



General Assembly

***Substitute Bill No. 7108***

*January Session, 2025*



***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. (NEW) (*Effective from passage*) (a) As used in this section,  
2       "general intellectual functioning or adaptive behavior" means the  
3       effectiveness or degree with which an individual meets the standards of  
4       personal independence and social responsibility expected for the  
5       individual's age and cultural group as measured by assessments that are  
6       individualized, standardized and clinically and culturally appropriate.

7       (b) The Secretary of the Office of Policy and Management, in  
8       consultation with the Commissioners of Social Services, Developmental  
9       Services, Aging and Disability Services and Public Health, the Council  
10      on Developmental Disabilities, the Autism Spectrum Disorder Advisory  
11      Council and the Rare Disease Advisory Council, shall implement the  
12      first two recommendations of a November 15, 2024, report  
13      commissioned by the Office of Policy and Management entitled "The  
14      Evaluation of Statutory Definitions and Regulations: Intellectual  
15      Disability and Related Programs".

16      (c) In implementing the provisions of subsection (b) of this section,  
17      the secretary shall (1) explore changes in eligibility to remove  
18      intelligence quotient scores as a component of eligibility for state

19 services for persons with intellectual disability, (2) consider state  
20 adoption of a broader definition of developmental disability that  
21 includes intellectual disability, autism and any other condition that  
22 results in impairment of general intellectual functioning or adaptive  
23 behavior, (3) assess the level of need assessment tool used by the  
24 Department of Developmental Services and the universal assessment  
25 tool used by the Department of Social Services to determine eligibility  
26 for services, and (4) analyze the impact of extending eligibility for the  
27 home and community-based Medicaid waiver programs administered  
28 by the Department of Developmental Services to individuals with an  
29 intelligence quotient greater than sixty-nine and a level of need  
30 assessment score of eight.

31 (d) Not later than January 1, 2026, the secretary shall file a report, in  
32 accordance with the provisions of section 11-4a of the general statutes,  
33 with the joint standing committees of the General Assembly having  
34 cognizance of matters relating to human services and public health. The  
35 report shall include recommendations concerning (1) the advisability of  
36 changes in eligibility criteria to remove intelligence quotient scores, (2)  
37 the utility of the level of need assessment tool used by the Department  
38 of Developmental Services and the universal assessment tool used by  
39 the Department of Social Services, (3) the impact of expanding eligibility  
40 for the home and community-based Medicaid waiver programs  
41 administered by the Department of Developmental Services, (4) the total  
42 number of people waiting for autism services versus receiving autism  
43 services and their associated levels of need, and (5) a plan for addressing  
44 those with autism who have significant care needs. The secretary, in  
45 consultation with the Commissioner of Developmental Services, shall  
46 report twice annually to said committees on the number of persons with  
47 intellectual disability who are denied either day program care or  
48 residential services because of their level of need.

49 Sec. 2. (NEW) (*Effective from passage*) (a) As used in this section,  
50 "individual with profound autism" means an individual who (1) has an  
51 intelligence quotient of less than fifty, (2) is nonverbal or minimally  
52 verbal, (3) needs help with tasks of daily living, such as dressing,

53 bathing and preparing meals, or (4) may have medical issues, including,  
54 but not limited to, epilepsy and behaviors such as self-injury and  
55 aggression that interfere with safety and well-being.

56 (b) The Commissioner of Developmental Services, in consultation  
57 with the Commissioner of Social Services and the Secretary of the Office  
58 of Policy and Management, shall evaluate services for persons with (1)  
59 profound autism, and (2) autism spectrum disorder in addition to  
60 intellectual disability.

61 (c) Not later than October 1, 2025, the commissioner shall file a report,  
62 in accordance with the provisions of section 11-4a of the general statutes,  
63 with the joint standing committees of the General Assembly having  
64 cognizance of matters relating to appropriations and the budgets of state  
65 agencies, human services and public health. The report shall include,  
66 but need not be limited to: (1) The efficacy of services for (A) persons  
67 with profound autism, and (B) persons with autism spectrum disorder  
68 in addition to intellectual disability by the levels of need of such persons,  
69 (2) numbers of such persons on emergency waiting lists for Medicaid  
70 waiver programs or other programs, (3) numbers of such persons on  
71 urgent waiting lists for such programs, (4) recommendations to expand  
72 and improve services offered in such programs, and (5) state  
73 appropriations needed to expand and improve such services.

74 Sec. 3. Section 4-67bb of the general statutes is repealed and the  
75 following is substituted in lieu thereof (*Effective July 1, 2025*):

76 (a) Not later than October 1, 2023, the Secretary of the Office of Policy  
77 and Management shall establish two new staff positions, (1) one of  
78 whom shall serve as state-wide coordinator of programs and services  
79 provided by state agencies for individuals with autism spectrum  
80 disorder, and (2) one of whom shall (A) identify programs and services  
81 provided by state agencies for individuals who have an intellectual or  
82 developmental disability other than autism spectrum disorder; and (B)  
83 help commissioners of such agencies to coordinate such programs and  
84 services. On and after July 1, 2025, the state-wide autism services

85 coordinator, in consultation with the staff member assisting agencies  
86 that serve persons with an intellectual or developmental disability other  
87 than autism spectrum disorder, shall serve as a liaison to hospitals in the  
88 state caring for such persons.

89 (b) The secretary shall establish an interagency coalition, which shall  
90 include, but need not be limited to, representatives from the Department  
91 of Developmental Services, in its capacity as the lead agency for persons  
92 with an intellectual or developmental disability pursuant to section 17a-  
93 210, and the Department of Social Services, in its capacity as the lead  
94 agency for persons with autism spectrum disorder pursuant to section  
95 17a-215c. The coalition shall meet not less than quarterly and work on  
96 strategies to reduce silos in the provision of state agency services for  
97 such persons.

98 (c) Not later than July 1, 2025, the secretary shall submit a report, in  
99 accordance with the provisions of section 11-4a, on the progress of the  
100 interagency coalition in reducing silos of services with the joint standing  
101 committees of the General Assembly having cognizance of matters  
102 relating to human services and public health. Not later than July 1, 2026,  
103 the secretary shall file a report with said committees on the efforts of the  
104 liaison to hospitals, pursuant to subsection (a) of this section, to provide  
105 information and assistance to hospitals on state programs and services  
106 that may provide an alternative to hospitalization for certain persons  
107 with autism spectrum disorder, intellectual disability or a  
108 developmental disability other than autism spectrum disorder.

109 Sec. 4. Section 17a-247b of the general statutes is amended by adding  
110 subsection (h) as follows (*Effective July 1, 2025*):

111 (NEW) (h) Notwithstanding the provisions of subsection (c) of this  
112 section, the Commissioner of Developmental Services shall file a report  
113 not later than January 15, 2026, and annually thereafter, identifying (1)  
114 the number of abuse and neglect complaints against former employees  
115 received in the previous calendar year, (2) the disposition of such  
116 complaints, and (3) any backlog of investigations relating to such

117 complaints. The commissioner shall post the report on the department's  
118 Internet web site and file the report, in accordance with the provisions  
119 of section 11-4a, with the joint standing committees of the General  
120 Assembly having cognizance of matters relating to human services and  
121 public health.

122       Sec. 5. Section 17a-247f of the general statutes is amended by adding  
123 subsection (c) as follows (*Effective July 1, 2025*):

124       (NEW) (c) Notwithstanding the provisions of subsection (b) of this  
125 section, the Commissioner of Developmental Services shall file a report  
126 not later than January 15, 2026, and annually thereafter, identifying (1)  
127 the number of abuse and neglect complaints received and investigated  
128 pursuant to this section in the previous calendar year, (2) the number of  
129 complaints that were investigated by a contracted provider and the  
130 number of complaints investigated by the Department of  
131 Developmental Services and the dispositions of complaints investigated  
132 by a contracted provider and the department in each category of  
133 complaint investigations, (3) the median length of time for completion  
134 of the investigations, (4) the number of programmatic neglect findings  
135 arising from the abuse or neglect investigations, (5) the number of  
136 investigations that led to a directive for corrective action, (6) the steps  
137 the department took to address programmatic neglect findings and  
138 ensure corrective actions were implemented, (7) the percentage of cases  
139 in which a directive for corrective action was issued and the department  
140 revisited the provider to review implementation of the corrective action  
141 categorized by department response times of (A) not more than thirty  
142 days, (B) not more than sixty days, and (C) in excess of sixty days from  
143 the date the corrective action directive was issued, (8) the processes and  
144 timelines by which guardians and parents of individuals with  
145 disabilities were informed of the results of investigations and directives  
146 for corrective action, and (9) any backlog of investigations relating to  
147 such complaints. The commissioner shall post the report on the  
148 department's Internet web site and file the report, in accordance with  
149 the provisions of section 11-4a, with the joint standing committees of the  
150 General Assembly having cognizance of matters relating to human

151 services and public health.

152 Sec. 6. Section 46a-11c of the general statutes is amended by adding  
153 subsection (f) as follows (*Effective July 1, 2025*):

154 (NEW) (f) Notwithstanding the provisions of subsection (e) of this  
155 section, the Commissioner of Developmental Services shall file a report  
156 not later than January 15, 2026, and annually thereafter, identifying (1)  
157 the number of abuse and neglect complaints received and investigated  
158 pursuant to this section in the previous calendar year, including deaths  
159 investigated pursuant to subsection (c) of this section, (2) the number of  
160 complaints that were investigated by a contracted provider and the  
161 number of complaints investigated by the Department of  
162 Developmental Services and the dispositions of complaints investigated  
163 by a contracted provider and the department in each category of  
164 complaint investigations, (3) the median length of time for completion  
165 of the investigations, (4) the number of programmatic neglect findings  
166 arising from the abuse or neglect investigations, (5) the number of  
167 investigations that led to a directive for corrective action, (6) the steps  
168 the department took to address programmatic neglect findings and  
169 ensure corrective actions were implemented, (7) the percentage of cases  
170 in which a directive for corrective action was issued and the department  
171 revisited the provider to review implementation of the corrective action  
172 categorized by department response times of (A) not more than thirty  
173 days, (B) not more than sixty days, and (C) in excess of sixty days from  
174 the date the corrective action directive was issued, (8) the processes and  
175 timelines by which guardians and parents of individuals with  
176 disabilities were informed of the results of investigations and directives  
177 for corrective action, and (9) any backlog of investigations relating to  
178 such complaints. The commissioner shall post the report on the  
179 department's Internet web site and file the report, in accordance with  
180 the provisions of section 11-4a, with the joint standing committees of the  
181 General Assembly having cognizance of matters relating to human  
182 services and public health.

183 Sec. 7. (NEW) (*Effective July 1, 2025*) Not later than September 30, 2025,

184 and quarterly thereafter, the Commissioner of Developmental Services  
 185 shall file a report describing (1) progress in expending funds  
 186 appropriated for programs administered by the Department of  
 187 Developmental Services, (2) what services they were spent on, (3)  
 188 whether lapsed funds are anticipated at the end of the fiscal year ending  
 189 on June thirtieth, (4) if applicable, reasons appropriated funds were not  
 190 expended, and (5) waiting lists for services provided by the department.  
 191 The commissioner shall file the report, in accordance with the provisions  
 192 of section 11-4a of the general statutes, with the joint standing  
 193 committees of the General Assembly having cognizance of matters  
 194 relating to human services and public health and post the report on the  
 195 Internet web site of the Department of Developmental Services.

196 Sec. 8. (NEW) (*Effective July 1, 2025*) The joint standing committees of  
 197 the General Assembly having cognizance of matters relating to public  
 198 health, human services and appropriations and the budgets of state  
 199 agencies shall annually hold a joint informational hearing to review the  
 200 status of efforts by the Department of Developmental Services and the  
 201 Department of Social Services to ensure the safety and quality of care  
 202 for individuals with disabilities receiving services funded by federal  
 203 Medicaid waiver programs. The hearings shall address matters  
 204 including, but not limited to, how the agencies are addressing audit  
 205 findings and recommendations made by the Office of the Inspector  
 206 General for the United States Department of Health and Human  
 207 Services and the state Auditors of Public Accounts concerning  
 208 prevention, timely reporting and corrective action related to complaints  
 209 of abuse and neglect of such individuals.

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

Section 1	<i>from passage</i>	New section
Sec. 2	<i>from passage</i>	New section
Sec. 3	<i>July 1, 2025</i>	4-67bb
Sec. 4	<i>July 1, 2025</i>	17a-247b(h)
Sec. 5	<i>July 1, 2025</i>	17a-247f(c)
Sec. 6	<i>July 1, 2025</i>	46a-11c(f)

Sec. 7	<i>July 1, 2025</i>	New section
Sec. 8	<i>July 1, 2025</i>	New section

***Statement of Legislative Commissioners:***

The title was changed; in Section 1(d)(5), "with high" was changed to "who have significant" for clarity; in Section 2(c), subdivisions (1)(B) and (2) were redrafted and "need" was inserted before "not be limited" for clarity; the second reference to "Sec. 4" was changed to "Sec. 5" for accuracy; in newly designated Section 5(c)(2) and Section 6(f)(2), "investigated by a contracted provider and the department" was inserted before "in each category" for clarity; in Section 5(c)(7) and Section 6(f)(7), "department" was inserted before "response times" for clarity; and in Sections (5)(a)(7)(B) and 6(f)(7)(B), "sixty days" was changed to "not more than sixty days" for internal consistency.

***HS***      *Joint Favorable Subst.*