



House of Representatives

General Assembly

File No. 915

January Session, 2025

Substitute House Bill No. 7108

House of Representatives, May 14, 2025

The Committee on Appropriations reported through REP. WALKER of the 93rd Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

AN ACT CONCERNING AUTISM AND INTELLECTUAL DISABILITY SERVICES AND ABUSE AND NEGLECT INVESTIGATIONS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 17a-247b of the general statutes is amended by
2 adding subsection (h) as follows (*Effective July 1, 2025*):

3 (NEW) (h) Notwithstanding the provisions of subsection (c) of this
4 section, the Commissioner of Developmental Services shall file a report
5 not later than January 15, 2026, and annually thereafter, identifying (1)
6 the number of abuse and neglect complaints against former employees
7 received in the previous calendar year, (2) the disposition of such
8 complaints, and (3) any backlog of investigations relating to such
9 complaints. The commissioner shall post the report on the department's
10 Internet web site and file the report, in accordance with the provisions
11 of section 11-4a, with the joint standing committees of the General
12 Assembly having cognizance of matters relating to human services and
13 public health.

14 Sec. 2. Section 17a-247f of the general statutes is amended by adding
15 subsection (c) as follows (*Effective July 1, 2025*):

16 (NEW) (c) Notwithstanding the provisions of subsection (b) of this
17 section, the Commissioner of Developmental Services shall file a report
18 not later than January 15, 2026, and annually thereafter, identifying (1)
19 the number of abuse and neglect complaints received and investigated
20 pursuant to this section in the previous calendar year, (2) the number of
21 complaints that were investigated by a contracted provider and the
22 number of complaints investigated by the Department of
23 Developmental Services and the dispositions of complaints investigated
24 by a contracted provider and the department in each category of
25 complaint investigations, (3) the median length of time for completion
26 of the investigations, (4) the number of programmatic neglect findings
27 arising from the abuse or neglect investigations, (5) the number of
28 investigations that led to a directive for corrective action, (6) the steps
29 the department took to address programmatic neglect findings and
30 ensure corrective actions were implemented, (7) the percentage of cases
31 in which a directive for corrective action was issued and the department
32 revisited the provider to review implementation of the corrective action
33 categorized by department response times of (A) not more than thirty
34 days, (B) not more than sixty days, and (C) in excess of sixty days from
35 the date the corrective action directive was issued, (8) the processes and
36 timelines by which guardians and parents of individuals with
37 disabilities were informed of the results of investigations and directives
38 for corrective action, and (9) any backlog of investigations relating to
39 such complaints. The commissioner shall post the report on the
40 department's Internet web site and file the report, in accordance with
41 the provisions of section 11-4a, with the joint standing committees of the
42 General Assembly having cognizance of matters relating to human
43 services and public health.

44 Sec. 3. Section 46a-11c of the general statutes is amended by adding
45 subsection (f) as follows (*Effective July 1, 2025*):

46 (NEW) (f) Notwithstanding the provisions of subsection (e) of this

47 section, the Commissioner of Developmental Services shall file a report
48 not later than January 15, 2026, and annually thereafter, identifying (1)
49 the number of abuse and neglect complaints received and investigated
50 pursuant to this section in the previous calendar year, including deaths
51 investigated pursuant to subsection (c) of this section, (2) the number of
52 complaints that were investigated by a contracted provider and the
53 number of complaints investigated by the Department of
54 Developmental Services and the dispositions of complaints investigated
55 by a contracted provider and the department in each category of
56 complaint investigations, (3) the median length of time for completion
57 of the investigations, (4) the number of programmatic neglect findings
58 arising from the abuse or neglect investigations, (5) the number of
59 investigations that led to a directive for corrective action, (6) the steps
60 the department took to address programmatic neglect findings and
61 ensure corrective actions were implemented, (7) the percentage of cases
62 in which a directive for corrective action was issued and the department
63 revisited the provider to review implementation of the corrective action
64 categorized by department response times of (A) not more than thirty
65 days, (B) not more than sixty days, and (C) in excess of sixty days from
66 the date the corrective action directive was issued, (8) the processes and
67 timelines by which guardians and parents of individuals with
68 disabilities were informed of the results of investigations and directives
69 for corrective action, and (9) any backlog of investigations relating to
70 such complaints. The commissioner shall post the report on the
71 department's Internet web site and file the report, in accordance with
72 the provisions of section 11-4a, with the joint standing committees of the
73 General Assembly having cognizance of matters relating to human
74 services and public health.

75 Sec. 4. (NEW) (*Effective July 1, 2025*) Not later than September 30, 2025,
76 and quarterly thereafter, the Commissioner of Developmental Services
77 shall file a report describing (1) progress in expending funds
78 appropriated for programs administered by the Department of
79 Developmental Services, (2) what services they were spent on, (3)
80 whether lapsed funds are anticipated at the end of the fiscal year ending
81 on June thirtieth, (4) if applicable, reasons appropriated funds were not

82 expended, and (5) waiting lists for services provided by the department
 83 for persons with intellectual or developmental disabilities. The
 84 commissioner shall file the report, in accordance with the provisions of
 85 section 11-4a of the general statutes, with the joint standing committees
 86 of the General Assembly having cognizance of matters relating to
 87 human services and public health and post the report on the Internet
 88 web site of the Department of Developmental Services.

89 Sec. 5. (NEW) (*Effective July 1, 2025*) The joint standing committees of
 90 the General Assembly having cognizance of matters relating to public
 91 health, human services and appropriations and the budgets of state
 92 agencies shall annually hold a joint informational hearing to review the
 93 status of efforts by the Department of Developmental Services and the
 94 Department of Social Services to ensure the safety and quality of care
 95 for individuals with intellectual disability, autism spectrum disorder or
 96 another developmental disability receiving services funded by federal
 97 Medicaid waiver programs. The hearings shall address matters
 98 including, but not limited to, how the agencies are addressing audit
 99 findings and recommendations made by the Office of the Inspector
 100 General for the United States Department of Health and Human
 101 Services and the state Auditors of Public Accounts concerning
 102 prevention, timely reporting and corrective action related to complaints
 103 of abuse and neglect of such individuals.

This act shall take effect as follows and shall amend the following sections:

Section 1	<i>July 1, 2025</i>	17a-247b(h)
Sec. 2	<i>July 1, 2025</i>	17a-247f(c)
Sec. 3	<i>July 1, 2025</i>	46a-11c(f)
Sec. 4	<i>July 1, 2025</i>	New section
Sec. 5	<i>July 1, 2025</i>	New section

Statement of Legislative Commissioners:

In Section 4(5), "for persons with intellectual or developmental disabilities" was added for clarity, and in Section 5, "disabilities" was changed to "intellectual disability, autism spectrum disorder or another developmental disability" for clarity.

APP *Joint Favorable Subst.*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact: None

Municipal Impact: None

Explanation

The bill requires the Department of Developmental Services (DDS) to file various reports on abuse and neglect complaints, program waitlists, and agency expenditures, which do not result in a fiscal impact to the state because DDS already has the expertise and resources necessary to meet the provisions of the bill.

The Out Years

State Impact: None

Municipal Impact: None

OLR Bill Analysis**sHB 7108*****AN ACT CONCERNING AUTISM AND INTELLECTUAL DISABILITY SERVICES AND ABUSE AND NEGLECT INVESTIGATIONS.*****SUMMARY**

This bill expands reporting requirements related to programs and services for people with intellectual disabilities, autism spectrum disorder, and other disabilities. It requires the Department of Developmental Services (DDS) to report annually on abuse and neglect complaints against former employees and other abuse and neglect complaints concerning people with intellectual disabilities and people served by the Department of Social Services' (DSS) Division of Autism Spectrum Disorder Services.

The bill also requires the DDS commissioner, beginning by September 30, 2025, to report quarterly to the Human Services and Public Health committees on the following topics:

1. progress spending funds appropriated for DDS programs and what services these funds were spent on;
2. whether lapsed funds are anticipated at the end of the fiscal year;
3. reasons appropriated funds were not spent, if applicable; and
4. waiting lists for DDS services for people with intellectual or developmental disabilities.

The bill requires the commissioner to publish the report on the department's website.

Lastly, the bill requires the Appropriations, Human Services, and Public Health committees to hold annual joint informational hearings to

review DDS and DSS efforts to ensure the safety and quality of care for people with intellectual disabilities, autism spectrum disorder, or other developmental disabilities who receive federal Medicaid waiver program services. Under the bill, the hearings must address how the agencies are addressing state and federal audit findings on prevention, timely reporting, and corrective action on abuse and neglect complaints.

EFFECTIVE DATE: July 1, 2025

DDS ABUSE AND NEGLECT REPORTS

Complaints Against Former DDS Employees

Existing law requires DDS to maintain a registry of certain former employees who were fired from or left their jobs due to substantiated abuse or neglect, and make the registry available to specified agencies and employers. The bill additionally requires DDS, starting by January 15, 2026, to annually report the following information to the Human Services and Public Health committees:

1. the number and disposition of abuse and neglect complaints against former employees received in the previous calendar year and
2. any backlog of investigations related to these complaints.

People Who Receive Services From DSS Division and People With Intellectual Disabilities

Existing law authorizes the DDS commissioner, or his designee, to investigate alleged abuse or neglect of someone who receives services from DSS's Division of Autism Spectrum Disorder Services and prepare written findings on his determination of whether abuse or neglect occurred.

For any report alleging the abuse or neglect of someone with an intellectual disability, existing law also requires the DDS commissioner to make an initial determination of whether the (1) person has an intellectual disability and (2) report warrants investigation. If warranted, the commissioner must cause a prompt, thorough

evaluation to be made to determine whether the person has an intellectual disability and was abused or neglected.

The bill requires the DDS commissioner, starting by January 15, 2026, to report annually to the Human Services and Public Health committees on the following information for both complaints concerning people served by DSS's division and those concerning people with intellectual disabilities:

1. the number of complaints received and investigated in the previous calendar year;
2. the number of complaints investigated by a contracted provider and by DDS, and the dispositions of complaints in each category;
3. the median length of time to complete investigations;
4. the number of programmatic neglect findings (the bill does not define this term) arising from these investigations;
5. the number of investigations that led to a directive for corrective action;
6. the steps DDS took to address programmatic neglect findings and ensure corrective actions were implemented;
7. the percentage of cases in which a directive for corrective action was issued and DDS revisited the provider to review its implementation, sorted by response times (30 days or less, 60 days or less, or more than 60 days after the directive was issued);
8. the processes and timelines by which guardians and parents of people with disabilities were informed about investigation results and directives for corrective action; and
9. any backlog of investigations.

Investigations in the reports above include any DDS investigation of cases in which someone with an intellectual disability dies. By law, if

there is reasonable cause to believe that the person's death may have been due to abuse or neglect, the DDS commissioner must conduct an investigation unless a court order requires otherwise.

The bill requires the DDS commissioner to post the annual reports described above on the department's website. Under existing law, unchanged by the bill, reports of alleged abuse or neglect and subsequent evaluations or investigations are not public records under the state's Freedom of Information Act.

BACKGROUND

Legislative History

The House referred the bill (File 470) to the Appropriations Committee, which reported out a substitute that eliminates provisions requiring (1) the Office of Policy and Management (OPM) to revisit the "intellectual disability" statutory definition and related eligibility criteria and report on people who are denied services, (2) DDS to evaluate and report on services for certain people with autism spectrum disorder, and (3) OPM's statewide autism services coordinator to serve as a liaison to hospitals.

COMMITTEE ACTION

Human Services Committee

Joint Favorable Substitute

Yea 22 Nay 0 (03/18/2025)

Appropriations Committee

Joint Favorable Substitute

Yea 50 Nay 0 (05/05/2025)