deposited in to the Budget Reserve “Rainy Day” Fund. The bill died in the House.

**HB-5403 AN ACT CONCERNING REVISIONS TO THE CODE OF ETHICS.** This bill would have made numerous changes to the State Code of Ethics. Among its many provisions, the bill would have raised the income and expenditure thresholds that require a person to register as a lobbyist and specifies that only people who lobby within the scope of regular employment must register. The bill also would have made contractors, consultants, and certain other people who violate the law on unethical bidding or contracting practices to advance their own financial interests liable for damages in the amount of the financial advantage. The bill would have expanded the grounds for contractor disqualification by the State Contracting Standards Board (SCSB) but accorded contractors, potential contractors, and consultants due process before they are prohibited from bidding on state contracts because of alleged past unethical bidding practices. The bill died in the House.

**HB-5411 AN ACT CONCERNING MEDICAID.** This bill would have made several changes in the Medicaid law including: 1. restoring coverage for podiatry as a Medicaid state plan covered service; 2. extending the deadline for the Department of Social Services (DSS) to amend the state plan to include smoking cessation coverage; 3. requiring DSS to apply for a Medicaid waiver to get federal Medicaid matching funds for all or a portion of the state-funded portion of the Connecticut Home Care Program for Elders; and 4. making changes in the statutory language to more accurately reflect the Medicaid Managed Care Council's activities. The bill died in the Appropriations Committee.

**HB-5415 AN ACT CONCERNING EXPENDITURES OF THE GENERAL FUND.** The bill would have required the Office of Fiscal Analysis to review certain expenditures and submit its findings to the Appropriations Committee on or before May 1, 2010. The bill died in the House.

**HB-5417 AN ACT CONCERNING AN OPEN SPACE REGISTRY, THE IDENTIFICATION OF OPEN SPACE FOR ACQUISITION AND THE RECORDING OF CERTAIN OPEN SPACE RESTRICTIONS.** This bill, among several provisions, would have required the Environmental Protection (DEP) and Agriculture departments, in consultation with each municipality's chief elected official and with the option to consult with the Farmland Preservation Advisory Board, to develop a registry of the state's preserved open space and agricultural land, including property identified for preservation. The bill also would have required the Natural Heritage, Open Space and Watershed Land Acquisition Review Board to make recommendations to the DEP commissioner concerning the department's duty to develop priorities for acquiring land for preservation. The bill died in the House.

**HB-5427 AN ACT CONCERNING THE OFFICE OF THE SECRETARY OF THE STATE, BUSINESS ENTITY FILINGS AND THE OFFICE OF STATE ETHICS.** This bill, among its numerous provisions, would have eliminated requirements of the Secretary of the State concerning (1) the distribution of favorably reported bills and public acts, (2) the certification of the amount and purpose of legislative appropriations, and (3) the purchase of a certificate of mailing for notices of special and reconvened sessions. The bill died in the Senate.

**HB-5430 AN ACT CONCERNING THE TRANSFER OF CHILDREN AND YOUTH FROM OUT-OF-STATE RESIDENTIAL FACILITIES TO THERAPEUTIC GROUP HOMES AND OTHER FACILITIES IN THE STATE.** This bill would have required the Department of Children and Families (DCF) to submit a plan for transferring children and youth in DCF custody living in residential facilities outside Connecticut back to Connecticut. In developing the plan, the bill would have required the DCF commissioner to consult with (1) private providers of services in therapeutic group homes and other state-licensed facilities and (2) the commissioners of Mental Health and Addiction Services, Developmental Services, and Public Health. This plan would be submitted to the Human Services, Public Health, and Appropriations committees. The bill defined a “therapeutic group home” as a residential facility licensed by DCF or DDS that serves fewer than 10 children and youth who (1) have behavioral and other health care or social needs and (2) require clinical and other support services to transition to a family setting or independent living. The bill died in the House.

**H.B. No. 5457 AN ACT ENHANCING PENALTIES FOR HARM TO VULNERABLE USERS OF A PUBLIC WAY.** The bill as amended in the Judiciary Committee would have protected vulnerable users of a public way, including those persons using wheelchairs, by enhancing penalties for operators of motor vehicles whose careless driving causes serious physical injury or death to a pedestrian, bicyclist or other vulnerable user of a public way. The bill died in the Senate.

**HB-5510 AN ACT CONCERNING THE DISPOSITION OF SURPLUS STATE PROPERTY.** This bill would have made several changes to the state's surplus property disposition process. It would have required state agencies to give the Office of Policy and Management (OPM) written notice six months before they anticipate that they would no longer need property in their custody and control. It would have required OPM to notify a regional planning organization of an available property in its region and allowed that organization to make recommendations concerning the property's use. It would have authorized the Department of Economic and Community Development, in deciding whether to seek control and custody of an available property, to consider its potential economic development uses. It also would have required OPM, before declaring a property as surplus, to obtain an economic cost-benefit analysis. Lastly, it would have allowed the Finance and Government Administration and Elections committees to make recommendations concerning the proposed uses of surplus property. The bill died in the Finance, Revenue and Bonding Committee.

**HB-5514 AN ACT CONCERNING STATE AGENCY REPORTS.** The bill would have removed the requirement that a task force, commission, or committee appointed by the Governor, the General Assembly, or both and required to report its findings file as many copies with the state librarian as it and the librarian jointly agree are appropriate and instead would have required that only one copy be filed with the library. The bill died in the House.

**H.B. No. 5520 AN ACT CONCERNING THE CONVEYANCE OF CERTAIN PARCELS OF STATE LAND.** The bill would have facilitated the conveyance of certain parcels of state land to municipalities. The bill died in the Senate.

**HB-5534 AN ACT ESTABLISHING A REVENUE ACCOUNTABILITY COMMISSION.** This bill would have established a 19-member Revenue Accountability Commission to review the adequacy, equity, balance, simplicity, economic competitiveness, effectiveness, and efficiency of the state's revenue structure and recommend improvements. It would have allowed the Department of Revenue Services' (DRS) commissioner to disclose tax returns or return information to the Office of Fiscal Analysis (OFA) so that office could convert the data for the commission's purposes into a form that would not permit individual taxpayers to be identified. The commission's first report would have included the commission's recommended options for tax, exemption, rate, and tax base changes necessary to raise revenue to balance the state budget. The second report would have contained the commission's findings, including recommendations for a more permanent and sustainable source of ongoing reviews of the state's revenue structure. The bill died in the Senate.

***BILLS THAT WERE NOT REPORTED OUT OF COMMITTEE AND DID NOT PASS:***

**S.B. No. 30 AN ACT CONCERNING LEGISLATIVE AND JUDICIAL RECORDS AND CONCERNING THE FREEDOM OF INFORMATION ACT EXEMPTION FROM DISCLOSURE FOR PRELIMINARY DRAFTS OR NOTES.** The bill would have allowed an exemption from disclosure under the Freedom of Information Act of preliminary drafts or notes provided, (A) for each specific request for disclosure, the public agency has made an individual determination that the public interest in withholding such documents clearly outweighs the public interest in disclosure, and (B) any denial of a request for such documents references such specific request and would not be a general statement of public agency policy against disclosure of such documents. The bill died in the Government Administration and Elections Committee.

**Proposed S.B. No. 113 AN ACT CREATING TAX CREDITS FOR EMPLOYERS WHO HIRE DISABLED PERSONS.** The bill would have established a credit against the tax imposed on any employer, corporation or organization which employs disabled persons. The bill died in the Commerce Committee.

**Proposed S.B. No. 134 AN ACT CONCERNING THE SALE OF THE FORMER SEASIDE REGIONAL CENTER PROPERTY.** The bill would have required the Department of Public Works to sell the former Seaside Regional Center property at a cost equal to the fair market value of the property. The bill died in the Government Administration and Elections Committee.

**S.B. No. 169 AN ACT REQUIRING EMPLOYERS TO CITE A REASON FOR TERMINATION OF THEIR EMPLOYEES.** The bill would have required that an employer provide a reason, in writing, for terminating an employee. The bill died in the Labor and Public Employees Committee.

**S.B. No. 171 AN ACT ESTABLISHING A LICENSED PRACTICAL NURSE PROGRAM.** The bill would have re-established a part-time licensed practical nurse programs at the regional vocational-technical schools. The bill died in the Appropriations Committee.

**S.B. No. 222 AN ACT CONCERNING COMPLAINTS PENDING IN THE DEPARTMENT OF PUBLIC HEALTH AGAINST PHYSICIANS AND CERTAIN OTHER HEALTH CARE PROVIDERS AND ESTABLISHING A MEDIATION PROGRAM FOR MEDICAL MALPRACTICE ACTIONS.** The bill would have (1) permitted a person who files a complaint with the Department of Public Health alleging incompetence, negligence, fraud or deceit by a health care provider to obtain information about the status of the complaint, notice of any scheduled hearing or proposed consent order with respect to the complaint, and notice of the final disposition of the complaint, and (2) established a mediation program for medical malpractice actions. The bill died in the Judiciary Committee.

**S.B. No. 230 AN ACT CONCERNING THE VIDEOTAPING OF CUSTODIAL INTERROGATIONS.** The bill would have required that statements made by a person during a custodial interrogation at a place of detention to be presumed inadmissible unless the custodial interrogation were electronically recorded thereby improving the reliability of confessions. The bill died in the Judiciary Committee.

**S.B. No. 240 AN ACT CONCERNING THE E-VERIFY PROGRAM.** The bill would have required any employer who employs fifty or more persons in the state to register with and utilize the federal electronic employment authorization program known as "E-Verify" or any successor program to verify the work eligibility status of each newly hired employee. The bill died in the Labor and Public Employees Committee.

**S.B. No. 282 AN ACT CONCERNING IMPLEMENTATION OF AN ATTENDANCE-BASED RATE SYSTEM BY THE DEPARTMENT OF DEVELOPMENTAL SERVICES.** The bill would have prohibited



the Department of Developmental Services from implementing an attendance-based reimbursement system until the advisory committee for reimbursements for services under programs administered by the Department of Developmental Services had completed its work. The bill died in the Human Services Committee.

**S.B. No. 356 AN ACT CONCERNING MONTHLY REPORTS ON PERSONNEL STATUS FOR STATE AGENCIES.** The bill would have provided the Office of Fiscal Analysis with state agency personnel data, including the positions that are vacated and filled each month. The bill was merged into **SB-359 AN ACT CONCERNING REPORTING BY STATE AGENCIES** by the Appropriations Committee.

**S.B. No. 358 AN ACT CONCERNING RESULTS-BASED ACCOUNTABILITY.** The bill would have required budgeted state agencies to designate a results-based accountability liaison to the General Assembly. The bill died in the Appropriations Committee.

**S.B. No. 472 AN ACT CONCERNING STATE AGENCY PERMISSIVE IN-STATE CONTRACTING PREFERENCES AND A PILOT PROGRAM FOR JANITORIAL EMPLOYEES.** The bill would have allowed state contractors to adjust their bid to deduct the amount of state income taxes that would be paid by those employed on the project, and to provide that if the aggregate amount actually paid to such employees is less than projected, the amount paid to the contractor would reflect such difference, and to extend the term of the pilot program for janitorial work for disadvantaged or disabled persons from four years to seven years. The bill died in the Government Administration and Elections Committee. The provision of the original bill concerning the pilot program was included in **HB-5516 (Public Act 10-189) AN ACT CONCERNING A PILOT PROGRAM OF THE DEPARTMENT OF ADMINISTRATIVE SERVICES.**

**S.B. No. 477 AN ACT CONCERNING A TAX CREDIT FOR MAKING JOBS ACCESSIBLE TO EMPLOYEES WITH AUTISM SPECTRUM DISORDERS.** The bill would have provided a tax credit to employers to defray the cost of a job coach for a period of two years for an employee with autism spectrum disorders. Also, the DDS's Division of Autism Spectrum Services would have been required to provide corporations with guidelines on hiring and supporting persons with autism spectrum disorders and appropriate training for job coaches. The bill died in the Finance, Revenue and Bonding Committee.

**H.B. No. 5017 AN ACT CONCERNING THE GOVERNOR'S RESCISSION AUTHORITY.** The bill would have added additional tiers to the Governor's rescission authority to address deep budget shortfalls. The bill would have allowed the Governor to rescind up to 10% of any appropriation or 6% of any fund if the Comptroller projects a deficit of more than 3% but less than 5% of the General Fund, and up to 15% of any appropriation or 10% of any fund if the state deficit is projected to be 5% or more of the General Fund. The bill died in the Appropriations Committee.

**H.B. No. 5019 AN ACT CONCERNING THE BUDGET RESERVE FUND.** The bill would have required that 50% of any surplus projected by the Comptroller in the cumulative monthly financial statements for January or May be immediately deposited into the Budget Reserve "Rainy Day" Fund. The bill died in the Appropriations Committee.

**H.B. No. 5061 AN ACT ELIMINATING CREDIT REPORTS AS A BASIS FOR EMPLOYMENT DECISIONS.** The bill would have prohibited an employer from requiring an employee or prospective employee to consent to the creation of a credit report that contains information about the employee's or prospective employee's credit score, credit account balances, payment history, savings or checking account balances or savings or checking account numbers as a condition of employment unless (1) the report is substantially related to the employee's current or potential job, (2) the report is required by law, or (3) the employer reasonably believes that the employee has engaged in specific activity that constitutes a violation of the law. The bill died in the Judiciary Committee.

**H.B. No. 5062 AN ACT CONCERNING COLLECTIVE BARGAINING, PENSIONS AND HEALTH CARE.** The bill would have required the Labor Commissioner to report on the status of collective bargaining, pensions, and health care in the state. The bill died in the Labor and Public Employees Committee.

**Proposed H.B. No. 5142 AN ACT CONCERNING CONSOLIDATION OF SERVICES PROVIDED BY PRIVATE ORGANIZATIONS.** The bill would have required the Department of Social Services and other state agencies that contract for services with private providers to consolidate services to eliminate excessive administrative costs resulting from the number of such providers so as to attain greater efficiencies and cost containment in the delivery of services by private nonprofit providers. The bill died in the Human Services Committee.

**Proposed H.B. No. 5167 AN ACT CONCERNING THE RECENT INCREASE IN STATE FEES.** The bill would have repealed the fee increases implemented as part of the 2010-2011 biennial budget and would have had the fees be evaluated as of the last time they were increased in order to index the amount of the fees to present day values through the application of the consumer price index, provided that no fee be increased by more than one hundred per cent. The bill died in the Commerce Committee.

**H.B. No. 5203 AN ACT CONCERNING STATE SERVICE RETIREMENT CREDIT AND TEACHERS' RETIREMENT CREDIT.** The original raised bill would have required, upon determination by the State Employees Retirement Commission that a member received an estimate of benefits statement from the commission that contained a material error, the board to either (1) pay such member the benefits set forth in such estimate, or (2) allow the member to return to such member's previous employment position, if the board determines that such member, in reliance upon such material error, irrevocably submitted (A) his or her resignation to his or her employer, and (B) a formal application of retirement to his or her employer. For this bill, "material error" would have meant an error that amounts to a difference of ten per cent or greater between a member's estimated retirement benefits and the actual retirement benefits to which such member is entitled. The bill died in the Appropriations Committee.

**H.B. No. 5234 AN ACT PREVENTING A LABOR ORGANIZATION FROM WAIVING AN EMPLOYEE'S RIGHT TO BRING A CIVIL ACTION FOR A CIVIL RIGHTS VIOLATION AGAINST AN EMPLOYER.** The bill would have prevented labor organizations from bargaining away the rights of an employee to bring a civil action for an employer's violation of the employee's civil rights. The bill died in the Labor and Public Employees Committee.

**H.B. No. 5285 AN ACT CONCERNING STATE EMPLOYEES AND VIOLENCE AND BULLYING IN THE WORKPLACE.** The bill would have required the Department of Administrative Services to report annually the number of complaints of bullying or abusive conduct involving state employees and the outcomes of such complaints to the Governor and the Labor and Public Employees Committee. The report would have included recommendations for administrative or legislative action related to such complaints. The bill died in the Government Administration and Elections Committee.

**H.B. No. 5195 AN ACT CONCERNING THE REHIRING OF RETIRED STATE EMPLOYEES.** The bill would have limited a retired state employee from being rehired by the state to a single period of 120 calendar days in order to ensure jobs are available to new prospective state employees. The bill died in the Labor and Public Employees Committee.

**H.B. No. 5299 AN ACT CONCERNING THE STREAMLINING OF THE UNEMPLOYMENT COMPENSATION APPEALS PROCESS.** The bill would have reduced the number of appeals in the unemployment compensation system by one level by eliminating the appeal to the Employment Security Board

of Review and allowing the appeal to go directly to the Superior Court, so as to streamline the process and provide a quicker final determination for both the claimant and employer. The bill died in the Labor and Public Employees Committee.

**H.B. No. 5331 AN ACT AUTHORIZING MUNICIPALITIES TO JOIN IN STATE CONTRACTS FOR THE PURCHASE OF SERVICES.** The bill would have allowed a state agency to include a provision in any contract for the purchase of services requiring the contractor to offer the same services to municipalities at the same cost set forth in the contract with the state agency. The bill died in the Planning and Development Committee.

**H.B. No. 5334 AN ACT CONCERNING THE STREAMLINING OF STATE GRANTS.** The bill would have required the Secretary of the Office of Policy and Management to implement policies and procedures to increase efficiencies and expedite the approval and distribution process for state grants to ensure prompt release of state grant funds. The bill died in the Planning and Development Committee.

**H.B. No. 5366 AN ACT CONCERNING THE DISQUALIFICATION OF STATE CONTRACTORS.** The bill would have allowed the Commissioners of Public Works and Transportation to extend from two to five years the period that a state contractor may be disqualified. The bill died in the Government Administration and Elections Committee.

**H.B. No. 5375 AN ACT CONCERNING BUSINESS ENTITY FILINGS.** The bill would have made revisions concerning the timing and manner of the filing of annual reports and other documents with the Secretary of the State by domestic and foreign corporations, limited partnerships, limited liability companies, limited liability partnerships and statutory trusts. The bill died in the Judiciary Committee.

**H.B. No. 5380 AN ACT CONCERNING THE SEXUAL ASSAULT OF PERSONS PLACED OR TREATED UNDER THE DIRECTION OF THE COMMISSIONER OF DEVELOPMENTAL SERVICES.** This bill, which was proposed by the Department of Developmental Services, would have clarified the classification of second-degree sexual assault for people to have sexual intercourse and fourth-degree sexual assault for them to have sexual contact with anyone placed or treated in a public or private facility or program by the developmental services commissioner if they have supervisory or disciplinary authority over the person. Second-degree sexual assault is a class C felony unless the victim is under age 16 in which case it is a class B felony. Fourth-degree sexual assault is a class A misdemeanor unless the victim is under age 16 in which case it is a class D felony. The bill died in the Judiciary Committee.

**H.B. No. 5390 AN ACT CONCERNING FISCAL REFORMS.** The bill would have required the Office of Fiscal Analysis (OFA) to review the operation, administration and management of the programs and services administered or provided by state agencies in order to evaluate the cost effectiveness of these programs and services. OFA would have been required to submit recommendations to increase cost effectiveness and fiscal efficiencies for state agencies to the Appropriations Committee. The bill died in the Appropriations Committee.

**H.B. No. 5395 AN ACT CONCERNING BENCHMARKS FOR STATE-FUNDED PROGRAMS AND SERVICES.** The bill would have required the Office of Policy and Management to establish benchmarks to measure the effectiveness of state programs and services in meeting the needs of state residents and to terminate programs and services that are not working and report to the Appropriations Committee on these benchmarks and plans for program terminations. The bill died in the Appropriations Committee.

**H.B. No. 5443 AN ACT CONCERNING PARENTAL RIGHTS IN JUVENILE MATTERS.** The bill would have required the Department of Children and Families (DCF) to (1) verify the truth, accuracy and sufficiency of allegations before commencing an investigation, (2) provide notice to parents and guardians of

their rights when interacting with the department, and (3) disclose complaints alleging neglect or abuse to the parent or guardian. The bill died in the Human Services Committee.

**H.B. No. 5475 AN ACT CONCERNING DENTAL CARE FOR NURSING HOME RESIDENTS** The bill would have required that each nursing home facility ensured that a resident attending a dental care appointment would be safely transported to and from the appointment and received adequate supervision and assistance for the duration of the appointment. The bill died in the Public Health Committee.

**H.B. No. 5496 AN ACT CONCERNING RESTRAINING ORDERS FOR THE PROTECTION OF FAMILY VIOLENCE VICTIMS IN THE WORKPLACE.** The bill would have allowed employers to seek restraining orders to protect employees from threats or violence at the workplace of the employer. The bill died in the Judiciary Committee.

**H.B. No. 5515 AN ACT CONCERNING GOVERNMENT EFFICIENCY THROUGH REGIONALIZATION IN CONNECTICUT.** The bill would have established regional councils with taxing authority and other broad authority to provide state and municipal services. The bill died in the Government Administration and Elections Committee.