



State of Connecticut  
Department of Developmental Services

**DDS**

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Governor

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Commissioner

Joseph W. Drexler, Esq.  
Deputy Commissioner

**Date: June 28, 2012**

**To: Interested Persons**

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

**Re: 2012 DDS Legislative Session Summary**

The bills and public acts contained in this document from the 2012 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 9, 2012. We have provided a link to the bill history page for all bills in this summary, regardless of whether they passed or not. These lists are by no means exhaustive. Please keep in mind that many bills on the same or similar issues that did not pass (died) during the session may have been incorporated into a compromise bill. Also, if there were multiple bills on a similar subject, we may have only included the one that went the furthest in the legislative process. Please note: SB stands for Senate Bill, HB stands for House Bill, PA stands for Public Act and FY stands for Fiscal Year. A fiscal year runs from July 1st to June 30<sup>th</sup>. The fiscal year that begins July 1, 2012 and ends June 30, 2013 is considered FY 13.

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 June 28, 2012 including information from the June 12, 2012 Special Session.

If you have questions on these or any other bills from the 2012 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 2012 Legislative Summary

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

[Bills That Were Signed into Law](#)

[Bills That Were Vetoed by the Governor](#)

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## Budget Bills

### June 12, 2012 Special Session Bills

#### Bills That Were Reported Out of Committee and Did Not Pass

#### Bills That Were Not Reported Out of Committee and Did Not Pass

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

**S.B. No. 205 (PA 12-44)** AN ACT CONCERNING INSURANCE COVERAGE FOR THE BIRTH-TO-THREE PROGRAM This act amends state statutes concerning health insurance coverage for birth-to-three programs to allow the state to establish a new baseline of state and local expenditures for early intervention services in the next federal fiscal year pursuant to federal regulations. The act changes requirements for individual and group health insurance policies that provide coverage for medically necessary early intervention (birth-to-three) services as part of an individualized family service plan. Existing law prohibits payments for birth-to-three services from applying against any maximum lifetime or annual limit in the policy. The act also prohibits payments from causing: 1. a loss of benefits due to a policy limit, 2. an insured child or family member to be denied health insurance coverage, and 3. a policy rescission or cancellation. The act specifies that payments for birth-to-three services must be treated the same as other claim experience for premium rating purposes. Effective Date: July 1, 2012

**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 This bill would have allowed 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 (an incentive for employers to hire individuals with intellectual and mental health disabilities). The tax credit program runs until January 1, 2014 and would offer a tax credit of \$900 a month for employers who hire a qualified employee. The bill made it through the Commerce and Public Health Committees but died in the Finance Revenue and Bonding Committee. The bill was then passed as part of the June 12, 2012 Special Session in **Section 198** of **H.B. No. 6001 (PA 12-1 JSS)** AN ACT IMPLEMENTING PROVISIONS OF THE STATE BUDGET FOR THE FISCAL YEAR BEGINNING JULY 1, 2012.

**H.B. No. 5367** AN ACT CONCERNING COMPETENCY TO STAND TRIAL This bill would have allowed a court to receive notice if a defendant was 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. The bill also would have allowed the Department of Mental Health and Addiction Services and the Department of Correction to coordinate the custody and treatment of a defendant who presents a significant security, safety or medical risk. The bill passed the House but died in the Senate. The bill was then passed as part of the June 12, 2012 Special Session in **Section 142** of **H.B. No. 6001 (PA 12-1 JSS)** AN ACT IMPLEMENTING PROVISIONS OF THE STATE BUDGET FOR THE FISCAL YEAR BEGINNING JULY 1, 2012.

### **BILLS THAT WERE SIGNED INTO LAW:**

**S.B. No. 23 (PA 12-148)** AN ACT ENHANCING EMERGENCY PREPAREDNESS AND RESPONSE This act, among other provisions, requires the Public Utilities Regulatory Authority (PURA) to initiate a

proceeding to establish industry specific standards for acceptable performance by electric and gas companies in an emergency (hurricane, tornado, storm, flood, high water, wind-driven water, snowstorm, drought, fire, explosion, or enemy attack). The standards must (1) protect public health and safety; (2) ensure service reliability; (3) prevent and minimize the number and duration of service outages; (4) facilitate restoration after outages; and (5) identify the optimum levels of tree trimming and system hardening, including putting equipment underground, to maximize system reliability and minimize service outages. Various sections of the act have effective dates of upon passage, July 1, 2012 and January 1, 2013.

**S.B. No. 25 (PA 12-189) AN ACT AUTHORIZING AND ADJUSTING BONDS OF THE STATE FOR CAPITAL IMPROVEMENTS, TRANSPORTATION AND OTHER PURPOSES** The act does the following in FY 13: (1) authorizes \$621. 1 million in new General Obligation (GO) bonds; (2) cancels \$22. 3 million in GO bonds; (3) authorizes \$120. 0 million in new Special Tax Obligation (STO) bonds; and (4) makes a variety of language changes to existing bond authorizations. Bond authorizations or adjustments for the Department of Developmental Services were not included in this act. Various sections of the act have effective dates of upon passage and July 1, 2012.

**S.B. No. 27 (PA 12-92) AN ACT TRANSITIONING THE REGULATIONS OF CONNECTICUT STATE AGENCIES TO AN ONLINE FORMAT** This act requires that state agency regulations be posted online, rather than published in the *Connecticut Law Journal*, making them available to the public on the Office of the Secretary of the State's and regulating agency's Internet websites. Effective Date: July 1, 2013

**S.B. No. 39 (PA 12-50) AN ACT CONCERNING REQUIREMENTS FOR EARLY CHILDHOOD EDUCATORS** This act clarifies the staff qualification requirements for early childhood education programs serving infants, toddlers or preschool age children and accepting state funds for such programs' child day care or school readiness programs. Effective Date: July 1, 2012

**S.B. No. 41 (SA 12-9) AN ACT CONCERNING WORKFORCE DEVELOPMENT** This act requires the Office of Workforce Competitiveness (OWC), in collaboration with the Department of Education and the Board of Regents for Higher Education, to study model programs concerning the pre-employment training and employment of young adults with autism spectrum disorder and other developmental disabilities. OWC shall report on such study to the Higher Education and Employment Advancement Committee not later than January 1, 2013. Effective Date: July 1, 2012

**S.B. No. 94 (PA 12-41) AN ACT CONCERNING THE EQUAL TREATMENT OF RENTERS WITH MENTAL DISABILITIES** This act clarifies certain protections under state housing law for persons with disabilities. The law prohibits landlords from evicting tenants who are elderly or have a physical disability and reside in a building or complex with five or more units or a mobile manufactured home park because their lease expires (lapse of time). They may be evicted for other reasons, such as nonpayment of rent. Covered disabilities are those expected to result in death or last continuously for at least 12 months. The act extends the protection from eviction to tenants who either have mental disabilities or permanently reside with certain family members who have mental disabilities. Effective Date: October 1, 2012

**S.B. No. 97 (PA 12-150) AN ACT CONCERNING GUIDELINES FOR HEALTH INSURANCE COVERAGE FOR BREAST MAGNETIC RESONANCE IMAGING** This act prohibits insurers from imposing a coinsurance, copayment, deductible or other out-of-pocket expense on an insured for breast ultrasound screening. It removes a requirement that specified health insurance policies cover breast magnetic resonance imaging (MRI) under the same circumstances as breast ultrasound screening. It also removes a requirement that the policies cover MRIs in all circumstances according to guidelines established by the American College of Radiology. It specifies that the policies must cover breast MRI in accordance with American Cancer Society guidelines. Effective Date: Upon passage

**S.B. No. 98 (PA 12-190) AN ACT CONCERNING DEDUCTIBLES AND GUIDELINES FOR COLONOSCOPIES** This act prohibits insurers from charging a deductible for procedures a physician initially undertakes as a colorectal cancer screening colonoscopy or sigmoidoscopy. Some insurers currently charge a deductible when these screening procedures discover a polyp, which is removed at the same time. Effective Date: January 1, 2013

**S.B. No. 138 (SA 12-6) AN ACT ESTABLISHING A TASK FORCE TO STUDY "AGING IN PLACE"** This act establishes a task force to study how the state can encourage "aging in place". Such study shall include, but not be limited to, an examination of (1) infrastructure and transportation improvements, (2) zoning changes to facilitate home care, (3) enhanced nutrition programs and delivery options, (4) improved fraud and abuse protections, (5) expansion of home medical care options, (6) tax incentives, and (7) incentives for private insurance. The task force shall submit a report on its findings and recommendations to the Aging Committee not later than January 1, 2013. Effective Date: Upon passage

**S.B. No. 157 (PA 12-201) AN ACT REVISING THE DEFINITION OF A CHILD CARE FACILITY TO CONFORM WITH THE DEFINITION OF A CHILD** This act raises the maximum age of a person placed for the first time in a child care facility from under age 18 to under age 21. By law, child care facilities are congregate residential settings licensed by the Department of Children and Families (DCF). The DCF commissioner can petition a court for permission to place a child committed to her custody in such a facility if the child cannot be satisfactorily cared for in a foster home because he or she has developmental or physical disabilities, mental illness, emotional issues, or behavioral disorders. Currently, someone between ages 18 and 21 may be placed in such a facility only if he or she attends a secondary school, technical school, college, or state accredited job training program full-time and was first placed before his or her 18<sup>th</sup> birthday. Effective Date: October 1, 2012

**S.B. No. 186 (PA 12-62) AN ACT CONCERNING THE LICENSING, INVESTIGATION AND DISCIPLINARY PROCESSES FOR PHYSICIANS AND NURSES** This act expands the membership of the Connecticut Medical Examining Board; increases the number of continuing medical education credits for physicians; requires renewal of physician, nurse and dentist licenses using the Department of Public Health's on-line license renewal system; and changes the membership of the Connecticut State Board of Examiners for Nursing. Effective Date: Upon passage

**S.B. No. 188 (PA 12-202) AN ACT CONCERNING FINANCIAL ASSISTANCE TO LOCAL HEALTH DEPARTMENTS FOR LEAD POISONING PREVENTION** This act establishes eligibility criteria for local health departments seeking funding from the Department of Public Health (DPH) to help finance lead poisoning prevention and remediation services. Effective Date: October 1, 2012

**S.B. No. 214 (PA 12-57) AN ACT CONCERNING PERMANENT ABSENTEE BALLOT STATUS FOR THE PERMANENTLY DISABLED** Under this act, electors who have permanent absentee ballot status will automatically receive an absentee ballot, rather than an application for one, for each election, primary, and referendum in the municipality in which they are eligible to vote. The law requires registrars of voters to send an annual notice in January to determine whether such electors (1) continue to reside at the address on their application and (2) may remain on the permanent absentee ballot status list. If a notice is not returned within 30 days or returned as undeliverable, the registrars must remove the elector from permanent absentee ballot status, but not from the voter registry list. Effective Date: January 1, 2013

**S.B. No. 232 (PA 12-118) AN ACT CONCERNING A MORATORIUM ON CERTAIN LONG-TERM CARE BEDS** The act extends for four years, from June 30, 2012 to June 30, 2016, a moratorium on nursing home beds in keeping with a state plan to move more residents to community care settings. Under the

moratorium, the Department of Social Services cannot approve requests for additional nursing home beds or modify the cost of any prior approval, with certain exceptions. Effective Date: Upon passage

**S.B. No. 234 (PA 12-119) AN ACT CONCERNING CERTAIN SOCIAL SERVICES PROGRAMS**

Among other provisions, this act changes eligibility requirements, funding, and participation levels for the Department of Social Services (DSS)-administered home care program for people with severe disabilities (the so-called "Katie Beckett" waiver). The current program must fund at least 125 slots for those who require a level of care at home that is typically provided in a hospital, nursing home, or intermediate care facility for the mentally retarded. The waiver includes an additional 75 slots that DSS can fill within available appropriations; approximately 55 of these are filled. The act updates the reference to the waiver provision in the Social Security Act to § 1915(c), the Home and Community-Based Services waiver provision. It makes the entire Katie Beckett program subject to available appropriations and eliminates the ceiling on the number of participants. It also restricts eligibility to those under age 22 but expressly opens the program up to those of any age who (1) are currently institutionalized but want to be cared for at home or (2) have co-occurring developmental disabilities. Various sections of the act have effective dates of upon passage and July 1, 2012.

**S.B. No. 248 (PA 12-45) AN ACT CONCERNING PROBATE FEES** This act eliminates the \$25 fee for each probate hearing beyond the first and each hour of a hearing beyond the first hour (up to a \$300 maximum). It also makes various other changes affecting probate court fees and establishes a \$25 fee to receive a digital copy of an audio recording of a probate hearing. Effective Date; January 1, 2013

**S.B. No. 252 (PA 12-12) AN ACT AUTHORIZING FLAVORING AGENTS FOR PRESCRIPTION PRODUCTS** This act allows pharmacists to add a flavoring agent to a prescription if the prescribing doctor, patient, or patient's agent requests it or they are acting on behalf of a hospital. Effective Date: July 1, 2012

**S.B. No. 293 (PA 12-53) AN ACT CONCERNING PERMANENCY AND TRANSITION PLANS** This act requires the Department of Children and Families (DCF) to document a child's eligibility for Social Security benefits, including Supplemental Security Income (SSI), survivor, and disabled adult child benefits, in the permanency plan for each child in its care and custody. The act also establishes additional permanency plan requirements. The act requires DCF to (1) complete and submit an SSI application for each eligible child in its care and custody and (2) maintain and respond to any correspondence regarding the application and benefits. It also requires DCF to determine if a 17-year-old Social Security recipient will need a representative payee when he or she ages out of DCF care, and plan accordingly. Effective Date: October 1, 2012

**S.B. No. 309 (PA 12-66) AN ACT CONCERNING PROBATE COURT OPERATIONS** Among other provisions, section 15 of this act changes probate law concerning guardianship and attorneys for people with intellectual disability. By law, after a guardian is appointed for someone with an intellectual disability, the probate court must review the guardianship at least every three years. Prior law generally required the review to be based on written reports submitted by the Department of Developmental Services (DDS), the guardian, and the ward's attorney. The act eliminates the requirement that the ward's attorney submit a report. It instead requires the court to provide the attorney with a copy of any report on the ward submitted by the guardian or DDS. Under the act, within 30 days after receiving a copy of such a report, the ward's attorney must meet with the ward about the report. Within this same time frame, the attorney must also give the court written notice indicating (1) that he or she has met with the ward and (2) whether the attorney or ward is requesting a hearing. The act specifies that these provisions do not prevent the ward or his or her attorney from requesting a hearing at other times as the law allows. Section 15 is effective on October 1, 2012 and other sections of the act have various effective dates.

**S.B. No. 320 (PA 12-60) AN ACT CONCERNING FIRE PREVENTION CODE REGULATIONS** This act delays, by two years, the repeal and implementation of various statutes pertaining to the state Fire Prevention Code. Various sections of the act have various effective dates.

**S.B. No. 337 (PA 12-48) AN ACT CONCERNING THE SILVER ALERT SYSTEM** The act allows relatives, guardians, or conservators of a missing person receiving inpatient services at a DMHAS facility to ask the DMHAS commissioner to file a report with the Department of Emergency Services and Public Protection (DESPP) for clearinghouse assistance. And it allows the DMHAS commissioner, notwithstanding laws barring disclosure of certain information deemed confidential, to authorize DMHAS employees certified as police officers to file the report. The report must disclose only the minimum information necessary for receiving clearinghouse assistance. Effective Date: October 1, 2012

**S.B. No. 339 (PA 12-205) AN ACT REVISING STATUTES CONCERNING THE DEPARTMENT OF ADMINISTRATIVE SERVICES** The act makes several changes to state property inventory requirements, including requiring (1) the Office of Policy and Management (OPM), rather than the Department of Administrative Services (DAS), to maintain the inventory of leased property and (2) most executive branch agencies to obtain written permission from OPM before (a) any change in state property's ownership or use or (b) its use by another state agency or a non-state entity. It also requires DAS to establish guidelines for, rather than monitor, fees charged by agencies for computer-stored public records requested under the Freedom of Information Act (FOIA). Effective Date: July 1, 2012

**S.B. No. 340 (PA 12-206) AN ACT CONCERNING THE USE BY STATE EMPLOYEES OF SERVICES PROVIDED BY CONNECTICUT TECHNICAL HIGH SCHOOL SYSTEM STUDENTS.** This act permits public officials, state employees and their immediate family members to contract, outside of the normal bidding process, with the regional-technical school system for the provision of services by students that exceed one hundred dollars in value. Effective Date: July 1, 2012

**S.B. No. 347 (PA 12-152) AN ACT CONCERNING THE STATE'S OPEN SPACE PLAN** The act revises the state's open space plan by increasing the frequency of revisions to such plan, identifying lands appropriate for preservation as open space that are held by state agencies and water companies, identifying lands of highest priority for conservation and making recommendations for the establishment of a system to accurately keep track of lands preserved as open space. Effective Date: October 1, 2012

**S.B. No. 350 (PA 12-54) AN ACT REQUIRING THE ESTABLISHMENT OF MANUFACTURER MERCURY THERMOSTAT COLLECTION AND RECYCLING PROGRAMS** This act requires mercury thermostat manufacturers to establish, by April 1, 2013, mercury thermostat collection and recycling programs. It prohibits them, beginning July 1, 2014, from selling or distributing thermostats in Connecticut if they do not meet the act's program-related requirements. It also prohibits wholesalers or qualified contractors from selling or distributing thermostats in the state (1) from noncompliant manufacturers or (2) if they do not participate as a mercury thermostat collection site. Effective Date: Upon passage

**S.B. No. 371 (PA 12-207) AN ACT CONCERNING THE ADMINISTRATION OF INJECTABLE VACCINES TO ADULTS IN PHARMACIES** This act expands the authority of licensed pharmacists to administer vaccines to adults. Under prior law, pharmacists could administer federally approved vaccines to prevent (1) flu, (2) invasive pneumococcal disease (pneumonia), and (3) herpes zoster (shingles). The act instead allows them to administer any federally approved vaccine listed on the National Centers for Disease Control and Prevention's (CDC) Adult Immunization Schedule. Effective Date: October 1, 2012

**S.B. No. 410 (PA 12-102) AN ACT CONCERNING ADVERSE DETERMINATION REVIEWS** This act expands the information health insurance carriers must provide to covered persons or their authorized

representatives, upon request, when they make an adverse determination (e. g., deny coverage), both in the initial determination and any review of this determination. It requires carriers to provide copies of the information within one calendar or five business days of the request, depending on the circumstances of the case. The act applies to any: 1. carrier offering a health benefit plan that provides or performs utilization review, including prospective, concurrent, or retrospective review benefit determinations and 2. utilization review company or designee of a carrier that performs utilization review on the carrier's behalf, including prospective, concurrent, or retrospective review benefit determinations. The act does not apply to self-insured plans covered by the federal Employee Retirement Income Security Act (ERISA) or plans that provide health care services solely for workers' compensation benefits. Effective Date: October 1, 2012

**S.B. No. 458 (PA 12-116) AN ACT CONCERNING EDUCATIONAL REFORM** This act makes numerous revisions and changes in education statutes and programs affecting: 1. early childhood education; 2. school and school district operations and funding; 3. teacher and school administrator qualifications, performance evaluation, tenure, and termination; 4. the duties and responsibilities of the State Department of Education (SDE) and State Board of Education; and 5. the governance and operation of the Connecticut Technical High School System. Effective Date: July 1, 2012, unless otherwise noted. This act was amended in the June 12, 2012 Special Session bill in **Sections 14 through 28** of **S.B. No. 501 (PA 12-2 JSS) AN ACT IMPLEMENTING CERTAIN PROVISIONS CONCERNING GOVERNMENT ADMINISTRATION.**

**S.R. No. 4 RESOLUTION PROPOSING APPROVAL OF A COLLECTIVE BARGAINING AGREEMENT BETWEEN THE STATE EMPLOYEES BARGAINING AGENT COALITION AND THE STATE OF CONNECTICUT** This resolution proposed the approval of an Agreement between the State of Connecticut and the State Employees Bargaining Agent Coalition (SEBAC). The Agreement would have provided for additional pension funding above the present level by eliminating two negotiated adjustments (attributed to SEBAC IV and V) which have been used to reduce the state's annual required contribution (ARC). S.R. No. 4 was deemed approved.

**H.B. No. 5022 (PA 12-193) AN ACT INCREASING PENALTIES FOR VOTER INTIMIDATION AND INTERFERENCE** This act increases the maximum penalties for violating certain election laws related to influencing or intimidating voters, making them class C or D felonies. Influencing or attempting to influence any voter to refrain from voting by force, threat, bribery, or corrupt, fraudulent, or deliberately deceitful means and with the intent to disenfranchise the voter now becomes a Class D felony. Effective Date: July 1, 2012

**H.B. No. 5024 (PA 12-56) AN ACT CONCERNING VOTING RIGHTS** This act changes election laws affecting voter registration, voting, and the statewide centralized voter registration system. Among the act's provisions, it: 1. allows eligible people to register to vote and cast a ballot on Election Day (i.e., the day of a regular state or municipal election); 2. establishes Election Day registration procedures and eliminates the use of presidential ballots; and 3. requires the secretary of the state to establish and maintain an online system for (a) new voter registration applications and (b) changes to existing registrations. Effective Date: July 1, 2013, except the online voter registration system is effective January 1, 2014.

**H.B. No. 5037 (PA 12-158) AN ACT IMPLEMENTING THE GOVERNOR'S BUDGET RECOMMENDATIONS CONCERNING PUBLIC HEALTH** This act repeals a statutory provision requiring the state to be charged for the cost of caring for an individual who is committed to a state institution after being found not guilty of a crime by reason of a mental illness ("acquittee"). This provision conflicts with another law that requires current or former residents of state humane institutions to repay the state the cost of their care. (In practice, the state has not been recovering acquittees' care costs.) The law defines a "state humane institution" as a state mental hospital, community mental health center, treatment facility for children and adolescents, or any other program or facility administered by the departments of mental health and addiction services, developmental services, or children and families. Because acquittees are committed to these facilities,

the state is able to recover their care costs under this law. By law, if the resident of a state humane institution is unable to pay, the state can recover all or part of the cost from most legally liable relatives (e. g., spouse or minor's parent), based on their ability to pay. Effective Date: upon passage.

**H.B. No. 5038 (PA 12-166) AN ACT IMPLEMENTING THE GOVERNOR'S BUDGET RECOMMENDATIONS CONCERNING AN ALL-PAYER CLAIMS DATABASE PROGRAM** This act creates an all-payer claims database program for receiving and storing data relating to medical and dental insurance claims, pharmacy claims, and other insurance claims information from enrollment and eligibility files, subject to the Office of Health Reform and Innovation's (OHRI) ability to secure federal funding and funds from private sources, The act requires insurers and various other "reporting entities" that administer health care claims and payments to provide information for inclusion in the database. Among the act's several provisions, it allows the Office of Policy and Management, in consultation with OHRI, to adopt regulations to implement and administer the database program. Other provisions of the act specify how OHRI must use the data in the database and make information in the database broadly available for reviewing health care use, cost, quality, and services data. Data disclosure must protect the confidentiality of individual health information. Under the act, OHRI can accept grants from the federal government or any source to carry out its statutory duties. Effective Date: Upon passage.

**H.B. No. 5094 (PA 12-19) AN ACT CONCERNING THE "MOVE OVER" LAW** This act applies the "move over" law to highways with two or more lanes in each direction. The previous law applied to highways with three or more lanes in each direction. The "move over" law requires a motorist approaching one or more stationary emergency vehicles located on the travel lane, breakdown lane, or shoulder of a highway to (1) immediately slow to a reasonable speed below the posted speed limit and (2) move over one lane if traveling in the lane adjacent to the location of the emergency vehicle, unless this would be unreasonable or unsafe. For these requirements to apply, the emergency vehicle must have flashing lights activated. For purposes of the "move over" law, an "emergency vehicle" includes a maintenance vehicle or wrecker or a vehicle operated by a 1. member of an emergency medical service organization responding to an emergency call; 2. fire department or an officer of the department responding to a fire or other emergency; or 3. police officer. Effective Date: October 1, 2012.

**H.B. No. 5150 (PA 12-22) AN ACT CONCERNING THE CONNECTICUT UNIFORM ADULT PROTECTIVE PROCEEDINGS JURISDICTION ACT** This act establishes rules and procedures for Connecticut probate courts to interact with courts in other states about conservatorships. It applies to proceedings regarding a conservator of (1) a person or someone appointed by an out-of-state court to make decisions for an adult and (2) the estate or someone appointed by an out-of-state court to manage an adult's property. The act (1) establishes factors the probate court must consider when deciding whether to decline jurisdiction because another state is a more appropriate forum and (2) authorizes special jurisdiction to allow the probate court to take limited actions, such as appointing a temporary conservator, when the court does not otherwise have jurisdiction. The act (1) allows conservators appointed in another state to register with the appropriate probate court in Connecticut, (2) requires probate courts to create a public registry of this information, and (3) allows the conservator to exercise his or her powers in Connecticut except as prohibited by Connecticut law. The bill also allows a probate court to (1) communicate with a court in another state about proceedings covered by the bill, (2) request that the out-of-state court take certain actions, and (3) communicate with and respond to similar requests from an out-of-state court. Effective Date: October 1, 2012

**H.B. No. 5225 (PA 12-24) AN ACT CONCERNING SECURITY DEPOSITS OF SENIOR CITIZENS AND PERSONS WITH DISABILITIES IN PUBLIC HOUSING** This act lowers the annual interest rate that housing authorities, community housing authorities, and other corporations must pay on security deposits made by senior citizens and individuals with disabilities residing in public housing. Current law requires housing authorities and other corporations to pay an annual rate of 5.25%. Starting January 1, 2013, the act requires



them to pay at least the average savings deposit interest rate paid by insured commercial banks as published in the Federal Reserve Board Bulletin in November of the prior year (i.e., deposit index). By law, housing authorities and other corporations must return security deposits to these tenants after they have resided in the housing for at least one year. Effective Date: October 1, 2012

**H.B. No. 5287 (PA 12-25) AN ACT CONCERNING THE APPOINTMENT OF A GUARDIAN AD LITEM FOR A PERSON WHO IS SUBJECT TO A CONSERVATORSHIP PROCEEDING OR A PROCEEDING CONCERNING ADMINISTRATION OF TREATMENT FOR A PSYCHIATRIC DISABILITY** This act limits the circumstances under which judges or family support magistrates can appoint a guardian ad litem (GAL) who is a person assigned to make findings and recommendations about a litigant when a court is concerned that this person is incapable of making his or her own decisions. Currently, court GAL appointments and functions are purely discretionary and vary considerably from court to court. The provisions of the act apply when: 1. the court is being asked to order that an individual be given psychiatric medication or hospital treatment against his or her will; 2. a litigant, by request, has a court-approved conservator to handle his or her daily or financial affairs, or both; or 3. prohibits a GAL appointment for a person with mental illness who has filed a habeas corpus writ, claiming that he or she is being held or medicated unlawfully. Effective Date: October 12, 2012

**H.B. No. 5312 (PA 12-33) AN ACT CREATING A PROCESS FOR FAMILY CHILD CARE PROVIDERS AND PERSONAL CARE ATTENDANTS TO COLLECTIVELY BARGAIN WITH THE STATE** This act allows certain family child care providers and personal care attendants (PCAs) to collectively bargain with the state through an employee organization (i.e., a union) over reimbursement rates, benefits, payment procedures, contract grievance arbitration, training, professional development, and other requirements and opportunities. It explicitly states that the child care providers and PCAs are not state employees; thus they are not covered by the rights, obligations, privileges, and immunities statutorily provided to state employees.

The act establishes a collective bargaining and arbitration process for the child care providers and PCAs and grants them many of the same collective bargaining rights and obligations given to state employees. It also specifically prohibits certain subjects from being collectively bargained and sets conditions under which the General Assembly must affirmatively approve any contract or arbitration award. The act creates a PCA Workforce Council to study and plan for improving PCA quality, stability, and availability. It also (1) requires the Department of Social Services (DSS) and the council to compile and maintain lists of covered child care providers and PCAs lists, respectively; (2) provides liability protection for the state under certain circumstances; and (3) prohibits the unions from charging dues or nonmember service fees to child care providers and PCAs during the first 60 days that they participate in their respective programs. The bill specifically applies to the following PCA waiver programs: 1. individuals with brain injuries, 2. personal care assistance program for adults with disabilities, 3. home care program for the elderly, 4. home care pilot for disabled persons, 5. individual and family support administered by Department of Developmental Services (DDS), 6. comprehensive waiver program administered by DDS, and 7. any state-funded programs that provide services from a PCA. Some of Public Act 12-33's provisions put into state statute portions of Governor Malloy's **Executive Order No. 9** and **Executive Order No. 10** of 2011. Effective Date: July 1, 2012

**H.B. No. 5321 (PA 12-170) AN ACT CONCERNING THE OFFICE OF HEALTH CARE ACCESS** This act makes several changes in the statutes governing the Department of Public Health's (DPH) Office of Health Care Access (OHCA). Among the act's various provisions, it: 1. requires OCHA to update its statewide health care facilities and services plan biennially rather than every five years; 2. requires OCHA to conduct its statewide health care facility utilization study biennially rather than annually; and 3. allows OHCA to release patient-identifiable data to certain government entities for specified purposes. The act allows OHCA to release patient-identifiable data it receives to (1) a state agency for the purpose of improving health care service delivery, (2) a federal agency or the attorney general's office to investigate hospital mergers and acquisitions, or

(3) another state's health data collection agency with which OHCA has a reciprocal data sharing agreement for reviewing a Certificate of Need (CON) or evaluating health care services. The act allows the release of this data only if the agency (1) requests it and (2) enters into a written agreement with OHCA to keep it confidential and not use it as the basis of any decision about a patient. The law prohibits the recipient of patient-identifiable data from releasing it in any manner that would result in the identification of any individual patient, physician, provider, or payer. Effective Date: October 1, 2012

**H.B. No. 5329 (PA 12-28) AN ACT CONCERNING THE USE OF TELEPHARMACY BY HOSPITALS**

This act makes permanent the telepharmacy pilot program and expands it to (1) cover all licensed hospital pharmacies and (2) dispense sterile products, not just IV admixture preparations as under the pilot program. It allows pharmacists at hospital pharmacies to use electronic technology at the hospital, its satellite, or remote locations to supervise pharmacy technicians in dispensing sterile products. Under the act, a pharmacist is authorized to supervise a pharmacy technician dispensing sterile products through electronic technology and monitor and verify the technician's activities through audio and video communication. Sterile products are any drug that is compounded, manipulated, or otherwise prepared under sterile conditions during the dispensing process. Effective Date: July 1, 2012

**H.B. No. 5346 (PA 12-35) AN ACT CONCERNING MINOR AND TECHNICAL REVISIONS TO STATUTES AFFECTING CHILDREN AND YOUTH** This act restricts the Department of Children and Families' (DCF) duty to disclose records in certain situations. Prior law required DCF to disclose a record, subject to applicable law and without the consent of the person who is the subject of the record, to a DCF employee for any purpose reasonably related to DCF business. Under the act, DCF may make such a disclosure only if it is reasonably related to the performance of the employee's duties. Effective Date: October 1, 2012

**H.B. No. 5347 (PA 12-88) AN ACT CONCERNING THE REPORTING OF CHILDREN PLACED IN SECLUSION** This act requires local school boards and other entities providing special education to children, when recording instances in which a child was physically restrained or placed in seclusion, to indicate whether the seclusion was in accordance with the child's individualized education program (IEP) or either action was an emergency. The act provides that this reporting requirement does not apply to instances of in-school suspensions, as defined in the state's education law. The act also requires, rather than allows, the State Board of Education (SBE) to review and summarize the information the entities provided on seclusion and restraints, including whether such actions resulted in physical injuries to the child. Effective Date: July 1, 2012

**H.B. No. 5353 (PA 12-173) AN ACT CONCERNING INDIVIDUALIZED EDUCATION PROGRAMS AND OTHER ISSUES RELATING TO SPECIAL EDUCATION** This act makes several changes to the state's special education law. The act: 1. requires additional opportunities for meetings and the exchange of information between school district officials and parents of students in, or under evaluation for, special education; 2. requires teacher certification preparation, in-service training, and professional development to include expanded instruction and training regarding implementing individualized education programs (IEPs); and 3. specifies the school district eligible for special education excess cost grant money in different circumstances when a child is placed in a school district other than his or her district of origin.

**Section 11 of Public Act 12-173** also requires any IEP for a child identified as deaf or hearing impaired to include a language and communication plan developed by the child's planning and placement team (PPT). The act specifies a number of requirements that the plan must address including: 1. the child's primary language or mode of communication; 2. opportunities for direct communication between the child and his or her peers and professional personnel in the primary child's language or mode of communication; 3. educational options available to the child; 4. the qualifications of teachers and other professional personnel administering the plan for the child, including their proficiency in the child's primary language or mode of communication; 5. the accessibility of academic instruction, school services and extracurricular activities to the child; 6. assistive

devices and services for the child; and 7. communication and physical environment accommodations for the child. Section 11's provisions were originally introduced in [H.B. No. 5357](#) **AN ACT CONCERNING A DEAF CHILD BILL OF RIGHTS** The act does not expand current requirements under state law and regulation, but adds specifics to state law. Effective Date: July 1, 2012, except for the provisions regarding special education and private schools and the language and communication plan for deaf and hearing impaired students, which take effect upon passage.

[H.B. No. 5365](#) **(PA 12-133) AN ACT CONCERNING COURT OPERATIONS AND VICTIM SERVICES**

Among this act's numerous provisions concerning court operations and victim services, it: 1. allows the Judicial Branch to enter into agreements with other agencies on a broader range of security matters; 2. expands the courts' use of electronic documents and communications; 3. requires the Department of Motor Vehicles (DMV) to give the jury administrator the latest updated file of people holding identity cards to use when compiling the master list for summoning jurors; 4. automatically terminates a defendant's bail bond when he or she is admitted to the supervised diversionary program for people with psychiatric disabilities, as for other diversionary programs; 5. authorizes victim compensation when the Judicial Branch's Office of Victim Services (OVS) or a victim compensation commissioner reasonably concludes that (a) an alleged sexual assault crime or risk of injury to a minor occurred and (b) the personal injury was disclosed to certain individuals; and 6. allows Court Support Services Division (CSSD) personnel to use videoconferencing to interview defendants at police stations, when determining appropriate bail and conditions of release. Effective Date: October 1, 2012

[H.B. No. 5389](#) **(PA 12-55) AN ACT CONCERNING THE PALLIATIVE USE OF MARIJUANA**

This act allows a licensed physician to certify an adult patient's use of marijuana after determining that the patient has a debilitating medical condition and could potentially benefit from the palliative use of marijuana, among other requirements. The act lists certain conditions that qualify as debilitating (e.g., cancer, AIDS or HIV, and Parkinson's disease) and also allows the Department of Consumer Protection (DCP) commissioner to approve additional conditions. Among other requirements, patients seeking to use marijuana for palliative purposes must have a written certification by a physician and register with DCP. Public Act 12-55 sets conditions on who can be primary caregivers and requires them to register with DCP. The act authorizes DCP to impose a \$ 25 registration fee for patients and caregivers, and other fees. Registry information is generally confidential and not subject to disclosure under the Freedom of Information Act (FOIA). Effective Date: October 1, 2012, except for the provisions (1) defining various terms, (2) providing for dispensary and producer licensing, (3) creating a Board of Physicians, (4) requiring or allowing certain regulations, and (5) establishing the palliative marijuana administration account, which are effective upon passage.

[H.B. No. 5394](#) **(PA 12-184) AN ACT CONCERNING SMOKE AND CARBON MONOXIDE**

**DETECTORS AND ALARMS IN RESIDENTIAL BUILDINGS** This act requires all one-family dwellings, instead of only those issued new occupancy building permits on or after October 1, 1978, to be equipped with smoke detection and warning equipment. It also requires all one- and two-family dwellings, instead of only those issued new occupancy building permits on or after October 1, 2005, to be equipped with carbon monoxide (CO) detection and warning equipment, unless they do not contain a fuel burning appliance, fireplace, or attached garage. The act requires building owners to install the equipment, as applicable, in the basement and on each level of a building used for human occupancy, as follows: outside in the immediate vicinity of each separate sleeping area and on the ceiling of each stairway between levels. The act also requires CO and smoke detectors in any residential building while it undergoes interior construction or alteration under a building permit. Effective Date: October 1, 2012

[H.B. No. 5437](#) **(PA 12-136) AN ACT CONCERNING THE DEFINITIONS OF MENTAL RETARDATION AND INTELLECTUAL DISABILITY**

This act updates the statutory definition of "mental retardation" and "intellectual disability" to mean (1) a significant limitation in intellectual functioning and (2) deficits in adaptive behavior that originated during the developmental period before age 18. The revised

definition does not change eligibility for services provided through the Department of Developmental Services. This bill passed the House and Senate and was signed by the Governor. Effective Date: October 1, 2012

**H.B. No. 5476 (PA 12-91) AN ACT EXPANDING CONSUMER CHOICE FOR LIFE SUPPORT CARE AT HOME** This act requires the Department of Social Services (DSS) commissioner, within available appropriations, to establish and operate a two-year, state-funded pilot program for up to 10 Medicaid recipients who are ventilator-dependent, live in Fairfield County, and receive medical care at home. Under the pilot, the participants can hire their own licensed registered nurses (RN) and respiratory therapists directly. The act requires the commissioner to report to the Appropriations and Human Services committees on the pilot, including its cost-effectiveness and care continuity, by January 1, 2015. The act also requires the DSS commissioner to survey Medicaid recipients who are receiving continuous skilled care at home and report by January 1, 2014 on the survey results to the Human Services Committee. Effective Date: October 1, 2012

**H.B. No. 5483 (PA 12-109) AN ACT CONCERNING COVERAGE OF TELEMEDICINE SERVICES UNDER MEDICAID** This act authorizes the Department of Social Services (DSS), to the extent permitted by federal law, and where deemed clinically appropriate, to establish a demonstration project at federally-qualified community health centers. The project would provide Medicaid-covered health care services by telemedicine in place of in-person contact between a patient and health care provider. Under the act, “telemedicine” means the use of interactive audio, video, or data communication, other than facsimile and audio-only telephone transmissions, in the delivery of medical advice, diagnosis, care, treatment, or similar services. The act also: 1. authorizes the DSS commissioner to follow existing procedures to ensure the project's services are covered by Medicaid and to set reimbursement rates for telemedicine procedures, 2. subjects personally identifying telemedicine data and records to state and federal confidentiality laws, and 3. requires the commissioner to report to legislative committees on telemedicine services offered and their cost-effectiveness. Effective Date: January 1, 2013

**H.B. No. 5496 (PA 12-143) AN ACT IMPLEMENTING THE RECOMMENDATIONS OF THE LEGISLATIVE PROGRAM REVIEW AND INVESTIGATIONS COMMITTEE REQUIRING COMMITTEES OF COGNIZANCE TO CONDUCT REVIEWS UNDER THE SUNSET LAW** Under the current sunset law, numerous licensing and regulatory state agencies and programs terminate on set dates unless the General Assembly reestablishes them after the Legislative Program Review and Investigations Committee (PRI) conducts a performance audit of each. This act eliminates the automatic termination dates and instead establishes staggered review dates beginning no later than July 1, 2014. It transfers, from PRI to the applicable joint standing committee of the General Assembly with cognizance, the responsibility for reviewing the entities and programs. The applicable committee of cognizance must conduct the review every ten years, rather than every four years as current law requires PRI to do. Effective Date: July 1, 2012

**H.B. No. 5497 (PA 12-110) AN ACT IMPLEMENTING THE RECOMMENDATIONS OF THE LEGISLATIVE PROGRAM REVIEW AND INVESTIGATIONS COMMITTEE CONCERNING THE REGULATION OF HEARING INSTRUMENT SPECIALISTS AND AUDIOLOGISTS** This act allows a licensed audiologist to fit or sell hearing aids without (1) obtaining additional licensure as a hearing instrument specialist (previously called “hearing aid dealer”) or (2) completing additional educational and training requirements. Existing law already includes the fitting or selling of hearing aids within an audiologist's scope of practice. Audiologists receive training in this function as part of their doctoral degree education and supervised postgraduate work experience. The act also requires a hearing instrument specialist to complete at least 16 hours of continuing education before the Department of Public Health (DPH) renews his or her biennial license for registration periods starting October 1, 2014. The act exempts from the continuing education requirements (1) first-time licensure renewal applicants and (2) certain licensees with a medical disability or illness. Effective Date: October 1, 2012

**H.B. No. 5512 (PA 12-112) AN ACT CONCERNING THE REPORTING OF A MISSING CHILD** This act makes it a class A misdemeanor, punishable by imprisonment for up to one year, a fine of up to \$2,000, or both, to knowingly fail to report the disappearance of a child under age 12. The duty to report applies to any parent, guardian, or person who has custody or control of, or is supervising, the child and who either does not know the child's location or has not had contact with him or her for a 24-hour period. Effective Date: October 1, 2012

**H.B. No. 5514 (PA 12-197) AN ACT CONCERNING VARIOUS REVISIONS TO THE PUBLIC HEALTH STATUTES** This act makes numerous substantive changes to Department of Public Health (DPH)-related statutes and programs. In sections 49 through 52, this act makes changes regarding the eligibility of DDS self-advocates for paid sick, vacation, personal, and holiday leave. (DDS self-advocates work part time.) The act specifies that up to 11 DDS self-advocates are: 1. eligible for prorated sick leave, in accordance with DAS regulations; 2. eligible for prorated vacation and personal leave; and 3. must be given time off with pay, for the number of hours they would have been scheduled to work, for any legal holiday that falls on a day that they would regularly be scheduled to work. These sections of the act are effective upon passage. In section 10, the act allows any physician or surgeon licensed in good standing in another state to practice in Connecticut as a youth camp physician for up to nine weeks, without a Connecticut license. Prior law required them to be board-certified in pediatrics or family medicine if the other state's licensure standards were not equivalent to ours. This section of the act is effective October 1, 2012.

The act also allows an advanced practice registered nurse (APRN) to certify, sign, or otherwise document medical information in specified situations that, under prior law, generally required a physician's signature, certification, or documentation. Several of the certifications covered by the act involve situations where someone must provide medical information to establish an exemption from otherwise applicable requirements including: 1. certifying that a high school student's participation in physical education is medically contraindicated because of the student's physical condition, thus excusing the student from physical education requirements; 2. certifying that it would not be injurious to the health of a handicapped person or disabled veteran to work extended hours in manufacturing, mechanical, or mercantile establishments, restaurants, and various other settings; and 3. providing the APRN's identification number, signature, and billing contact information on the standard Health Care Financing Administration 1500 health insurance claim form, for purposes of providing, along with various other information, the minimum information needed for a health care provider's claim for payment to be complete. These provisions of the act are effective October 1, 2012.

**H.B. No. 5515 (PA 12-37) AN ACT CONCERNING PHYSICIAN ASSISTANTS** Among the act's various provisions, it revises the supervision requirements for physician assistants (PAs). Current law requires a supervising physician's supervision of a PA to include, among other things, the physician's personal review of the PA's practice (in hospitals) or services (in other settings). The act eliminates the requirement that the personal review be conducted at least weekly or more frequently as needed and eliminates the current requirement that the personal review in non-hospital settings occur through face-to-face meetings. The act instead requires the personal review to occur as necessary to ensure quality patient care in accordance with the written delegation agreement. It specifies that in hospital settings, the review must occur on a regular basis. The act also requires the supervising physician to document his or her approval in the manner set forth in the written delegation agreement when a PA issues an initial, but not a renewal, prescription for a schedule II or III drug. Effective Date: October 1, 2012

**H.B. No. 5516 (PA 12-30) AN ACT CONCERNING PRESCRIPTION DRUG ADMINISTRATION IN NURSING HOME FACILITIES** This act allows the medical director of a "nursing home facility" to establish protocols for a prescription drug formulary system. A medical director who implements such a system may make a substitution for a drug prescribed to a patient of the facility in accordance with the facility's protocols. The act requires the medical director, or designee, to notify the prescribing practitioner before making any

substitution and prohibits the substitution if the prescribing practitioner objects or does not authorize it. The act specifies, notwithstanding its provisions, that a facility must consider and administer prescription drugs to patients receiving benefits under a state medical assistance program in accordance with (1) the Department of Social Services' (DSS) Medicaid preferred drug lists, (2) Medicare Part D prescription drug formularies, or (3) the patient's health insurance policy as deemed appropriate by the facility's medical director. Effective Date: October 1, 2012

**H.B. No. 5521 (PA 12-185) AN ACT CONCERNING THE USE OF AN ELECTRONIC DELIVERY SERVICE UNDER THE CONNECTICUT UNIFORM ELECTRONIC TRANSACTIONS ACT AND DEFINING ELECTRONIC** This act specifies that "electronic mail" as used in the general statutes and public acts includes an electronic delivery service that (1) delivers communications to their intended recipients by matching an e-mail address to a person's U. S. Postal Service physical address and (2) uses security methods such as passwords or encryption. The act expands two definitions under the Connecticut Uniform Electronic Transactions Act (CUETA) by specifying that (1) an "electronic record" may be sent, received, or stored through an electronic delivery service that uses a security procedure, among other means, and (2) a "security procedure" includes matching an e-mail address to a person's U. S. Postal Service physical address, among other verification methods. The act also requires executive branch agencies to (1) review their existing policies concerning the mailing of all agency documents to their clients and (2) use electronic notification correspondence when they deem it appropriate and not in conflict with the law. Current law requires them to do this for notifications only. Effective Date: October 1, 2012

**H.B. No. 5545 (PA 12-142) AN ACT CONCERNING FINANCIAL LIABILITY FOR AMBULANCE SERVICES, EVIDENCE OF COLLATERAL SOURCE PAYMENTS AND EVIDENCE OF BILLS FROM TREATING HEALTHCARE PROVIDERS** Among various provisions, this act generally provides that anyone who receives emergency medical treatment or transportation services from a licensed or certified ambulance service is liable for the reasonable and necessary cost of those services, even if the person did not agree or consent to the liability. This act's provision is subject to certain conditions in existing law, including the Department of Public Health (DPH) commissioner's rate setting for ambulance services and requirements that insurers cover medically necessary ambulance services. Also, the provision does not apply to anyone receiving ambulance services for injuries arising out of and in the course of his or her employment, as defined in the worker's compensation law. The act also makes changes to the law regarding how economic damages are determined in personal injury or wrongful death cases. Effective Date: October 1, 2012

**H.B. No. 5554 (PA 12-115) AN ACT CONCERNING HABEAS CORPUS REFORM** For certain habeas corpus petitions, this act: 1. requires the court, on its own or if asked by a party, to determine if there is good cause to proceed to trial and 2. for a petition related to a criminal conviction, creates a rebuttable presumption that a petition filed after certain dates was delayed without good cause and requires the court to dismiss it if the petitioner does not establish good cause for the delay. These provisions apply to a habeas petition unless it is (1) claiming actual innocence, (2) challenging prison conditions, or (3) challenging a capital felony conviction that resulted in a death sentence.

Habeas corpus is a civil action that allows a petitioner to challenge the legality of certain actions. For example, a habeas petition can be filed by a: 1. prisoner to challenge the legality of his or her conviction and confinement or the constitutionality of his or her prison conditions, 2. person confined in a hospital for psychiatric disabilities to challenge the legality of his or her confinement, 3. person subject to involuntary representation by a conservator to challenge the legality of the involuntary representation, or 4. person to challenge child custody or visitation orders. Previously, statutes and court rules did not place limits on filing habeas petitions. Under court rules, grounds for a court to dismiss a habeas petition include presenting the same grounds as a prior petition previously denied and failing to state new facts or offer new evidence not reasonably available at the time of the prior petition. Effective Date: October 1, 2012

**[H.B. No. 5557 \(PA 12-104\)](#) AN ACT MAKING ADJUSTMENTS TO STATE EXPENDITURES FOR THE FISCAL YEAR ENDING JUNE 30, 2013 **Emergency Certified Bill** The act makes midterm budget adjustments for fiscal year 2013 which begins on July 1, 2012. The budget continues to fund Department of Developmental Services' operational needs while requiring continued efforts to streamline and reduce costs where possible. This bill passed the House and Senate. The Legislature reconvened on June 12, 2012 for a special session to pass two budget implementer bills: **[S.B. No. 501 \(PA 12-2 JSS\)](#)** AN ACT IMPLEMENTING CERTAIN PROVISIONS CONCERNING GOVERNMENT ADMINISTRATION and **[H.B. No. 6001 \(PA 12-1 JSS\)](#)** AN ACT IMPLEMENTING PROVISIONS OF THE STATE BUDGET FOR THE FISCAL YEAR BEGINNING JULY 1, 2012.**

**[H.J. No. 2](#) RESOLUTION PROPOSING AN AMENDMENT TO THE STATE CONSTITUTION TO GRANT INCREASED AUTHORITY TO THE GENERAL ASSEMBLY REGARDING ELECTION ADMINISTRATION** This resolution proposes a constitutional amendment to (1) eliminate the requirement for electors to gather on Election Day to cast votes for state officers and General Assembly members and (2) remove restrictions on absentee voting. The ballot designation to be used when the amendment is presented at the general election is: "Shall the Constitution of the State be amended to remove restrictions concerning absentee ballots and to permit a person to vote without appearing at a polling place on the day of an election?" Effective Date: The resolution will be referred to the 2013 session of the legislature. If it passes in that session by a majority of each house, it will appear on the 2014 general election ballot. If a majority of those voting in the general election approves the amendment, it will become part of the state constitution.

**[H.R. No. 4](#) RESOLUTION PROPOSING APPROVAL OF A COLLECTIVE BARGAINING AGREEMENT BETWEEN THE STATE EMPLOYEES BARGAINING AGENT COALITION AND THE STATE OF CONNECTICUT** The resolution proposes approval of an Agreement between the State of Connecticut and the State Employees Bargaining Agent Coalition (SEBAC). The Agreement provides for additional pension funding above the present level by eliminating two negotiated adjustments (attributed to SEBAC IV and V) which have been used to reduce the state's annual required contribution (ARC). H.R. No. 4 was deemed approved.

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

Governor Malloy vetoed seven Public Acts that had been passed by both the Senate and the House. The links to the respective bills that were vetoed follow: **[SB-0218](#)**, **[HB-5248](#)**, **[HB-5304](#)**, **[HB-5318](#)**, **[HB-5425](#)**, **[HB-5511](#)**, **[HB-5556](#)**. None of the vetoed Public Acts would have had a direct impact on DDS. The House and the Senate convened a Veto Session on June 25, 2012 but did not override any of the Governor's vetoes.

### ***BUDGET BILLS:***

**[H.B. No. 5014](#) AN ACT MAKING ADJUSTMENTS TO STATE EXPENDITURES AND REVENUES FOR THE FISCAL YEAR ENDING JUNE 30, 2013** This bill was Governor Malloy's Proposed Fiscal Year 2013 Budget Adjustment bill. Although H.B. No 5014 died, provisions of the bill were incorporated into **[H.B. No. 5557 \(PA 12-104\)](#)** AN ACT MAKING ADJUSTMENTS TO STATE EXPENDITURES FOR THE FISCAL YEAR ENDING JUNE 30, 2013 which became the Budget Adjustment bill.

**[H.B. No. 5015](#) AN ACT MAKING DEFICIENCY APPROPRIATIONS FOR THE FISCAL YEAR ENDING JUNE 30, 2012** This bill would have made changes to various state agencies' appropriations. The Department of Developmental Services was not included in this bill. The bill's provisions were incorporated into **[H.B. No. 5557 \(PA 12-104\)](#)** AN ACT MAKING ADJUSTMENTS TO STATE EXPENDITURES FOR THE FISCAL YEAR ENDING JUNE 30, 2013.

**H.B. No. 5016 AN ACT CONCERNING GENERAL GOVERNMENT** The bill included provisions to implement **H.B. No. 5014**, the revised FY 13 budget bill, as favorably reported by the Appropriations Committee and made other changes. **H.B. No. 5014** was not passed, however, the FY 13 budget was passed in **H.B. No. 5557 (PA 12-104) AN ACT MAKING ADJUSTMENTS TO STATE EXPENDITURES FOR THE FISCAL YEAR ENDING JUNE 30, 2013.**

**H.B. No. 5557 (PA 12-104) AN ACT MAKING ADJUSTMENTS TO STATE EXPENDITURES FOR THE FISCAL YEAR ENDING JUNE 30, 2013** **Emergency Certified Bill** The act makes midterm budget adjustments for fiscal year 2013 which begins on July 1, 2012. The budget continues to fund Department of Developmental Services' operational needs while requiring continued efforts to streamline and reduce costs where possible. This bill passed the House and Senate. The Legislature reconvened on June 12, 2012 for a special session to pass two budget implementer bills: **S.B. No. 501 (PA 12-2 JSS) AN ACT IMPLEMENTING CERTAIN PROVISIONS CONCERNING GOVERNMENT ADMINISTRATION** and **H.B. No. 6001 (PA 12-1 JSS) AN ACT IMPLEMENTING PROVISIONS OF THE STATE BUDGET FOR THE FISCAL YEAR BEGINNING JULY 1, 2012.**

### **JUNE 12, 2012 SPECIAL SESSION BILLS:**

The State Senate and House of Representatives convened a Special Session of the legislature on Tuesday, June 12, 2012. After several procedural resolutions were adopted including one that modified the original "call" of the Special Session to include subject matter other than language to implement the state's revised budget for fiscal year 2013, the House and Senate took up and passed two large "implementer" bills. Each bill had hundreds of sections that not only implemented the revised budget passed in the regular legislative session that ended on May 9, 2012 but also had numerous provisions that were in bills that failed to pass during the regular session and several new items.

**S.B. No. 501 (PA 12-2 JSS) AN ACT IMPLEMENTING CERTAIN PROVISIONS CONCERNING GOVERNMENT ADMINISTRATION** S.B. No. 501 contains many provisions in **Sections 14 through 28** to clarify and implement in the Education Reform Act (**PA 12-116**) passed in the 2012 regular session. It includes technical revisions to state statutes that the General Assembly's Legislative Commissioners Office has proposed. The bill also has sections dealing with the conveyance of state property to towns and changes to the state's insurance statutes. Various sections of the act have various effective dates. The link to the Office of Legislative Research summary of the bill is <http://www.cga.ct.gov/2012/BA/2012SB-00501-R00SS2-BA.htm>

**Specific to DDS:** **Section 144** of the bill conveys property once used by DDS to the Town of Windsor.

**Section 152** allows the Secretary of OPM to authorize state agencies to contract with private and nonprofit entities to facilitate the public's electronic utilization of government programs and services.

**H.B. No. 6001 (PA 12-1 JSS) AN ACT IMPLEMENTING PROVISIONS OF THE STATE BUDGET FOR THE FISCAL YEAR BEGINNING JULY 1, 2012** H.B. No. 6001 contains many provisions related to Medicaid services, the newly created Department of Housing, employment and job creation in the state, childhood immunization, school nutrition programs, state police staffing levels, and changes to statutes affecting guardianship for children. Various sections of the act have various effective dates. The link to the Office of Legislative Research summary of the bill is <http://www.cga.ct.gov/2012/BA/2012HB-06001-R00SS2-BA.htm>

**Specific to DDS:** **Section 2** specifies that Medicaid dental benefit limitations are specific to the Medicaid client, regardless of how many providers serve the client. Current law (1) subjects most nonemergency Medicaid dental services to prior authorization and (2) directs the DSS commissioner to limit nonemergency dental



services provided to adult recipients. This latter provision includes allowing for one periodic dental exam, one dental cleaning, and one set of x-rays yearly for healthy adults. The act provides that these dental benefit limitations apply to each client regardless of how many providers serve the client.

**Sections 5, 6, 7 and 15** require DSS to reduce the amount it reimburses (1) private facilities operated by regional education service centers for individuals with developmental disabilities and autism, (2) nursing homes, (3) ICF-MRs, and (4) residential care homes (RCH) if these facilities experience a “significant” decrease in their land and building costs to reflect these cost reductions. For FYs 12 and 13, PA 11-44 (1) froze the payments to these facilities unless they made a required capital improvement for resident safety and (2) allowed DSS to make lower payments over previous years to facilities for which it had issued interim rates. Public Act 12-1 JSS eliminates the freeze and lower interim rate-based payment authority for FY 2013. The bill provides that the rates DSS pays to RCHs, community living arrangements (group homes), and community companion homes that receive in FY 12 the flat rate for residential services provided for in state regulation remain in effect in FY 13. State regulations permit these facilities to have their rates determined on a flat rate basis rather than individually on the basis of cost reports they submit to DSS. The act provides that for FY 13, DSS, within available appropriations, can provide rate increases to an RCH, but a facility that would have been issued a lower rate due to its interim rate status must be issued that lower rate.

**Section 18** requires DSS, beginning October 1, 2012, to reimburse independent pharmacies for dispensing brand name drugs to Medicaid recipients a higher rate than it pays chain pharmacies, contingent on federal approval.

**Section 27** requires the DSS commissioner to issue a flyer to pharmacies to distribute to Medicaid recipients who receive a one-time, 14-day supply of their prescription when prior authorization is needed and the pharmacy has not yet received the authorization. The flyer must notify the recipients that (1) prior authorization is needed for that prescription to be filled, (2) the 14-day supply is a one-time supply, and (3) they must contact the prescriber to arrange for prior authorization for a full prescription to be filled.

**Sections 28 through 95** (1) make the Bureau of Rehabilitative Services, created by PA 11-44, a stand-alone entity rather than a bureau within DSS for administrative purposes, (2) renames it the Department of Rehabilitation Services, (3) makes the department head a commissioner instead of an executive director, and (4) makes the newly named bureau a successor authority to the previously named bureau. Under PA 11-44, the bureau was authorized to perform all of the administrative and programmatic functions of the Board of Education and Services for the Blind, the Commission on Deaf and Hearing Impaired, and other state rehabilitation services.

**Section 101** moves the Commission on Human Rights and Opportunities (CHRO) from the Department of Administrative Services to the Labor Department for administrative purposes only.

**Sections 112 through 114 and Section 121** establish a Department of Housing (DOH) and makes it the lead agency responsible for all housing matters. These sections also establish an Interagency Council on Affordable Housing to advise and assist the DOH commissioner. By January 15, 2013 the council must report to the governor and joint standing committees of cognizance on (1) planning and implementing the new department and (2) the state's housing resources and delivery systems.

**Section 142** enacts the provisions of DDS's [H.B. No. 5367 - AN ACT CONCERNING COMPETENCY TO STAND TRIAL](#) that died in the regular session. This act allows a court to receive notice if a defendant was 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. The act also allows the Department of Mental Health and Addiction Services and the Department of Correction to coordinate the custody and treatment of a defendant who presents a significant security, safety or medical risk.

**Section 198** enacts the provisions of DDS's [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 that died in the regular session. The act extends the \$900 per month job expansion tax credit to employers hiring people: 1. receiving services from DMHAS or 2. participating in DSS-funded or -operated programs providing employment opportunities and day services. An employer qualifies for the credit if these new hires work at least 20 hours per week for at least 48 weeks in a calendar year.

By law, the credits apply against the insurance premium, corporation business, utility company, or personal income tax and are available to businesses that create new jobs and hire certain Connecticut residents to fill them. A business meeting the hiring criteria qualifies for the credit only for jobs it creates between January 1, 2012, and January 1, 2014. To be eligible, the business must (1) have been in business for 12 consecutive months before applying for the credits and (2) liable for any of the taxes to which the credits apply. Further, the jobs must not have existed in Connecticut before the application and be filled by eligible employees. July 1, 2012 is the effective date of this section and it is applicable to income or taxable years commencing on or after January 1, 2012.

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

**[S.B. No. 1](#) AN ACT CONCERNING CONNECTICUT JOBS AND THE ECONOMY** This bill would have (1) expanded existing workforce and small business development programs, (2) created programs for hiring certain unemployed Afghanistan and Iraq war veterans and promoting the state's economic and cultural assets, (3) allowed more small businesses to qualify for assistance under existing bond funded programs, and (4) made administrative changes to the Main Street Investment Fund Program. The bill died in the House. Several of the bill's provisions were included in the June 12, 2012 Special Session bill in **Sections 199 through 211** of **[H.B. No. 6001 \(PA 12-1 JSS\)](#)** AN ACT IMPLEMENTING PROVISIONS OF THE STATE BUDGET FOR THE FISCAL YEAR BEGINNING JULY 1, 2012.

**[S.B. No. 13](#) AN ACT CONCERNING A STUDY OF TELEMEDICINE SERVICES** This bill would have required Department of Insurance to study telemedicine services in the state and to submit a report to the General Assembly. The bill died on the House Calendar.

**[S.B. No. 14](#) AN ACT CONCERNING HEALTH INFORMATION TECHNOLOGY WEEK** This bill would have designated the second week in September of each year as Health Information Technology Week to recognize the value of information technology and management systems in improving the state's health care system. The bill died on the House Calendar.

**[S.B. No. 24](#) AN ACT CONCERNING EDUCATIONAL COMPETITIVENESS** This bill would have, among its several provisions, (1) increased state education funding for towns, school districts, and charter and certain interdistrict magnet schools; (2) changed how the state identifies and intervenes to improve student achievement in low-performing school districts and schools; and (3) revamped required evaluation, termination processes, certification, and professional development for teachers and school administrators. The bill died in the Senate. Provisions of this bill were included in **[S.B. No. 458 \(PA 12-116\)](#)** AN ACT CONCERNING EDUCATIONAL REFORM and the June 12, 2012 Special Session bill in **Sections 14 through 28** of **[S.B. No. 501 \(PA 12-2 JSS\)](#)** AN ACT IMPLEMENTING CERTAIN PROVISIONS CONCERNING GOVERNMENT ADMINISTRATION.

**[S.B. No. 26](#) AN ACT CONCERNING DEADLINES FOR CONSENSUS REVENUE ESTIMATES** This bill would have extended the deadlines for 1. the Office of Policy and Management (OPM) and the Office of Fiscal Analysis (OFA) to issue the initial consensus revenue estimate for the current biennium and the three

following fiscal years from October 15 to November 10 annually; 2. the comptroller to issue the initial estimate if OPM and OFA do not agree on a joint estimate, from October 25 to November 20 annually; and 3. issuing all consensus revenue estimates or revisions to the next business day when any statutory deadline falls on a weekend or holiday. The bill died on the Senate Calendar. Provisions of the bill were included in Section 2 of [S.B. No. 501 \(PA 12-2 JSS\)](#) **AN ACT IMPLEMENTING CERTAIN PROVISIONS CONCERNING GOVERNMENT ADMINISTRATION.**

[S.B. No. 30](#) **AN ACT IMPLEMENTING PROVISIONS OF THE BUDGET CONCERNING HUMAN SERVICES** This bill would have made changes in human services programs, most of which the Department of Social Services (DSS) administers. Among its various provisions, it would have: 1. provided that Medicaid dental service limits are per-client limits and apply regardless of the number of providers the client sees; 2. permitted DSS to reduce the amount it reimburses certain facilities that serve people with disabilities when their land and building costs go down; 3. made the new Bureau of Rehabilitative Services a stand-alone state agency; and 4. required certain unlicensed home health care employees to be certified to administer medications. The bill died in the Appropriations Committee. Provisions of the bill were incorporated into the June 12, 2012 Special Session bill in Sections 2 through 27 of [H.B. No. 6001 \(PA 12-1 JSS\)](#) **AN ACT IMPLEMENTING PROVISIONS OF THE STATE BUDGET FOR THE FISCAL YEAR BEGINNING JULY 1, 2012.**

[S.B. No. 36](#) **AN ACT CONCERNING REVISIONS TO THE STATE CODES OF ETHICS** This bill would have made several changes to the State Codes of Ethics for Public Officials and Lobbyists. The bill died on the House Calendar.

[S.B. No. 60](#) **AN ACT PROHIBITING PRICE GOUGING DURING SEVERE WEATHER EVENTS** This bill would have barred excessive price increases for goods and services in circumstances where the governor proclaims it to be a severe weather event. The bill died on the House Calendar.

[S.B. No. 92](#) **AN ACT CONCERNING THE DISPOSAL AND COLLECTION OF UNUSED MEDICATION** This bill would have prohibited healthcare institutions from disposing of medications into waste water systems and would have established a program for the collection and disposal of unused pharmaceuticals. The bill died in the General Law Committee.

[S.B. No. 111](#) **AN ACT CONCERNING THE PENALTY FOR CAUSING HARM TO A VULNERABLE USER OF A PUBLIC WAY** This bill would have provided a penalty for any person who causes harm to a vulnerable user of a public way including pedestrians, blind people and their service animals, bicyclists, highway workers, people in wheelchairs, and others. Existing law requires drivers to exercise due care to avoid colliding with a pedestrian or bicyclist. The bill died on the House Calendar.

[S.B. No. 143](#) **AN ACT INCREASING ELIGIBILITY FOR THE ALZHEIMER RESPITE CARE PROGRAM** This bill would have increased, from \$ 41,000 to \$ 50,000, the Statewide Respite Care Program's annual income limit and would have retained the existing asset limit of \$ 109,000. The program provides respite for caregivers for people with Alzheimer's disease or related disorders, regardless of age, who are not enrolled in the Connecticut Homecare Program for Elders. The bill died on the House Calendar.

[S.B. No. 155](#) **AN ACT ALLOWING EMPLOYERS TO PAY WAGES USING PAYROLL CARDS** This bill would have allowed employers to pay employee wages using payroll cards. The bill died on the Senate Calendar.

[S.B. No. 176](#) **AN ACT CONCERNING NURSING HOME COMPLIANCE WITH COMFORTABLE AND SAFE TEMPERATURE STANDARDS** This bill would have required the Department of Public Health (DPH) commissioner to take certain actions if she investigates or inspects a nursing home and finds it to be

noncompliant with minimum temperature standards due to an inadequate facility including, requiring the nursing home owner to sign a consent order assuring that necessary improvements or repairs will be made within a specified timeframe and assessing a civil penalty of up to \$ 1,000 for each day the violation continues if the home violates the consent order. The bill died on the House Calendar.

**S.B. No. 177 AN ACT CONCERNING NOTIFICATION TO POTENTIAL AND EXISTING NURSING HOME OWNERS** This bill would have required the Department of Public Health (DPH) to notify nursing home licensees and owners that they may be held criminally liable for abuse or neglect of a resident perpetrated by nursing home employees. The bill died on the House Calendar.

**S.B. No. 184 AN ACT CONCERNING THE DEFINITION OF EMPLOYER IN THE FAMILY AND MEDICAL LEAVE ACT** This bill would have clarified that the state's Family and Medical Leave Act only applies to employers employing seventy-five or more employees within Connecticut. The state's Family and Medical Leave Act (FMLA) requires private sector employers with 75 or more employees to provide qualifying employees with unpaid leave under certain circumstances. The bill died on the House Calendar.

**S.B. No. 193 AN ACT CONCERNING MANDATED REPORTERS AND REQUIRING CRIMINAL HISTORY RECORDS CHECKS FOR YOUTH CAMP DIRECTORS AND ALTERNATE DIRECTORS** This bill would have expanded the category of persons who are mandated reporters and required criminal history records check for youth camp staff employees and volunteers. The bill died in the Human Services Committee.

**S.B. No. 225 AN ACT AUTHORIZING AN UPDATED ADVANCED COMMUNICATIONS TECHNOLOGY STUDY** The bill would have required an updated study by the Connecticut Academy of Science and Engineering (CASE) on the state's advanced communications technologies. The bill died on the Senate Calendar.

**S.B. No. 236 AN ACT CONCERNING REIMBURSEMENT OF EMERGENCY ROOM PHYSICIANS FOR TREATMENT OF MEDICAID RECIPIENTS** The bill would have provided payment to physicians who treat Medicaid recipients in emergency rooms but do not receive a salary or subsidy for those services. The bill died on the Foot of the Senate Calendar.

**S.B. No. 247 AN ACT CONCERNING THE SEXUAL ASSAULT OF A PERSON WHOSE ABILITY TO CONSENT IS SUBSTANTIALLY IMPAIRED DUE TO MENTAL DISABILITY** The bill would have provided that sexual intercourse or sexual contact with a person whose ability to communicate lack of consent to such sexual activity is substantially impaired because of a mental or physical condition constitutes the crime of sexual assault. The bill died in the Appropriations Committee. Provisions of the bill were included in Senate Amendment A (**LCO No. 5314**) of **S.B. No. 379 AN ACT CONCERNING EXPENDITURES OF THE JUDICIAL DEPARTMENT, THE DIVISION OF CRIMINAL JUSTICE AND THE PUBLIC DEFENDER SERVICES COMMISSION**. Senate Amendment A was not voted on and S.B. No. 379 died on the Senate Calendar.

**S.B. No. 255 AN ACT CONCERNING REVISIONS TO STATUTES CONCERNING THE COMPTROLLER** Among its many provisions, this bill would have made unrelated changes affecting the statewide accounting and personnel system (CORE-CT) and the comptroller. Concerning CORE-CT, the bill would have required the comptroller to report biennially, rather than annually, on its status to the governor and General Assembly. The bill would have transferred from the comptroller to the Department of Administrative Services, responsibility for (a) making payments of \$ 7,500 or less that the claims commissioner orders for immediate disbursement and (b) receiving and depositing in the General Fund refunds, dividends, and other payments the state gets from insurance companies in connection with state insurance. The bill would have also:

increased, from \$ 1,000 to \$ 5,000, the threshold value of personal property in an agency's custody that it must annually inventory and report to the comptroller. The bill died on the House Calendar.

**S.B. No. 274 AN ACT CONCERNING CHEMICALS OF CONCERN TO CHILDREN** The bill would have required a study to identify chemicals of high concern to children. The bill died on the Senate Calendar.

**S.B. No. 281 AN ACT CONCERNING A REPORT ON THE SURVEY OF ACCESSIBILITY IN AND TO STATE BUILDINGS** The bill would have required the Department of Administrative Services to report on the results of its survey, currently underway, of accessibility in and to state buildings for persons with disabilities. The bill died on the Foot of the Senate Calendar.

**S.B. No. 282 AN ACT CONCERNING THE RETURN OF A GIFT TO A PERSON IN NEED OF LONG-TERM CARE SERVICES** By law, the Department of Social Services (DSS) commissioner must impose a penalty period (period of Medicaid ineligibility) if individuals who are institutionalized (including recipients of Medicaid-waiver home- and community-based services) transfer or assign their assets for less than they are worth in order to shift their care costs to the Medicaid program. The penalty period applies when such transactions occur within five years before a person applies for Medicaid long-term care. A penalty period generally is not imposed if the entire amount of the transferred asset is returned to the individual who is institutionalized. This bill would have required the commissioner, to the extent permitted by federal law, to reduce the penalty period if (1) part of the transferred assets were returned to the individual and (2) the penalty period's original end date does not change. The bill died on the House Calendar.

**S.B. No. 284 AN ACT CREATING A CHILDHOOD IMMUNIZATION TASK FORCE** This bill would have established a task force to develop a plan to provide immunizations to children in the state, in accordance with federal initiatives, and to consider whether universal immunization for children in the state should continue. The task force would have been required to report its findings to the Public Health, Human Services, Insurance and Appropriations Committees. The bill died on the Senate Calendar.

**S.B. No. 287 AN ACT CONCERNING LOCAL PHARMACIES** This bill would have prohibited a pharmacy and a pharmaceutical products wholesaler from entering into or renewing an agreement on and after July 1, 2012 that would: 1. limit, encumber, or otherwise restrict the pharmacy from purchasing or receiving pharmaceuticals from another wholesaler or 2. restrict the pharmacy from providing pharmaceutical products from another wholesaler to state employees. The bill died on the Foot of the Senate Calendar.

**S.B. No. 291 AN ACT ESTABLISHING A YOUTH EMPLOYMENT SYSTEM** This bill as amended would have required the Commissioner of the Department of Labor (DOL), in consultation with the Connecticut Employment and Training Commission, to develop youth employment strategies to bolster youth employment and address the unemployment of youth and young adults, including, but not limited to, educating employers concerning a tax credit available pursuant to section 12-217pp of the general statutes for a taxpayer who hires a young adult who qualifies as a new employee under said section. A report by the Labor Commissioner regarding such strategies to the Higher Education and Employment Advancement Committee would have been required. The bill died on the House Calendar.

**S.B. No. 300 AN ACT CONCERNING EARLY CHILDHOOD EDUCATION** The bill would have required the Department of Education, in consultation with the Departments of Social Services and Construction Services, to study space requirements for universal early childhood education and other issues related to school readiness. The bill was recommitted to the Education Committee where the bill died.

**S.B. No. 307 AN ACT CONCERNING THE INHERITANCE RIGHTS OF A BENEFICIARY OR SURVIVOR WHO IS FOUND NOT GUILTY OF MURDERING THE DECEASED BY REASON OF**

**MENTAL DISEASE OR DEFECT** This bill would have prohibited a person found not guilty by reason of mental disease or defect of causing the death of a decedent from benefiting from the estate of the decedent or from the decedent's life insurance policy or annuity. The bill died on the House Calendar.

**S.B. No. 310 AN ACT CONCERNING THE REMOVAL OF INDIVIDUALS FROM THE STATE CHILD ABUSE AND NEGLECT REGISTRY** This bill would have established a good cause procedure that people can use to have their names removed from the Department of Children and Families' (DCF) child abuse and neglect registry. The bill passed the House as amended but died before it reached the Senate.

**S.B. No. 315 AN ACT PROHIBITING THE UNNECESSARY COLLECTION OF SOCIAL SECURITY NUMBERS** With various exceptions, this bill would have prohibited anyone doing business in Connecticut from requesting or collecting an individual's Social Security number (SSN). The bill would have exempted among others, financial institutions, health care providers, insurers, and credit agencies from this prohibition. Also, the prohibition would not apply to the state, its political subdivisions, or any of their agencies. The bill died on the House Calendar.

**S.B. No. 324 AN ACT CONCERNING THE DEPARTMENT OF EMERGENCY SERVICES AND PUBLIC PROTECTION** This bill would have made technical and conforming changes to certain statutes resulting from the consolidation of agencies and the establishment of the Department of Emergency Services and Public Protection. The bill died on the Senate Calendar.

**S.B. No. 368 AN ACT CONCERNING A REPORT BY THE HEALTH INFORMATION TECHNOLOGY EXCHANGE OF CONNECTICUT** This bill would have 1. added information that the Health Information Technology Exchange of Connecticut (HITE-CT) must include in its annual reports to the governor and legislature and 2. specified that HITE-CT employees are not state employees as defined in the state employee collective bargaining, retirement, or personnel administration laws. The bill died on the House Calendar.

**S.B. No. 374 AN ACT CONCERNING A STUDY OF FUNDING AND SUPPORT FOR HOME AND COMMUNITY-BASED CARE FOR THE ELDERLY AND ALZHEIMER'S PATIENTS** The bill would have required the Commission on Aging to submit a report on home and community-based care for the elderly and Alzheimer's patients no later than June 1, 2013. The bill passed the Senate but died before reaching the House.

**S.B. No. 377 AN ACT CONCERNING EXPENDITURES OF STATE AGENCIES PROVIDING PUBLIC HEALTH, MENTAL HEALTH AND DEVELOPMENTAL SERVICES** This bill would have required a review of the programs and services administered or provided by state agencies providing public health, mental health or developmental services. The bill died on the Foot of the Senate Calendar.

**S.B. No. 379 AN ACT CONCERNING EXPENDITURES OF THE JUDICIAL DEPARTMENT, THE DIVISION OF CRIMINAL JUSTICE AND THE PUBLIC DEFENDER SERVICES COMMISSION** Sections 17 through 20 of Senate Amendment A (**LCO No. 5314**), which was called but not voted, on included provisions of **S.B. No. 247 AN ACT CONCERNING THE SEXUAL ASSAULT OF A PERSON WHOSE ABILITY TO CONSENT IS SUBSTANTIALLY IMPAIRED DUE TO MENTAL DISABILITY**. The bill died on the Senate Calendar.

**S.B. No. 381 AN ACT CREATING A TASK FORCE TO STUDY LOW-INCOME ADULTS AND MEDICATION ADMINISTRATION** The bill would have established a task force to study the Medicaid for Low-Income Adults program and the administration of medication by unlicensed personnel who work for home health care agencies. The bill died on the Foot of the Senate Calendar. Provisions in **Section 11** of **H.B. No.**

**6001 (PA 12-1 JSS) AN ACT IMPLEMENTING PROVISIONS OF THE STATE BUDGET FOR THE FISCAL YEAR BEGINNING JULY 1, 2012** of the June 12, 2012 Special Session allow nurses to delegate medication administration to unlicensed personnel in certain settings.

**S.B. No. 387 AN ACT CONCERNING THE USE OF REMANUFACTURED PARTS FOR THE MAINTENANCE AND REPAIR OF THE STATE'S MOTOR VEHICLE FLEET.** This bill would have encouraged the use of recycled, remanufactured and aftermarket parts for the repair of the state's automobile fleet. The bill died in the Government Administration and Elections Committee.

**S.B. No. 392 AN ACT CONCERNING PHARMACY REIMBURSEMENT** This bill would have increased the amount the Department of Social Services reimburses independent pharmacists for dispensing brand-name drugs to individuals enrolled in its medical assistance programs that offer a drug benefit (e.g., Medicaid). The bill died in the Appropriations Committee. Provisions of this bill were included in **Section 18** of **H.B. No. 6001 (PA 12-1 JSS) AN ACT IMPLEMENTING PROVISIONS OF THE STATE BUDGET FOR THE FISCAL YEAR BEGINNING JULY 1, 2012** of the June 12, 2012 Special Session.

**S.B. No. 393 AN ACT CONCERNING REPAYMENT OF STATE AID BY A RECIPIENT WHOSE DEATH IS CAUSED BY THE STATE'S NEGLIGENCE** This bill would have prohibited the state from making a claim or applying a lien against the proceeds of a settlement or award in a case brought by, or on behalf of, a beneficiary whose death was caused by the state's negligence. The bill died on the Foot of the Senate Calendar.

**S.B. No. 394 AN ACT CONCERNING MEDICAID ELIGIBILITY AND THE IDENTIFICATION AND RECOVERY OF ASSETS** This bill would have clarified asset identification and recovery procedures in Medicaid eligibility determinations. The bill died on the House Calendar.

**S.B. No. 397 AN ACT AMENDING THE MEDICAID STATE PLAN TO INCLUDE CHIROPRACTIC TREATMENT AS AN OPTIONAL SERVICE** This bill would have added chiropractic treatment as an optional service covered under the Medicaid state plan. The bill died in the Appropriations Committee. Provisions of the bill were included in **Section 17** of **H.B. No. 6001 (PA 12-1 JSS) AN ACT IMPLEMENTING PROVISIONS OF THE STATE BUDGET FOR THE FISCAL YEAR BEGINNING JULY 1, 2012** of the June 12, 2012 Special Session.

**S.B. No. 405 AN ACT CONCERNING TARGETED HEALTH AREAS** This bill would have established a Targeted Health Area program and provided economic incentives to licensed physicians and physician offices providing primary care services or needed medical specialties in such targeted health areas. This bill would have opened the Small Business Express Program to licensed physicians and physician offices in up to 10 state-designated Targeted Health Areas (THAs), which the Department of Public Health (DPH) commissioner would designate based on the bill's criteria and in consultation with the parties the bill specified. The program provides business loans and grants to Connecticut-based businesses with 50 or fewer employees. The bill died on the House Calendar.

**S.B. No. 408 AN ACT CONCERNING A TASK FORCE TO STUDY HEALTH CARE FOR UNINSURED CHILDREN** This bill would have established a task force to study the establishment of additional programs to provide health care to uninsured children in this state. The bill died on the House Calendar.

**S.B. No. 414 AN ACT CONCERNING ADVANCED PRACTICE REGISTERED NURSES' CERTIFICATION OR SIGNATURE** This bill would have allowed an advanced practice registered nurse

(APRN) to certify, sign, or otherwise document medical information in specified situations that currently require a physician's signature, certification, or documentation. The bill died on the House Calendar.

**S.B. No. 417 AN ACT CONCERNING JUVENILE MATTERS AND PERMANENT GUARDIANSHIPS** to: This bill would have (1) Established a process for determining competency of a child or youth in a juvenile matter; (2) clarified the procedure for genetic testing reporting of paternity adjudications in certain juvenile matters; (3) clarified the primary role of counsel for a child who is unable to communicate with counsel and is the subject of a neglect or abuse petition; (4) eliminated certain placements for children convicted as delinquent; (5) established permanent legal guardianships and permanent guardianships intended to endure until the child attains the age of majority; (6) eliminated automatic transfers from the juvenile docket to the regular criminal docket for class B felony cases, and require the juvenile court to make certain enumerated findings prior to transferring a case where a child is charged with a class B, C or D felony or unclassified felony to the regular criminal docket; and (7) revised other procedures in juvenile matters. The bill died in the Appropriations Committee.

**S.B. No. 418 AN ACT ADOPTING THE UNIFORM ELECTRONIC LEGAL MATERIAL ACT AND THE UNIFORM CERTIFICATE OF TITLE FOR VESSELS ACT** This bill would have adopted the Uniform Electronic Legal Material Act and the Uniform Certificate of Title for Vessels Act in this state which would provide for the authentication and preservation of electronic records of legal material published by the state including state agency regulations. The bill passed the Senate but did not make it to the House.

**S.B. No. 419 AN ACT CONCERNING RESPONSIBLE PARTY AGREEMENTS AND THE MAINTENANCE OF PROFESSIONAL LIABILITY INSURANCE BY NURSING HOMES, HOME HEALTH CARE AGENCIES AND HOMEMAKER-HOME HEALTH AIDE AGENCIES** This bill would have (1) required a nursing home facility to fully and fairly inform an applicant for admission to such facility, the applicant's relatives and other responsible parties of their obligations in connection with an admission to the facility; and (2) required nursing homes, home health care agencies and homemaker-home health aide agencies to maintain professional liability insurance at certain prescribed levels. The bill died in the House.

**S.B. No. 425 AN ACT CONCERNING A BASIC HEALTH PROGRAM** This bill would have required the special advisor to the governor on healthcare reform, in consultation with the Department of Social Services (DSS) commissioner, to establish and implement, within available appropriations, a Basic Health Program (BHP) by January 1, 2014 in accordance with the 2010 federal Patient Protection and Affordable Care Act. The bill died in the Appropriations Committee.

**S.B. No. 429 AN ACT CONCERNING THE SET-ASIDE PROGRAM AND THE PERCENTAGE OF CONTRACTS RESERVED FOR MINORITY BUSINESS ENTERPRISES** This bill would have required that half of the set-aside value for minority business enterprises (MBEs), which are small contractors owned by women, minorities, or people with disabilities, be specifically reserved for MBEs that are owned by members of a minority. The other half of the MBE set-aside is open to all MBEs. The bill died in the Appropriations Committee.

**S.B. No. 436 AN ACT CONCERNING PRESCRIPTION DRUG MONITORING** This bill would have required people or institutions that must register with the Department of Consumer Protection (DCP) as controlled substance practitioners to also register for access to DCP's electronic prescription drug monitoring program. The bill would have applied to practitioners distributing, administering, or dispensing controlled substances in Connecticut, or proposing to distribute, prescribe, administer, or dispense controlled substances in this state including: physicians; dentists; veterinarians; podiatrists; optometrists; physician assistants; advanced practice registered nurses; nurse-midwives; scientific investigators; hospitals; or other people or institutions



licensed, registered, or otherwise permitted to distribute, dispense, conduct research with respect to, or administer a controlled substance in the course of professional practice or research in the state. The bill died on the House Calendar.

**[S.B. No. 437](#) AN ACT CONCERNING CHANGES TO ELECTIONS LAWS** This bill would have changed election laws affecting registrars of voters, State Elections Enforcement Commission (SEEC) members, submissions of local voting district returns and maps, and supervised absentee balloting designees. This bill was recommitted to the Government Administration and Elections Committee where it died.

**[S.B. No. 443](#) AN ACT CONCERNING ILLEGAL ELECTRONIC MONITORING** This bill would have established criminal penalties for electronic monitoring of a person when such electronic monitoring is conducted without legal authorization or consent of the person. The bill died in the Senate.

**[S.B. No. 455](#) AN ACT CONCERNING THE COMMISSION ON HUMAN RIGHTS AND OPPORTUNITIES** This bill would have required municipalities to participate in the state's small and minority business set-aside program. Current law allows municipalities to establish such a program, but exempts municipal contracts from the mandatory state program. The bill died in the Appropriations Committee.

**[H.B. No. 5013](#) AN ACT CONCERNING THE BOARD MEMBERS OF THE CONNECTICUT HEALTH INSURANCE EXCHANGE** Among its provisions, this bill would have: 1. added four members to the Connecticut Health Insurance Exchange's board of directors; 2. made the Healthcare Advocate a voting board member; and 3. expanded outside employment and affiliations restrictions applicable to exchange board members and staff. The bill died on the Senate Calendar.

**[H.B. No. 5014](#) AN ACT MAKING ADJUSTMENTS TO STATE EXPENDITURES AND REVENUES FOR THE FISCAL YEAR ENDING JUNE 30, 2013** This bill was Governor Malloy's Proposed Fiscal Year 2013 Budget Adjustment bill. Although H.B. No 5014 died, provisions of the bill were incorporated into **[H.B. No. 5557 \(PA 12-104\)](#) AN ACT MAKING ADJUSTMENTS TO STATE EXPENDITURES FOR THE FISCAL YEAR ENDING JUNE 30, 2013** which became the Budget Adjustment bill.

**[H.B. No. 5016](#) AN ACT CONCERNING GENERAL GOVERNMENT** The bill included provisions to implement **[H.B. No. 5014](#)**, the revised FY 13 budget bill, as favorably reported by the Appropriations Committee and made other changes. **H.B. No. 5014** was not passed, however, the FY 13 budget was passed in **[H.B. No. 5557 \(PA 12-104\)](#) AN ACT MAKING ADJUSTMENTS TO STATE EXPENDITURES FOR THE FISCAL YEAR ENDING JUNE 30, 2013**.

**[H.B. No. 5027](#) AN ACT IMPLEMENTING THE GOVERNOR'S BUDGET RECOMMENDATIONS CONCERNING THE ELIMINATION, CONSOLIDATION AND MODIFICATION OF VARIOUS BOARDS AND COMMISSIONS** This bill would have eliminated 31 state boards and commissions and designated a successor agency for, or transferred the duties of three of them. It would have established in statute the Connecticut Council on Developmental Disabilities, which is currently a federally-funded program operating as a state agency to advocate and promote policy and programs for people with disabilities. Additionally, the bill would have made minor changes to several other entities such as revising their memberships or their reporting requirements. The bill died on the Senate Calendar.

**[H.B. No. 5056](#) AN ACT CONCERNING THE ELECTRONIC PRESCRIPTION DRUG MONITORING PROGRAM** This bill would have expanded the electronic prescription drug monitoring program to include (1) out-of-state pharmacies that ship, mail, or deliver prescription drugs into the state and (2) any other drug dispensing practitioner (i.e., a physician, dentist, or anyone permitted to dispense a controlled substance). The bill also would have allowed the Department of Consumer Protection (DCP) commissioner to identify

additional products to be included in the program, including herbal or chemical substances or drugs. The bill died on the Senate Calendar.

**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** This bill would have allowed 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 (an incentive for employers to hire individuals with intellectual and mental health disabilities). The tax credit program runs until January 1, 2014 and would offer a tax credit of \$900 a month for employers who hire a qualified employee. The bill made it through the Commerce and Public Health Committees but died in the Finance Revenue and Bonding Committee. The provisions of the bill were then passed as part of the June 12, 2012 Special Session in **Section 198** of **H.B. No. 6001 (PA 12-1 JSS) AN ACT IMPLEMENTING PROVISIONS OF THE STATE BUDGET FOR THE FISCAL YEAR BEGINNING JULY 1, 2012.**

**H.B. No. 5116 AN ACT REQUIRING THE LABELING OF FOOD PACKAGING THAT CONTAINS BISPHENOL-A** This bill would have prohibited any person from distributing, selling, or offering or exposing for sale any food packaging containing bisphenol-A as an intentionally added component unless such packaging has a label on its front stating: "THIS PACKAGE CONTAINS BISPHENOL-A". The bill died on the House Calendar.

**H.B. No. 5172 AN ACT CONCERNING STATE MILITARY SERVICE** This bill would have updated and changed various laws pertaining to the state's armed forces personnel and Military Department including: 1. making changes concerning pay, including elimination of additional state remuneration beyond salary for certain members; 2. changing how certain military service is defined for state employees' benefits; and 3. removing the Military Department from the Department of Emergency Services and Public Protection. The bill died on the House Calendar.

**H.B. No. 5178 AN ACT CONCERNING SYNCHRONIZING PRESCRIPTION REFILLS** This bill would have required individual insurance policies to cover refills of prescription drugs made in accordance with a plan to synchronize refilling multiple prescriptions for certain insured persons with chronic illnesses. The bill died in the Insurance and Real Estate Committee.

**H.B. No. 5179 AN ACT INCREASING TEMPORARY FAMILY ASSISTANCE BENEFITS FOR GRANDPARENTS AND OTHER NONPARENT CARETAKER RELATIVES** This bill would have provided equal benefits to a grandparent or a caretaker relative who is raising a child regardless of whether the child is committed to the Department of Children and Families. The bill died in the Appropriations Committee.

**H.B. No. 5185 AN ACT CONCERNING INTERVIEWS IN CHILD ABUSE AND NEGLECT CASES** This bill would have required the Department of Children and Families (DCF) to have a documented, compelling reason to believe that seeking consent of a child's parents, guardians, or another responsible person to interview the child in an investigation of abuse would place the child at imminent risk of physical harm unless DCF has reason to believe that the adult or a member of the child's household perpetrated the alleged abuse. Under the bill, a documented, compelling reason could have included criminal conviction information concerning the alleged perpetrator and previous allegations of abuse or neglect relating to the child or other children in the household or family violence. The bill died on the House Calendar.

**H.B. No. 5215 AN ACT INCREASING THE PERSONAL NEEDS ALLOWANCE** This bill would have provided a state supplement payment for recipients of Medicaid and the federal Supplemental Security Income Program who reside in long-term care facilities and would have permitted patients residing in nursing homes,

chronic disease hospitals and state humane institutions who are medical assistance recipients an increase in their personal needs allowance from sixty to sixty-five dollars per month. Thereafter, the personal needs allowance would have been adjusted annually on July first based on the percentage increase, if any, in the most recent calendar year average in the consumer price index for all urban consumers. The bill died in the Appropriations Committee.

**H.B. No. 5218 AN ACT CONCERNING TOXIC FIRE RETARDANTS IN CHILDREN'S PRODUCTS**

This bill would have prohibited any person from manufacturing, selling, offering for sale, or distributing in Connecticut any children's product containing the tris flame retardant chemicals TDCPP, TDCP, TCEP, or TCP, except for products governed by federal motor vehicle safety standards related to child restraint systems and flammability of car interiors. The bill died on the House Calendar.

**H.B. No. 5219 AN ACT CONCERNING THE INCLUSION OF YOUNG ADULTS IN THE ANNUAL REPORT CARD ON POLICIES AND PROGRAMS AFFECTING CHILDREN**

This bill would have required the annual report card that the General Assembly's Children's Committee must maintain on the progress of state policies and programs promoting child well-being to include the well-being of young adults, ages 18-24. The bill died on the Senate Calendar.

**H.B. No. 5234 AN ACT CONCERNING THE WILFUL FAILURE OF AN EMPLOYER TO DECLARE THE PAYMENT OF WAGES ON PAYROLL RECORDS FOR UNEMPLOYMENT COMPENSATION PURPOSES**

This bill would have increased the penalty on employers who willfully fail to declare payment of wages in order to avoid paying unemployment taxes or benefits. It would have permitted a penalty of 15%, rather than the 10% under current law, of the total contributions due to the Labor Department under state unemployment law. The bill died on the House Calendar.

**H.B. No. 5235 AN ACT CONCERNING AN EMPLOYEE'S RIGHT TO INSPECT, COPY OR DISPUTE THE CONTENTS OF HIS OR HER PERSONNEL FILE**

This bill would have made several changes to the law that regulates how an employer must maintain and make accessible to an employee his or her personnel file. It (1) specified how quickly an employer must provide a current or former employee with access to his or her file, (2) required employers to provide employees with copies of documentation of any disciplinary action or termination, and (3) required employers to notify employees that they can include a written statement in their personnel file disagreeing with the employer's discipline, evaluation, or termination of the employee. The bill died on the House Calendar.

**H.B. No. 5242 AN ACT CONCERNING DONATED DENTAL SERVICES**

This bill would have authorized the Department of Public Health (DPH), in consultation with the Department of Social Services, to contract with (1) licensed dental professionals or (2) a statewide entity representing dental professionals to establish and operate a program providing charitable dental services to low-income families. The contract could have included provisions to: 1. establish a network of volunteer dentists, dental specialists, dental laboratories, and other dental professionals to donate dental services to eligible people; 2. establish a system to refer eligible people to program volunteers; 3. develop and implement a public awareness program to inform eligible people about the program; and 4. provide the program with administrative and technical support. The bill died on the House Calendar.

**H.B. No. 5247 AN ACT CONCERNING THE PENALTY FOR ASSAULT OF PUBLIC SAFETY, EMERGENCY MEDICAL, PUBLIC TRANSIT OR HEALTH CARE PERSONNEL**

This bill would have imposed a mandatory minimum term of imprisonment on a person who assaults a police officer, firefighter, emergency medical technician, paramedic, ambulance driver, emergency room physician or nurse, motor vehicle inspector, public transit employee, correctional officer, probation officer, parole officer or any other specified employee. The bill died in the Appropriations Committee.

**H.B. No. 5291 AN ACT CONCERNING THE MINIMUM WAGE** This bill, as amended in the House, would have raised the hourly minimum wage from its current \$8.25 to \$8.50 on January 1, 2013, and from \$8.50 to \$8.75 on January 1, 2014. The original bill would have (1) increased the minimum wage to \$8.75 in 2013, and \$ 9.25 in 2014, (2) required annual minimum wage adjustments based on the Consumer Price Index starting in 2015, (3) adjusted the tip credit, and (4) increased the amount that could be recovered from employers who violated minimum wage and overtime laws. The bill died on the Senate Calendar.

**H.B. No. 5309 AN ACT IMPLEMENTING THE RECOMMENDATIONS OF THE PROGRAM REVIEW AND INVESTIGATIONS COMMITTEE CONCERNING THE CREATION OF A GOVERNANCE STRUCTURE TO IMPLEMENT E-GOVERNMENT** This bill would have established a 21-member E-Government Board to (1) facilitate the development and implementation of the state's e-government initiatives and strategies and (2) identify business and customer service needs. The bill also would have required the Department of Administrative Services' (DAS) chief information officer (CIO) to develop, publish, and annually update an e-government strategic plan in consultation with the board. The bill died on the House Calendar.

**H.B. No. 5310 AN ACT CONCERNING A STUDY OF METHODS TO REDUCE THE STATE'S SOFTWARE LICENSING COSTS** This bill would have required the Department of Administrative Services to conduct a study concerning methods for the state to reduce its software licensing costs. The bill died on the House Calendar.

**H.B. No. 5313 AN ACT CREATING A TASK FORCE TO STUDY THE NEED FOR A PUBLIC RETIREMENT PLAN** This bill would have created a task force to study a state-administered defined benefit plan for employees of employers in the state. The bill died on the Senate Calendar.

**H.B. No. 5322 AN ACT CONCERNING PRESSURE REDISTRIBUTION MATTRESSES AND PATIENT CARE IN NURSING HOME FACILITIES** This bill would have required a nursing home, when replacing a mattress, to use a pressure-redistribution mattress designed to help prevent pressure ulcers. It would have required the nursing home to make this replacement for all beds by October 1, 2015. The bill would have applied to licensed chronic and convalescent nursing homes (CCNH), CCNH-associated chronic disease hospitals, and rest homes with nursing supervision. The bill died on the House Calendar.

**H.B. No. 5330 AN ACT CONCERNING SEXUAL OFFENDER REGISTRATION REQUIREMENTS FOR CERTAIN PERSONS GRANTED TEMPORARY LEAVE BY THE PSYCHIATRIC SECURITY REVIEW BOARD AND THE ESTABLISHMENT OF AN ACQUITEE INFORMATION INTERNET WEB SITE** This bill would have required the Psychiatric Security Review Board (PSRB) to develop a content page on its internet web site to inform the public of the status and placement of acquittees found not guilty of crimes due to mental disease or defect under its jurisdiction. It also would have required acquittees who are on temporary leave from PSRB to register as sex offenders if the crime for which they were acquitted was one that requires sex offender registration (i.e., a criminal offense against a victim who is a minor or a nonviolent or violent sexual offense). The bill died on the Senate Calendar.

**H.B. No. 5337 AN ACT ESTABLISHING A TASK FORCE TO EVALUATE THE UTILITY OF CREATING A PUBLIC RETIREMENT PLAN** This bill would have created a task force to study the need for a public retirement plan. The bill died on the House Calendar.

**H.B. No. 5338 AN ACT CONCERNING MEDICAID LONG-TERM CARE COVERAGE FOR MARRIED COUPLES** This bill would have allowed the spouse of an individual who is institutionalized seeking Medicaid benefits to keep the maximum community spouse protected amount, as determined by federal law. The bill died in the Appropriations Committee.

**H.B. No. 5350 AN ACT CONCERNING THE EXPANSION OF THE PILOT STUDY OF BEST PRACTICES IN EARLY LITERACY AND CLOSING ACADEMIC ACHIEVEMENT GAPS** This bill would have expanded an existing early literacy pilot study and created a method for determining which school districts were eligible to have their schools participate. It also required the State Department of Education (SDE) to: 1. develop or approve new kindergarten through third grade reading assessments, 2. monitor school districts that over-identify minority students for special education, and 3. establish a teacher professional development program in reading instruction. The bill died on the House Calendar.

**H.B. No. 5352 AN ACT CONCERNING THE STUDY OF PERSONALIZED LEARNING SCHOOLS** This bill would have required the Department of Education to study issues relating to the personalization of learning in schools. The department would have had to consider ways of allowing schools to provide personalized educational experiences for and testing of students based on individualized needs. The bill died on the House Calendar.

**H.B. No. 5367 AN ACT CONCERNING COMPETENCY TO STAND TRIAL** This bill would have allowed a court to receive notice if a defendant was 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. The bill also would have allowed the Department of Mental Health and Addiction Services and the Department of Correction to coordinate the custody and treatment of a defendant who presents a significant security, safety or medical risk. The bill passed the House but died in the Senate. The bill was then passed as part of the June 12, 2012 Special Session in **Section 142** of **H.B. No. 6001 (PA 12-1 JSS) AN ACT IMPLEMENTING PROVISIONS OF THE STATE BUDGET FOR THE FISCAL YEAR BEGINNING JULY 1, 2012.**

**H.B. No. 5380 AN ACT REQUIRING THE DISPLAY OF HOUSE NUMBERS** This bill would have required the owner of a residential building to display the building's street number on the building or on a post, sign, mailbox, or other device between the building and the street. House numbers would have been required to be (1) at least four inches high and (2) placed between four and 12 feet above the ground. The bill died on the House Calendar.

**H.B. No. 5387 AN ACT CONCERNING HEALTH INSURANCE CLAIM FORMS AND THE DEVELOPMENT OF A UNIFORM TREATMENT AUTHORIZATION FORM FOR MENTAL HEALTH SERVICES** Among its various provisions, this bill would have required the public health commissioner to develop a uniform treatment authorization form for mental health services. The bill would have required health care providers and hospitals to use the uniform authorization form when obtaining patient authorization and information for the provision of mental health services. The form would have had to comply with state and federal mental health parity and privacy laws, including the Health Insurance Portability and Accountability Act (HIPAA). The bill died on the House Calendar.

**H.B. No. 5391 AN ACT CONCERNING A LAW ENFORCEMENT AGENCY'S USE OF AN AUTOMATED LICENSE PLATE RECOGNITION SYSTEM** This bill would have required that law enforcement agencies that use automated license plate recognition systems expunge the data the system collects and the agency stores within 14 days after collection unless the data is relevant and material to an ongoing criminal investigation or prosecution. The bill died on the House Calendar.

**H.B. No. 5396 AN ACT CONCERNING THE STATE FLEET AND MILEAGE, FUEL AND EMISSION STANDARDS** This bill would have eliminated the requirement that the state fleet of cars and light duty trucks, which the Department of Administrative Services maintains, have an estimated highway gas mileage rating of at least 40 miles per gallon. It also would have delayed, from January 1, 2012 to January 1, 2016, the deadline by

which all cars and light duty trucks must be alternatively-fueled, hybrid electric, or plug in electric. The bill died on the House Calendar.

**H.B. No. 5397 AN ACT CONCERNING THE MAXIMUM AMOUNT FOR PURCHASES USING THE P-CARD** This bill would have raised, from \$10,000 to \$250,000, the limit on state agency purchasing card (P-Card) transactions and purchases. It would have authorized agencies to exceed this limit if they receive written approval from the comptroller and Department of Administrative Services (DAS) commissioner. By law, the comptroller may allow budgeted state agencies to use P-Cards instead of separate purchase orders for approved state purchases. The bill died on the Senate Calendar. Provisions of the bill were incorporated into **Section 250** of **H.B. No. 6001 (PA 12-1 JSS) AN ACT IMPLEMENTING PROVISIONS OF THE STATE BUDGET FOR THE FISCAL YEAR BEGINNING JULY 1, 2012.**

**H.B. No. 5434 AN ACT CONCERNING THE PROFESSIONAL STANDARD OF CARE FOR EMERGENCY MEDICAL CARE PROVIDERS** This bill would have raised the burden of proof in medical malpractice cases arising from treatment in hospital emergency departments. It would have required the plaintiff to prove by clear and convincing evidence, rather than by a preponderance of the evidence, that the medical provider breached the prevailing professional standard of care. The bill died on the House Calendar.

**H.B. No. 5435 AN ACT CONCERNING "DO NOT RESUSCITATE" ORDERS** This bill would have required the Department of Public Health (DPH) to include in its regulations concerning "do not resuscitate" (DNR) orders, the form, recognition, and transfer of a physician's orders relating to a patient's end of life care by (1) emergency medical service providers not affiliated with a hospital and (2) licensed health care institutions. By law, DPH must adopt regulations establishing a system for the recognition and transfer of DNR orders between licensed health care institutions and upon the intervention of emergency medical service providers. The regulations must: 1. include procedures for the use of DNR bracelets; 2. specify that, upon request, a physician issuing a DNR order must assist the patient or patient's authorized representative in using the system; and 3. not impede the actions of the Department of Developmental Services (DDS) commissioner concerning the appropriateness of DNR orders for DDS clients. The bill died on the House Calendar.

**H.B. No. 5439 AN ACT CREATING A TASK FORCE TO STUDY EMPLOYMENT ISSUES CONCERNING REGISTRIES IN THE HOMEMAKER AND COMPANION SERVICES INDUSTRY** This bill would have established a task force to study whether registries engaged in the business of supplying or referring an individual to or placing an individual with a consumer to provide homemaker or companion services should be responsible for the payment of unemployment insurance and workers' compensation coverage for the individuals supplied, referred or placed by these registries. The bill died on the House Calendar.

**H.B. No. 5442 AN ACT CONCERNING EXPENDITURES OF THE GENERAL FUND** The bill would have required the Office of Fiscal Analysis to conduct a review of appropriations authorized from the General Fund for the biennium ending June 30, 2013, and to identify general areas of spending for which appropriations increased by ten per cent or more over appropriations authorized from the General Fund in the state budget for the immediately preceding biennium. The bill died on the House Calendar.

**H.B. No. 5450 AN ACT ESTABLISHING A BASIC HEALTH PROGRAM** This bill would have required the Department of Social Services (DSS), in consultation with the Office of Health Reform and Innovation, to establish and implement a Basic Health Program (BHP) in accordance with the federal Patient Protection and Affordable Care Act of 2010. Under the program, the state would have provided federally subsidized health insurance to individuals (1) with incomes up to 200% of the federal poverty level (FPL), (2) under age 65, and (3) who do not qualify for Medicaid and otherwise meet the federal eligibility criteria. The bill required the

BHP to offer the same benefit levels and co-pays that the state's Medicaid recipients currently enjoy unless the state's cost exceeds the federal subsidies. The bill died on the House Calendar.

**H.B. No. 5461 AN ACT REQUIRING THE DEPARTMENT OF SOCIAL SERVICES TO REPORT PROGRAM METRICS OF THE DEPARTMENT'S NONEMERGENCY MEDICAL TRANSPORTATION PROGRAM** This bill would have required the Commissioner of Social Services to report the metrics and reimbursement rates of the department's Medicaid transportation program to the Transportation Committee. The bill died on the House Calendar.

**H.B. No. 5463 AN ACT CONCERNING REQUESTS FOR RECORDS UNDER THE FREEDOM OF INFORMATION ACT AND APPOINTMENTS TO THE FREEDOM OF INFORMATION COMMISSION** This bill would have allowed requests for copies of records under the Freedom of Information Act (FOIA) to be made orally, but would have given public agencies the discretion to require that they be in writing. This bill also would have lengthened, from two to four years, the term for legislatively appointed members of the Freedom of Information Commission to conform their term lengths to those of members the governor appoints. The bill died on the House Calendar.

**H.B. No. 5477 AN ACT CONCERNING MEDICAID** This bill would have required the Commissioner of Social Services to conduct a study of Medicaid programs administered under Title XIX of the Social Security Act. The study would have required a report on: (1) Factors the commissioner deemed pertinent to quality of care, and (2) the identification of any gaps in access for eligible residents. The report could have included the commissioner's recommendations for addressing identified gaps in the provision of services and recommendations concerning improving access to such services. The bill died on the House Calendar.

**H.B. No. 5487 AN ACT CONCERNING THE RECOMMENDATIONS OF THE SMALL BUSINESS HEALTHCARE WORKING GROUP AND CLAIMS INFORMATION REQUIRED TO BE PROVIDED BY INSURERS** Among its several provisions, this bill would have required: 1. the comptroller to offer employee and retiree coverage under “partnership plans” to (a) small employers (i.e., those with 50 or fewer employees) and (b) “municipal-related employers” as defined by the bill; 2. health insurers, HMOs, and similar entities to give certain utilization, claim, and premiums data to (a) the comptroller upon the request of employers eligible to participate in the partnership plans and (b) all employers, instead of just municipal employers, with more than 50 employees; and 3. health insurers, HMOs, and similar entities to disclose to policyholders and plan subscribers the actuarial value of their health care insurance policies and plans. The bill died on the House Calendar.

**H.B. No. 5506 AN ACT CONCERNING GOOD SAMARITAN PROTECTIONS** This bill would have extended immunity from civil liability for ordinary negligence to certain people who helped someone take refuge at temporary emergency shelters established by a municipality, other political subdivision, or nonprofit organization after the governor declared a civil preparedness emergency. The immunity would not have applied to acts or omissions constituting gross, willful, or wanton negligence. The bill died on the House Calendar.

**H.B. No. 5507 AN ACT CONCERNING THE ISSUANCE OF ENHANCED RECOGNITION NUMBER PLATES** This bill would have required the motor vehicles commissioner to design and issue license plates including symbols, as well as numbers and letters (“enhanced recognition number plates”). It would have prohibited the commissioner from charging an additional fee for these plates and exempted special number plates (e.g., plates issued to disabled veterans or special interest plates) from this requirement. An enhanced recognition number plate is a plate displaying a registration number that contains a randomly assigned, commonly recognized symbol, such as a star, diamond, or triangle. The bill died in the Appropriations Committee.

**H.B. No. 5519 AN ACT CONCERNING THE CONVEYANCE OF CERTAIN PARCELS OF STATE LAND** This bill would have (1) authorized conveyances of state property and included the conveyance of state property which was formerly a DDS community living arrangement to the Town of Windsor. The bill died on the Senate Calendar. Provisions of the bill related to DDS were included in **Section 144** of **S.B. No. 501 (PA 12-2 JSS) AN ACT IMPLEMENTING CERTAIN PROVISIONS CONCERNING GOVERNMENT ADMINISTRATION.**

**H.B. No. 5526 AN ACT CONCERNING THE MEMBERSHIP OF THE EMERGENCY MEDICAL SERVICES ADVISORY BOARD AND AN EMERGENCY SERVICES POLICY COUNCIL** This bill would have reduced, from 41 to 13, the membership of the Department of Public Health (DPH) Emergency Medical Services (EMS) Advisory Board. It also would have required the DPH Office of Emergency Medical Services (OEMS) to study the establishment of an emergency services policy council. The report would have included recommendations on the council's role in (1) emergency medical technician (EMT) certification and training and (2) the development of emergency services policies, procedures, and clinical protocols. The bill died on the House Calendar.

**H.B. No. 5527 AN ACT CONCERNING A WORKING GROUP TO STUDY HEALTH CARE REFORM** This bill would have required the Commissioner of Public Health to convene a working group to study and make recommendations concerning: (1) Opportunities for funding to strengthen community health programs under the Patient Protection and Affordable Care Act; (2) incentives for wellness initiatives; (3) potential changes to health care delivery systems; and (4) issues relating to chronic disease. The working group would have been required to report its findings to the Special Advisor to the Governor on Healthcare Reform and to the Public Health Committee. The bill died on the House Calendar.

**H.B. No. 5552 AN ACT CONCERNING THE PENALTIES FOR FAILURE TO REPORT CHILD ABUSE** This bill would have made it a class A misdemeanor, rather than an offense punishable by a fine between \$500 and \$2,500, for a person required to report suspected child abuse (a “mandated reporter”) or cause such a report be made to the Department of Children and Families (DCF) to either (1) fail to do so or (2) make the report after statutory deadlines have passed. The bill also would have made it a crime of injury or risk of injury to, or impairing the morals of a child for a person intentionally and unreasonably to interfere with or prevent a mandated reporter from carrying out his or her statutory reporting obligations. The bill died on the House Calendar.

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

**Proposed S.B. No. 2 AN ACT ELIMINATING LONGEVITY PAYMENTS AND ELIMINATING OVERTIME COMPENSATION FROM THE CALCULATION OF PENSIONS FOR STATE EMPLOYEES** This bill would have eliminated longevity payments and eliminated overtime compensation from the pension calculation formula for all state employees and officials exempt from classified service and applicable to employees included in any collective bargaining agreement negotiated or renewed after the passage of the act.

**Proposed S.B. No. 4 AN ACT CONCERNING AN EXEMPTION FROM PERSONAL INCOME TAX FOR SOCIAL SECURITY PAYMENTS** This bill would have exempted Social Security payments from taxation under the state income tax.

**Proposed S.B. No. 6 AN ACT CONCERNING THE USE OF BOND PROCEEDS** This bill would have required that state bond proceeds be used only for their intended purpose and prohibit the use of bond proceeds to pay for ongoing general government expenditures.



**Proposed [S.B. No. 11](#) AN ACT CONCERNING THE PROVISION OF MEDICAL ASSISTANCE TO NONCITIZENS** This bill would have increased the level of funding provided to the state's medical assistance to non-citizens program.

**[S.B. No. 35](#) AN ACT CONCERNING THE OFFICE OF STATE ETHICS AND REVISIONS TO THE STATE CODES OF ETHICS** This bill would have redefined lobbyist registration and reporting requirements by those who lobby within the scope of employment, required prospective members of the Citizen's Ethics Advisory Board to certify that they are aware of the special restrictions of the code of ethics that would apply to them, prohibited public officials from taking certain actions that would benefit their outside employers, to subject board members of the State Health Insurance Exchange to the Code of Ethics, and redefined "gift" for purposes of the codes of ethics and to make other revisions to the codes of ethics.

**Proposed [S.B. No. 44](#) AN ACT CONCERNING APPROPRIATIONS FOR COMMUNITY AND HOME-BASED CARE** This bill would have increased appropriations for programs that provide or facilitate community and home-based care for the elderly and Alzheimer's patients to provide greater assistance to seniors to remain in their homes as they age.

**Proposed [S.B. No. 47](#) AN ACT CONCERNING THE USE OF BUDGET SURPLUSES** This bill would have required half of all state budget surpluses to be utilized for income tax relief by increasing the amount of income that is exempt from income taxation.

**Proposed [S.B. No. 50](#) AN ACT APPROPRIATING FUNDS TO THE DEPARTMENT OF SOCIAL SERVICES FOR AN UPDATED COMPUTER SYSTEM** This bill would have provided the computer resources necessary for the state to meet federal health care reform requirements for the administration of state public assistance.

**Proposed [S.B. No. 52](#) AN ACT CONCERNING STATE EMPLOYEE PENSION REFORM** This bill would have enacted comprehensive pension reform aimed at saving the state money and reducing the state's long-term liabilities.

**Proposed [S.B. No. 53](#) AN ACT CONCERNING THE EFFECTIVE DATE OF TAX INCREASES** This bill would have prohibited the retroactive application of new or increased taxes.

**Proposed [S.B. No. 74](#) AN ACT CONCERNING INCREASED HOME AND COMMUNITY-BASED CARE UNDER MEDICAID** This bill would have increased participation in home and community-based care under the Medicaid program by means of a section 1915i state plan amendment.

**Proposed [S.B. No. 118](#) AN ACT INCREASING HEALTH INSURANCE COPAYMENTS FOR STATE EMPLOYEES AND STATE ELECTED OFFICIALS** This bill would have increased the copayments for health insurance coverage for state employees and state elected officials.

**Proposed [S.B. No. 119](#) AN ACT REDUCING SALARIES OF STATE EMPLOYEES AND ELECTED OFFICIALS** This bill would have cut the salaries of state employees and elected officials by ten per cent for the next two years.

**Proposed [S.B. No. 147](#) AN ACT PROVIDING FUNDING FOR SENIOR TRANSPORTATION PROGRAMS** This bill would have increased funding for senior transportation.

**S.B. No. 148 AN ACT CONCERNING A STUDY ON THE LABOR DEPARTMENT'S WAIVER OF WEEKLY PAY REQUIREMENT** This bill would have required the Labor Department to study the effects of requiring employers to pay employees in full at least twice each calendar month.

**S.B. No. 151 AN ACT CONCERNING ADDITIONAL REQUIREMENTS FOR AN EMPLOYER'S NOTICE TO DISPUTE CERTAIN CARE DEEMED REASONABLE FOR AN EMPLOYEE UNDER THE WORKERS' COMPENSATION ACT** This bill would have prevented an employer or employer's insurer from discontinuing, reducing or denying employee's course of treatment under the Workers' Compensation Act unless the employer provided notice and an opinion from another physician that such treatment is not reasonable, necessary, and does not meet the appropriate standard of care.

**S.B. No. 152 AN ACT CONCERNING ONE DAY EQUALS ONE ABSENCE** This bill would have allowed employers to count each day of an employee's absence without good cause or notice to the employer count as a separate instance of absence for the purposes of eligibility for unemployment compensation benefits

**S.B. No. 153 AN ACT CONCERNING A RETIRED STATE EMPLOYEE WORKFORCE RESERVE** This bill would have required the Commissioner of Administrative Services to develop a plan to utilize retired state employees on a part-time basis rather than allowing state employees to accumulate overtime.

**S.B. No. 154 AN ACT CONCERNING STATE EMPLOYEES AND VIOLENCE AND ABUSIVE CONDUCT IN THE WORKPLACE** This bill would have required the Department of Administrative Services to report the number of complaints of abusive conduct in the workplace between state employees to the General Assembly.

**Proposed S.B. No. 161 AN ACT CONCERNING THE CONSTITUTIONAL SPENDING CAP** This bill would have implemented the constitutional limitation on expenditures by the General Assembly to prevent any spending in excess of the cap from inflating the cap in future years.

**Proposed S.B. No. 162 AN ACT EXCLUDING OVERTIME PAY FROM THE CALCULATION OF STATE EMPLOYEE PENSION BENEFITS** This bill would have ended the practice of allowing overtime pay to be used to increase state employee pension benefits.

**Proposed S.B. No. 163 AN ACT PROHIBITING LONGEVITY PAYMENTS TO STATE EMPLOYEES** This bill would have stopped the practice of paying longevity bonuses to state employees.

**Proposed S.B. No. 172 AN ACT INCREASING THE PERSONAL NEEDS ALLOWANCE FOR CERTAIN LONG-TERM CARE FACILITY RESIDENTS** This bill would have increased the personal needs allowance for certain long-term care facility residents.

**Proposed S.B. No. 173 AN ACT CONCERNING THE DISPENSING FEE FOR INDEPENDENT PHARMACIES** This bill would have doubled the dispensing fee paid to independently-owned licensed pharmacies for each prescription filled. Provisions of this bill were included in **Section 18** of **H.B. No. 6001 AN ACT IMPLEMENTING PROVISIONS OF THE STATE BUDGET FOR THE FISCAL YEAR BEGINNING JULY 1, 2012** of the June 12, 2012 Special Session.

**S.B. No. 182 AN ACT CONCERNING COOPERATIVE HEALTH CARE ARRANGEMENTS** This bill would have permitted health care providers to enter into cooperative arrangements that would not be subject to certain antitrust laws after approval by the Attorney General, and required managed care organizations to negotiate in good faith with providers who participate in such arrangements.

**S.B. No. 187 AN ACT CONCERNING THE ELECTRONIC DEATH REGISTRATION SYSTEM** This bill would have required persons authorized to complete the medical certification portion of a death certificate to complete and submit such certification through the Department of Public Health's electronic death registration system.

**S.B. No. 202 AN ACT CONCERNING INSURANCE COVERAGE FOR HEARING AIDS** This bill would have required insurance coverage for hearing aids for persons who have reached fifty-five years of age but have not reached sixty-five years of age.

**S.B. No. 230 AN ACT CONCERNING COMMUNITY CHOICES FOR LONG-TERM CARE AND DISABILITY SERVICES** This bill would have established a single point of entry for information and services concerning aging and disability issues.

**S.B. No. 231 AN ACT MODIFYING THE KATIE BECKETT HOME CARE WAIVER PROGRAM** This bill would have to make technical modifications to a Medicaid waiver program for persons with disabilities to expand access and better define the population served. Provisions of this bill were included in **Section 2** of **S.B. No. 234 (PA 12-119) AN ACT CONCERNING CERTAIN SOCIAL SERVICES PROGRAMS.**

**S.B. No. 257 AN ACT CONCERNING THE POSTING OF STATE AGENCY REGULATIONS ON THE INTERNET** This bill would have required state agency regulations to be posted on the Internet web site of the state agency adopting such regulations. Provisions of the bill were included in **S.B. No. 27 (PA 12-92) AN ACT TRANSITIONING THE REGULATIONS OF CONNECTICUT STATE AGENCIES TO AN ONLINE FORMAT.**

**S.B. No. 259 AN ACT ESTABLISHING THE CONNECTICUT HEALTHCARE PARTNERSHIP** This bill would have opened the state employee insurance pool to municipal, small and nonprofit employers.

**S.B. No. 275 AN ACT CONCERNING WORKPLACE VIOLENCE PREVENTION AND REPORTING** This bill would have made changes to the statute concerning workplace violence prevention and reporting.

**S.B. No. 325 AN ACT CONCERNING THE FAILURE TO COMPLY WITH MANDATORY EVACUATION ORDERS** This bill would have imposed criminal and civil liability upon a person who failed to comply with a mandatory evacuation order.

**S.B. No. 327 AN ACT CONCERNING FIRE SAFETY ENFORCEMENT OFFICIALS** This bill would have streamlined the process for the certification of fire safety enforcement officials, recognized training programs offered by private institutions, authorized local fire marshals to delegate their authority to subordinates with respect to all fire safety regulations and authorized communities to appoint fire inspectors and investigators.

**S.B. No. 330 AN ACT CONCERNING THE EMPLOYERS OF INDIVIDUALS PROVIDING HOMEMAKER SERVICES, COMPANION SERVICES AND HOMEMAKER-HOME HEALTH AIDE SERVICES** This bill would have designated a homemaker-companion agency, registry or homemaker-home health agency as the employer of individuals providing certain services to consumers for the purposes of unemployment compensation, wages and workers' compensation, and removed liability for such individual's personal injuries arising out of and in the course of employment from the consumer.

**S.B. No. 352 AN ACT CREATING A PROCESS FOR FAMILY CHILD CARE PROVIDERS TO COLLECTIVELY BARGAIN WITH THE STATE** This bill would have provided a process for family child care providers to collectively bargain with the state. Provisions of this bill were incorporated in **Sections 1, 2,**

and 3 of [H.B. No. 5312 \(PA 12-33\)](#) **AN ACT CREATING A PROCESS FOR FAMILY CHILD CARE PROVIDERS AND PERSONAL CARE ATTENDANTS TO COLLECTIVELY BARGAIN WITH THE STATE.**

[S.B. No. 369](#) **AN ACT CONCERNING AUTHORIZATION FOR THE USE OF FEEDING TUBES AND ANTIPILEPTIC MEDICATIONS IN SCHOOL SETTINGS** This bill would have authorized unlicensed personnel to administer tube feedings and antiepileptic medications to certain children attending public and nonpublic schools.

[S.B. No. 370](#) **AN ACT CONCERNING SERVICES PROVIDED BY GENETIC COUNSELORS** This bill would have allowed certified genetic counselors to provide genetic counseling services under certain circumstances.

[S.B. No. 389](#) **AN ACT REDEFINING EXECUTIVE SESSIONS UNDER THE FREEDOM OF INFORMATION ACT TO PERMIT CERTAIN CONFIDENTIAL COMMUNICATIONS** This bill would have permitted executive sessions for the purpose of discussing the oral or written legal advice of a government attorney under the Freedom of Information Act and limited the exception for oral communications to confidential communications.

[S.B. No. 390](#) **AN ACT CONCERNING THE PURVIEW OF THE LEGISLATIVE REGULATION REVIEW COMMITTEE** This bill would have expanded the purview of the legislative regulation review committee to permit the committee to direct an agency to amend or repeal any regulation the committee finds to be obsolete or outdated, or too onerous on the regulated community.

[S.B. No. 395](#) **AN ACT INCREASING THE PERSONAL NEEDS ALLOWANCE FOR CERTAIN LONG-TERM CARE FACILITY RESIDENTS** This bill would have increased the personal needs allowance for certain long-term care facility residents.

[S.B. No. 396](#) **AN ACT CONCERNING THE ESTABLISHMENT OF COMMUNITY-BASED SOCIAL SERVICES** This bill would have changed the social services delivery system from a state-based to a municipal-based model.

[S.B. No. 424](#) **AN ACT ESTABLISHING A PILOT PROGRAM TO IMPLEMENT AN ELECTRONIC PRESCRIBING SYSTEM AND DEVELOP A STANDARDIZED PRIOR AUTHORIZATION FORM** This bill would have established a pilot program to implement an electronic prescription drug system and develop a standardized prior authorization form for use by insurance companies.

[S.B. No. 452](#) **AN ACT CONCERNING THE CARE AND TREATMENT OF PERSONS WITH PSYCHIATRIC DISABILITIES.** This bill would have created a mechanism whereby conservators could be appointed and authorized by the Probate Court to consent to the administration of psychotropic drugs for up to 120 days following a person's discharge from a psychiatric facility when that person either refuses to give consent to take psychotropic drugs or has a history of not taking prescribed drugs. It would have authorized the conservator to call the police or an ambulance to transport the person to a location where the drugs could be forcibly administered. The bill also would have modified the definition of "facility" to include nursing homes and would have established statutory permission for facilities that are involved in treatment and discharge planning to communicate, without the person's consent, with other providers of treatment and with persons with whom the person has resided within the previous twelve months. The bill also would have reduced the number of physician reports needed in commitment proceedings from two to one.

**S.J. No. 12 RESOLUTION PROPOSING A CONSTITUTIONAL AMENDMENT CONCERNING THE EXPANSION OF THE PURVIEW OF THE LEGISLATIVE REGULATIONS REVIEW COMMITTEE.** This resolution would have provided that the Constitution of the State be amended to permit the General Assembly or a committee of the General Assembly to direct an executive branch agency to amend or repeal a regulation adopted the agency.

**Proposed H.B. No. 5002 AN ACT CONCERNING STATE AND MUNICIPAL EMPLOYEE RETIREMENT INCOME** This bill would have prohibited certain public employees from receiving a state or municipal salary and collecting a state or municipal pension at the same time.

**H.B. No. 5023 AN ACT CONCERNING ARREST POWERS OF LOCAL POLICE OFFICERS AND MOTOR VEHICLE INSPECTORS** This bill would have allowed sworn members of any local police department, outside of their respective precincts, when on duty, to arrest, without previous complaint and warrant, any person for any offense when the person is taken or apprehended in the act or on the speedy information of others. The sworn member making the arrest would be required to immediately present the arrested person to the local police department or state police troop having jurisdiction over the precinct in which the arrest was made.

**Proposed H.B. No. 5033 AN ACT CONCERNING THE PREVENTION OF WASTE, FRAUD AND ABUSE IN THE MEDICAID PROGRAM AND THE STATE CHILDREN'S HEALTH INSURANCE PROGRAM** This bill would have required the Department of Social Services to implement policies and procedures to prevent waste, fraud and abuse in the Medicaid program and the State Children's Health Insurance Program including: (1) Implementing policies and procedures to prevent the issuance of incorrect payments to health care providers; (2) implementing policies and procedures to identify and prevent billing errors; (3) implementing techniques to identify waste, fraud and abuse in said programs, including conducting provider audits; and (4) requiring the Department of Social Services to enter into a contract for the provision of fraud, waste and abuse prevention services.

**H.B. No. 5036 AN ACT IMPLEMENTING THE RECOMMENDATIONS OF THE LEGISLATIVE PROGRAM REVIEW AND INVESTIGATIONS COMMITTEE CONCERNING THE PROVISION OF SELECTED SERVICES FOR PERSONS WITH INTELLECTUAL DISABILITY** This bill would have required DDS to: 1. prohibit admissions to public residential programs except in limited circumstances and restrict hiring for direct care positions; 2. inform individuals at STS and their families/guardians of community placement options available to them; 3. share results of quality inspections with all clients' Planning and Support Teams; 4. develop a centralized utilization review process for clients exceeding the residential funding guidelines; and 5. revise current statutes related to the total cost allowance for the salary of private provider executive directors and require DDS, as a condition of future contracts with a private provider, to ensure that the provider has complied with the requirements of cost reporting, including the submission of forms on executive director's salary.

**Proposed H.B. No. 5044 AN ACT ESTABLISHING A DEFINED CONTRIBUTION BENEFIT PLAN FOR UNCLASSIFIED STATE EMPLOYEES** This bill would have required all state employees and officials exempt from classified service to participate in a defined contribution benefit plan rather than the current defined benefit system.

**Proposed H.B. No. 5045 AN ACT CONCERNING THE ELIMINATION OF INCOME TAX ON SOCIAL SECURITY INCOME** This bill would have eliminated the personal income taxes on Social Security income.

**Proposed [H.B. No. 5046](#) AN ACT CONCERNING A MORATORIUM ON THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE STATE** This bill would have suspended for the next two years the authority to issue general obligation bonds of the state to fund "earmark" projects.

**Proposed [H.B. No. 5048](#) AN ACT CONCERNING A MORATORIUM ON THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE STATE** This bill would have suspend for the next two years the authority to issue general obligation bonds of the state to fund "earmark" projects.

**Proposed [H.B. No. 5053](#) AN ACT CONCERNING THE ELIMINATION OF INCOME TAX ON SOCIAL SECURITY INCOME** This bill would have eliminated personal income taxes on Social Security income.

**Proposed [H.B. No. 5059](#) AN ACT AMENDING THE EDUCATION COST SHARING FORMULA TO A MONEY FOLLOWS THE CHILD APPROACH** This bill would have revised the education cost sharing formula by expanding the definition of resident students to include students attending charter schools, interdistrict magnet schools, nonpublic schools by means of a voucher and nonpublic schools by means of a tax credit.

**Proposed [H.B. No. 5077](#) AN ACT CONCERNING FULL STATE REIMBURSEMENT FOR SPECIAL EDUCATION COSTS** This bill would have increased state reimbursement for the cost of special education to towns to one hundred per cent.

**Proposed [H.B. No. 5078](#) AN ACT LOWERING THE EXCESS COST THRESHOLD FOR SPECIAL EDUCATION COSTS** This bill would have reduced the reimbursement threshold for special education costs from four and one-half times the average per pupil cost to three times the average per pupil cost and removed the cap so as to fully fund the grant.

**Proposed [H.B. No. 5114](#) AN ACT CONCERNING UNIVERSAL ACCESS TO EARLY CHILDHOOD EDUCATION PROGRAMS** This bill would have increased funding for two years to the Department of Education for grants to distribute to towns so that families could have universal access to school readiness programs.

**Proposed [H.B. No. 5139](#) AN ACT CONCERNING REPAYMENT OF STATE AID BY A BENEFICIARY WHOSE DEATH IS CAUSED BY THE NEGLIGENCE OF THE STATE** This bill would have prohibited the state from making a claim for recoupment of state aid paid to a beneficiary whose death was caused by the negligence of the state.

**[H.B. No. 5142](#) AN ACT REQUIRING THE INCLUSION OF PRIMARY CARE PROVIDERS ON HEALTH INSURANCE IDENTIFICATION CARDS** This bill would have required an insurer, health care center, managed care organization or other entity that delivers, issues for delivery, renews, amends or continues a health insurance policy or medical benefits plan to include the name of an enrollee's primary care provider on any identification card issued to the enrollee for such policy or plan.

**Proposed [H.B. No. 5152](#) AN ACT CONCERNING THE APPLICABILITY OF THE PREVAILING WAGE TO EXISTING AND FUTURE PUBLIC WORKS PROJECTS** This bill would have eliminated the applicability of the prevailing wage to existing and future public works projects that were funded exclusively through state, municipal or private funds and do not receive federal funds.

**Proposed [H.B. No. 5176](#) AN ACT CREATING PARITY BETWEEN STATE AND PRIVATE WAGES AND SALARIES** This bill would have eliminated longevity payments for all state employees and officials

exempt from classified service and prospectively for employees in any collective bargaining agreement negotiated or renewed after the passage of the bill.

**Proposed [H.B. No. 5177](#) AN ACT CREATING PARITY BETWEEN STATE AND PRIVATE PENSION PLANS** This bill would have amended state statute effective upon passage for all state employees and officials exempt from classified service and applicable to employees included in any collective bargaining agreement negotiated or renewed after the passage of the bill, to increase all employees' contributions toward their pensions, calculate retirement income based on the five highest-paid years of state service rather than the three highest-paid years of state service, cap cost-of-living adjustments at lower levels, create a defined contribution plan for new state employees, increase the retirement age for state employees in Tiers II and Tier IIA and eliminate longevity payment amounts and overtime from the pension calculation formula.

**Proposed [H.B. No. 5189](#) AN ACT CONCERNING THE INCOME TAX TREATMENT OF PENSION AND SOCIAL SECURITY INCOME** This bill would have exempted income from pensions and Social Security from the personal income tax, up to a maximum amount of fifty thousand dollars in such income for individuals and one hundred thousand dollars for joint filers.

**Proposed [H.B. No. 5193](#) AN ACT EXEMPTING SOCIAL SECURITY INCOME FROM THE PERSONAL INCOME TAX AND REDUCING ELIGIBILITY FOR THE EARNED INCOME TAX CREDIT** This bill would have eliminated personal income taxes on Social Security income and reduced eligibility for the Earned Income Tax Credit as necessary to equal the revenue loss resulting from such elimination.

**[H.B. No. 5200](#) AN ACT CONCERNING A STUDY ON NURSING HOME WORKER STRIKES** This bill would have required the Labor Department to study issues relating to the length of time employees of a nursing home may strike as a result of a labor dispute.

**Proposed [H.B. No. 5216](#) AN ACT MANDATING COVERAGE OF CHIROPRACTIC SERVICES UNDER STATE EMPLOYEE HEALTH CARE PLANS** This bill would have required coverage of chiropractic services under state employee health care plans.

**[H.B. No. 5281](#) AN ACT CONCERNING FRAUD DETECTION IN SOCIAL SERVICES PROGRAMS** This bill would have required the Commissioner of Social Services, or any entity with which the commissioner contracts, to conduct random quarterly audits of fifteen per cent of providers participating in social services programs and random quarterly audits of fifteen per cent of beneficiaries. The Commissioner of Social Services would have been required to identify existing staff and resources to dedicate to the enforcement and prevention of fraud and abuse in state-sponsored social services programs.

**[H.B. No. 5284](#) AN ACT CONCERNING RECOUPMENT OF STATE ASSISTANCE PAYMENTS** This bill would have clarified third-party and health plan obligations regarding payment and recoupment of state assistance payments.

**[H.B. No. 5325](#) AN ACT CONCERNING CHILDREN AND YOUTH** This bill would have created a task force to study government organizations providing services to children and youth. DDS would have been a member of the task force.

**[H.B. No. 5357](#) AN ACT CONCERNING A DEAF CHILD BILL OF RIGHTS** This bill would have required the individualized education program for a child who is deaf or hearing impaired to include a language and communication plan. The bill's provisions are included in **Section 11** of **[H.B. No. 5353 \(PA 12-173\)](#)** AN

**ACT CONCERNING INDIVIDUALIZED EDUCATION PROGRAMS AND OTHER ISSUES RELATING TO SPECIAL EDUCATION.**

**H.B. No. 5359 AN ACT REQUIRING PHARMACIES TO VERIFY THE IDENTITY OF PERSONS MAKING TELEPHONIC PRESCRIPTION REQUESTS** This bill would have required pharmacies to verify the identity of persons making prescription requests.

**H.B. No. 5372 AN ACT CONCERNING PARKING PLACARDS** This bill would have required the Department of Motor Vehicles to put the photograph of a person issued a removable windshield placard for people who are blind or disabled on the placard.

**H.B. No. 5381 AN ACT CONCERNING THE IMPLEMENTATION OF THE PUBLIC SAFETY ANSWERING POINT CONSOLIDATION FEASIBILITY STUDY** This bill would have required the Office of State-Wide Emergency Telecommunications to implement recommendations concerning (1) the consolidation of municipal, regional, multi-town and state public safety answering points, and (2) the funding of such consolidation.

**H.B. No. 5392 AN ACT CONCERNING THE STATE RESPONSE TO A DECLARED STATE OF EMERGENCY** This bill would have required the Department of Emergency Services and Public Protection, other state agencies and Community Emergency Response Teams to develop an Emergency Preparedness Plan (EPP) to coordinate state and local resources in the event of an emergency declared by the Governor.

**H.B. No. 5403 AN ACT PROHIBITING LOBBYING BY STATE EMPLOYEES ON STATE TIME** This bill would have prevented union representatives who are also state employees from engaging in lobbying during the period of time they are being paid to perform services for the state.

**H.B. No. 5404 AN ACT CONCERNING RETIREMENT CREDIT FOR CERTAIN STATE EMPLOYEE VETERANS** This bill would have allowed individuals who are members of the Tier II state employee retirement plan to apply for service credit for prior service in time of war.

**H.B. No. 5410 AN ACT TRANSFERRING THE CONSERVATION FUNCTIONS OF THE DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTION TO THE DEPARTMENT OF AGRICULTURE** This bill would have transferred the conservation functions, including forestry, parks and fish and game, from the Department of Environmental Protection to the Department of Agriculture and rename the Department of Agriculture as the Department of Agriculture and Natural Resources.

**H.B. No. 5411 AN ACT AUTHORIZING AN AGRICULTURAL CONSERVATION EASEMENT ON THE LANDS OF THE SOUTHBURY TRAINING SCHOOL** This bill would have granted a nonprofit organization an easement on land located at the Southbury Training School (STS). The mission of the nonprofit organization would have included the permanent protection of agricultural lands for agricultural use. The easement would have allowed for the conservation of the STS land as agricultural land and authorized the nonprofit organization to lease any portion of the land to one or more persons for the purpose of engaging in agriculture

**H.B. No. 5427 AN ACT CONCERNING NOTICE TO THE ATTORNEY GENERAL OF DATA SECURITY BREACHES INVOLVING THE DISCLOSURE OF PERSONAL INFORMATION** This bill would have required persons who own, license or maintain computerized data that includes personal information to immediately notify the Attorney General in the event of a breach of security relating to the data.



**H.B. No. 5433 AN ACT CREATING A PROCEDURE FOR PERSONAL CARE ATTENDANTS TO COLLECTIVELY BARGAIN WITH THE STATE** This bill would have provided a process for personal care attendants to collectively bargain with the state via the Personal Care Attendant Quality Home Care Workforce Council. Provisions of this bill are included in **Sections 4 through 8** of **H.B. No. 5312 (PA 12-33)**  
**AN ACT CREATING A PROCESS FOR FAMILY CHILD CARE PROVIDERS AND PERSONAL CARE ATTENDANTS TO COLLECTIVELY BARGAIN WITH THE STATE.**

**H.B. No. 5452 AN ACT CONCERNING THE DELIVERY OF SOCIAL SERVICES** This bill would have set up a process to increase the number of day care providers eligible to receive Medicaid reimbursement under the Connecticut home care program for the elderly.

**H.B. No. 5475 AN ACT CONCERNING NURSING HOMES** This bill would have required a study of the quality of care and access to services at nursing homes.

**H.B. No. 5480 AN ACT CONCERNING INCREASING HOME AND COMMUNITY-BASED CARE FOR ELDERLY MEDICAID RECIPIENTS** This bill would have required the Commissioner of Social Services to seek to amend the Medicaid state plan to improve access to home and community-based services for persons who are eligible to receive services provided under the state-funded home care program for the elderly by using needs-based eligibility criteria.

**H.B. No. 5485 AN ACT CONCERNING THE CONNECTICUT HEALTH INSURANCE EXCHANGE** This bill would have made various changes to the duties of the Connecticut Health Insurance Exchange and required the Insurance and Real Estate Committee to select a benchmark plan for purposes of establishing the standard for qualified health plans and plans sold outside the exchange.

**H.B. No. 5486 AN ACT CONCERNING HEALTH INSURANCE COVERAGE FOR PRESCRIPTION DRUGS AND BREAST THERMOGRAPHY** This bill would have required each insurer, fraternal benefit society, hospital service corporation, medical service corporation, health care center or other entity that delivers, issues for delivery, renews, amends or continues in this state an individual or a group health insurance policy that provides coverage for prescription drugs to limit an insured's annual out-of-pocket expenses for prescription drugs, including specialty drugs, to not more than (1) one thousand dollars annually per individual, and (2) two thousand dollars annually per family. The bill also would have required health insurance coverage for breast thermography.

**H.B. No. 5508 AN ACT CONCERNING MISREPRESENTATION OF TOWN OF RESIDENCY WITH RESPECT TO SCHOOL ACCOMMODATIONS** This bill would have made misrepresentation of residency with the intent to fraudulently obtain school accommodations from a school district a misdemeanor offense.

**H.B. No. 5529 AN ACT CONCERNING PUBLIC EMPLOYEE'S PENSIONS SOLVENCY** This bill would have established a special purpose quasi-public entity to create a mechanism for funding the state's pension obligations by allowing the entity to use pension fund moneys to buy certain insurance premiums, the benefits of which would return to the pension fund.

**H.B. No. 5541 AN ACT CONCERNING SERVICES PROVIDED BY DENTAL PROFESSIONALS AND CERTIFICATION FOR ADVANCED DENTAL HYGIENE PRACTITIONERS** This bill would have created new categories of dental hygienists with expanded functions. The bill described services that could have been performed by certain dental professionals in order to increase access to and utilization of dental care for underserved populations through the use of advanced dental hygiene practitioners.

**H.B. No. 5544 AN ACT CONCERNING STORM PREPARATION AND EMERGENCY RESPONSE**

This bill would have required the review of the emergency response and service restoration efforts of certain public service companies and established emergency response and service restoration performance standards for such companies; required back-up generators for telecommunications towers; encouraged the placement of certain utility infrastructure underground; enabled increased tree trimming; and established a micro-grid grant and loan pilot program.

We hope that this end of session summary is helpful. Copies of, or additional information on, any of the above mentioned or any other bills from this session can be found online at [www.cga.ct.gov](http://www.cga.ct.gov). Enter the bill number and click on “go”. This will bring you to the bill history page where you can see end results of any bills from the session including: if it passed both chambers, any amendments that passed, was it signed by the Governor, and any public act numbers that have been assigned. As always, please contact us at [Rod.OConnor@ct.gov](mailto:Rod.OConnor@ct.gov) or [Christine.Pollio@ct.gov](mailto:Christine.Pollio@ct.gov) with any questions.