

DDS Legislative Update – April 23, 2012

House Passes Collective Bargaining for PCAs, General Law Committee Votes Down Medication Disposal Bill, Current Status of DDS Bills, and DDS Bill Tracking

House Passes Amended Bill on Collective Bargaining for Personal Care Attendants.

The **House** debated and passed an amended **H.B. No. 5312 An Act Establishing a Task Force to Study the Effect of Collective Bargaining for Certain State Employees** on Friday, April 20th. H.B. No. 5312, as amended by House Amendments “A” (LCO# 3596) and “B” (LCO# 3624) would allow **Personal Care Attendants (PCA)** and **Family Child Care Providers** the ability to collectively bargain with the state. The bill, as amended, now goes to the Senate where it must pass to become law before the May 9th end of session. Below are the links to House Amendment “A” (which became the bill) and House Amendment “B” and the bill’s new fiscal note.

H.B. No. 5312 House Amendment “A”: <http://www.cga.ct.gov/2012/amd/H/pdf/2012HB-05312-R00HA-AMD.pdf>

H.B. No. 5312 House Amendment “B”: <http://www.cga.ct.gov/2012/amd/H/pdf/2012HB-05312-R00HB-AMD.pdf>

Fiscal Note for H.B. No. 5312 as amended by House Amendments “A” and “B”:
<http://www.cga.ct.gov/2012/FN/2012HB-05312-R01-FN.htm>

General Law Committee Votes Down S.B. No. 92 An Act Concerning the Disposal and Collection of Unused Medication.

On Thursday, April 19, 2012, the **General Law Committee** voted not to JF **S.B. No. 92 An Act Concerning the Disposal and Collection of Unused Medication** back to the Senate. The Senate had sent the bill to the General Law Committee for its review but the Committee voted not to pass the bill along and S.B. No. 92 is now dead. The bill’s provisions would have had an impact on both DDS and DDS’s providers.

Current Status of DDS “Agency” Bills.

S.B. No. 205 - An Act Concerning Insurance Coverage for the Birth-To-Three Program File No. 163, Senate Cal. No. 164, House Cal. No. 326 would amend sections 38a-490a and 38a-516a concerning health insurance coverage for birth-to-three programs.

The bill would enact language that will allow Connecticut to count commercial health insurance revenue for Birth to Three services towards the state’s “maintenance of effort” (MOE). The federal Individuals with Disabilities Education Act (IDEA) states that the federal funding is to supplement, not supplant state and local funding for early intervention. In order to receive this federal funding, the IDEA requires each state to annually assure that there is a “maintenance of

effort” which is defined as the state spending as much or more from state and local funds for early intervention in one year as it did in the previous year. Until now, the definition of “state and local funds” has always excluded reimbursement from commercial health insurance plans.

In recent revisions to the IDEA Part C regulations, a new provision says that a state may establish a new baseline to include annual health insurance reimbursements and that the state may then count future health insurance reimbursement toward “maintenance of effort” (MOE) if the state has enacted statutory language regarding commercial health insurance coverage that (1) protects annual and lifetime caps; (2) ensures that billing for early intervention services alone will not cause a family to be denied health insurance coverage; and (3) ensures that the billing for early intervention services alone will not be the basis for increasing the family’s health insurance premiums. S.B. No. 205 makes these changes to the statute.

The Senate passed S.B. No. 205 on Consent. The House now must vote on the bill before the end of session on May 9th.

[H.B. No. 5105](#) - An Act Concerning the Job Expansion Tax Credit Program and Individuals Receiving Certain Services from the Departments of Mental Health and Addiction Services and Developmental Services would allow employers that hire individuals receiving employment services through the Departments of Mental Health and Addiction Services and Developmental Services to qualify for the job expansion tax credit program.

H.B. No. 5105 died in the Finance, Revenue and Bonding Committee. DDS is working to see if the bill’s provisions can be amended to another bill and then passed in both the House and Senate by the end of the legislative session.

[H.B. No. 5367](#) - An Act Concerning Competency to Stand Trial File No. 541, House Cal. No. 396. The portion of the bill related to DDS would amend subsections (l) and (m) of section 54-56d of the Connecticut General Statutes to allow a court to receive notice if a defendant is released from commitment to the Commissioner of Developmental Services prior to the expiration of the statute of limitations for the crime with which the defendant was charged and allows the court to order periodic evaluations of the defendant.

H.B. No. 5367 is currently awaiting action in the House. The bill needs to be passed by both the House and the Senate by the end of session on May 9th.

[DDS Legislative List of Bills Being Tracked as of April 19, 2012](#)

Below is a link to the list of bills DDS is tracking and assessing as of April 19, 2012 that may be of interest to or may have a potential impact on DDS consumers, families and guardians, DDS employees and DDS providers.

[DDS Legislative List of Bills Being Track – April 19, 2012](#)