



STATE OF CONNECTICUT
DEPARTMENT OF MENTAL RETARDATION



M. JODI RELL
GOVERNOR

LEGISLATIVE
AFFAIRS

August 10, 2007

To: Interested Persons

From: Christine Pollio, DMR Legislative Liaison

Re: 2007 DMR Legislative Session Summary

The following bills passed during the 2007 regular session of the General Assembly and in some way impact upon, or might be of interest to, DMR consumers and/or DMR employees. Copies of these bills in Public Act form are attached. If you are reading this online or via email, I have included the link to each Public Act. [Bracketed] language indicates a deletion. Underlined language or the word "NEW" indicates new language. Also, I have attached a list of bills that we were tracking that did not pass as of the end of session on June 6, 2007 and a link to the bill history page. These lists are by no means exhaustive. Bills that did not make it past the public hearing process are generally not included in this summary. Please keep in mind that many multiple bills on the same or similar issues that did not pass during the session (died) may have been incorporated into a compromise bill or become part of the budget documents if there was a fiscal impact (for example the numerous health care bills and autism related bills from the session). Summaries in this document include information from the Office of Legislative Research and the Office of Fiscal Analysis. If you have questions on these or any other bills from the 2007 legislative session, please call me at (860) 418-6066 or email me at christine.pollo@po.state.ct.us.

AGENCY BILLS THAT PASSED:

PUBLIC ACT (PA) 07-73 (HB 7007) AN ACT RENAMING THE DEPARTMENT OF MENTAL RETARDATION. Public Act 07-73 takes effect on October 1, 2007 and changes the name of the agency to the Department of Developmental Services (DDS). The act allows the name change to be implemented in a manner and timeframe prescribed by the Commissioner. A committee has started to evaluate related implementation issues associated with the new name. Information will be shared as the timeline for the rollout of the new name is developed. Note:

Eligibility for services will remain the same as currently provided in Connecticut General Statute 1-1g. <http://www.cga.ct.gov/2007/ACT/PA/2007PA-00073-R00HB-07007-PA.htm>

PA 07-238 (HB 7008) AN ACT CONCERNING THE DEPARTMENT OF MENTAL RETARDATION. This act is a compilation of several non-budget related agency initiatives, including a change in guardianship prohibitions for private provider employees and CTH providers. The act prohibits a probate court from excluding someone from serving in these roles solely because he or she works for a private agency DMR licenses or funds or operates a DMR-licensed community training home. But it specifies that people: 1. cannot serve as guardians for individuals who live in the residential facilities in which they work or the community training homes they operate (this latter prohibition extends to a training home operator's relatives and household members) and 2. can be appointed only if no other suitable person can be found to serve. The law already prohibits excluding DMR employees from serving in these roles, with similar exceptions. The bill permits the Children and Families (DCF) and Mental Health and Addiction Services (DMHAS) departments to access DMR's abuse registry to check whether a job applicant is listed. It increases, to \$100,000 from \$75,000, the cost allowance cap for executive director salaries in DMR's, DMHAS', and the Department of Social Services' calculations of grants to private agencies for residential or day services. And, beginning July 1, 2007, it permits the cap to rise annually up to any percentage cost-of-living increase provided in the departments' contracts with these agencies. The act extends through June 30, 2009 the moratorium on the sale, lease, or transfer of state-owned or state-operated property used to house people with mental retardation. The moratorium is otherwise scheduled to expire on June 30, 2007. It does not apply to any agreement to sell, lease, or transfer property entered into before June 2, 2005. Finally, the act repeals or consolidates several reporting requirements, some of which are obsolete. The act takes effect October 1, 2007, except for the executive director salary cap increase and the moratorium extension, which are effective upon passage. <http://www.cga.ct.gov/2007/ACT/PA/2007PA-00238-R00HB-07008-PA.htm>

BILLS THAT PASSED:

PA 07-1 (SB 1112) An Act Concerning the State Contractor Ban and Gifts to State and Quasi-public Agencies. This act changes the ban on making and soliciting political contributions by state contractors and certain people associated with them, and to the similar ban that applies to investment services firms and people associated with them. In both cases it (1) excludes children under 18 from the ban and (2) includes any vice president, not just a "senior vice president," among other things. It also allows an individual covered by the ban, but who runs for office, to contribute to or solicit for a town committee or political action committee (PAC) if it is his or her campaign's sole funding source. Concerning the contractor ban, the act eliminates the requirement that the State Elections Enforcement Commission (SEEC) collect and maintain a master list of principals of state and prospective state contractors. "Principals" include certain board members, officers, and other high-ranking employees. The act also (1) expands the ban to cover contractors with state contract solicitations and (2) exempts the Judicial Branch. The act raises, from 16 to 18, the minimum age for making most political contributions over \$30. It decreases, from \$100 to \$50, the threshold at which individual contributors must certify that they are not a contractor, and additionally requires them to certify that they are not a

communicator lobbyist or the immediate family of such a lobbyist. It changes the definition of “solicit” to allow a communicator lobbyist or a principal of a state or prospective state contractor to serve as an officer of a candidate or exploratory committee, PAC, or party committee as long as he or she is not its chairperson, treasurer, or deputy treasurer. Under prior law, “solicit” meant serving as any officer of such a committee, among other things. The act makes several changes to the State Ethics Code, principally to the exception to the ban on gifts for goods and services provided to the state. It allows certain groups of individuals, who were previously banned from doing so, to give gifts to the state. It creates a gift exception for training purposes and allows foundations and alumni associations to give gifts to public higher education institutions or vocational-technical schools. The bill was effective upon passage.

<http://www.cga.ct.gov/2007/ACT/Pa/pdf/2007PA-00001-R00SB-01112-PA.pdf>

PA 07-3 (HB 5706) An Act Concerning Leave for State Employees Providing Disaster Relief Services. This act gives a state employee who is a certified American Red Cross disaster service volunteer up to 15 working days each year, rather than 14 calendar days, to participate in Red Cross specialized disaster relief services without loss of pay or accrued leave time (vacation, sick, or earned overtime). By law, the leave must be (1) approved by the employee's supervisor and (2) requested by the Red Cross. The act takes effect October 1, 2007.

<http://www.cga.ct.gov/2007/ACT/Pa/pdf/2007PA-00003-R00HB-05706-PA.pdf>

Special Act 07-11 (HB 7386) An Act Concerning the Conveyance of Certain Parcels of State Land. This bill authorizes new conveyances of state property to several towns. There was nothing in the act regarding the conveyance of property used by DMR...but we were watching!

<http://www.cga.ct.gov/2007/ACT/sa/pdf/2007SA-00011-R00HB-07386-SA.pdf>

PA 07-15 (HB 7109) An Act Concerning Certification Standards for Persons Providing Interpreter Services. This act broadens the law governing accreditation for individuals who are paid for providing interpreter services to deaf and hearing-impaired people. It adds interpreters who hold only a National Association of the Deaf-National Registry of Interpreters for the Deaf (NAD/RID) national interpreting certificate to those able to provide such services. And it changes the testing requirement for interpreters who use other credentials to become interpreters. The act takes effect October 1, 2007.

<http://www.cga.ct.gov/2007/ACT/Pa/pdf/2007PA-00015-R00HB-07109-PA.pdf>

PA 07-23 (HB 7156) An Act Concerning Hospice Services. This act (1) requires newly licensed hospices to provide hospice services in all settings and (2) sets conditions on the use of hospice-related titles and terms. Under the act, an organization seeking an initial hospice license from the Department of Public Health (DPH) beginning January 1, 2008 must agree to provide hospice care services for terminally ill people on a 24-hour basis in all settings, including private homes, nursing homes, residential care homes, or specialized residences providing supportive services. It must also provide DPH with satisfactory evidence that it has the necessary qualified personnel to provide the services. The act prohibits an organization from using the title “hospice” or “hospice care program” or any titles, words, letters, or abbreviations indicating or implying hospice licensure unless it is licensed to provide hospice services by DPH and certified as a hospice by Medicare. The act takes effect October 1, 2007.

<http://www.cga.ct.gov/2007/ACT/Pa/pdf/2007PA-00023-R00HB-07156-PA.pdf>

PA 07-28 (SB 1103) An Act Concerning Nonforfeiture Benefit Requirements with Respect to Long-Term Care Policies. This act prohibits an insurer from issuing or delivering a long-term care policy on or after July 1, 2008 unless it had offered the prospective insured an optional nonforfeiture benefit during the policy solicitation or application process. The offer may form a rider to the policy. If the nonforfeiture option is declined, the insurer must give the insured a contingent benefit if the policy lapses (i.e., terminates because the insured stops paying the premium). The contingent benefit must be available to the insured for a period of time after any substantial premium increase. The act requires the insurance commissioner to adopt regulations by July 1, 2008 to implement the nonforfeiture option and contingent benefit requirements. The regulations must specify (1) the nonforfeiture benefit standards and type, (2) the time period a contingent benefit must be available, and (3) what constitutes a substantial premium increase. They must also be in accord with the National Association of Insurance Commissioners' long-term care insurance model regulation. The act's requirements apply to insurance companies, fraternal benefit societies, hospital or medical service corporations, and HMOs. The bill took effect July 1, 2007. <http://www.cga.ct.gov/2007/ACT/Pa/pdf/2007PA-00028-R00SB-01103-PA.pdf>

PA 07-33 (HB 6997) An Act Concerning the Sunset Law. This act delays for two years the review of all agencies and programs subject to termination under the sunset law (including the Abuse Neglect Registry established pursuant to CGS 17a-247b). The act also requires the Legislative Program Review and Investigations Committee to study the sunset law, addressing its needs and merits, alternatives, and other methods to measure performance. The committee must report its findings and recommendations by January 15, 2008. <http://www.cga.ct.gov/2007/ACT/Pa/pdf/2007PA-00033-R00HB-06997-PA.pdf>

PA 07-44 (SB 1337) An Act Concerning Discrimination Awards Received by Persons Who Have Been Supported by State Humane Institutions. This act prohibits the state from claiming or applying a lien against certain lump-sum payments received by people who have been supported wholly or in part by the state in a humane institution. The law defines a "humane institution" as a state mental hospital, community health center, treatment facility for children and adolescents, or any other facility or program administered by the departments of Mental Health and Addiction Services, Mental Retardation, or Children and Families. The act also prohibits towns from claiming or applying liens against any money received as a settlement or award in a housing or employment discrimination case by a beneficiary of (1) the former town General Assistance program, (2) state aid in a state humane institution, or (3) several other assistance programs. The bill took effect July 1, 2007. <http://www.cga.ct.gov/2007/ACT/Pa/pdf/2007PA-00044-R00SB-01337-PA.pdf>

PA 07-47 (HB 5108) An Act Concerning reporting Requirements Related to the Child Poverty and Prevention Council. This act extends reporting responsibilities related to the state's 10-year plan to reduce child poverty by 50% by June 2014. By law, each agency represented on the legislatively-established Child Poverty and Prevention Council whose budget includes poverty prevention programs must report to the council by November 1, 2007 on at least two programs, and describe the performance-based measurements it uses to gauge their effectiveness. The act extends this annual reporting requirement through November 1, 2014. It

makes a conforming change to the law requiring the council to file progress reports with the governor's office and legislative committees each January. It also extends, from FY 08 through FY 21, the requirement that the governor's biennial budget document include a (1) prevention report and recommended agency appropriations for prevention services and (2) report on the state's progress in meeting the goal that, by 2020, at least 10% of total recommended appropriations for each budgeted agency be allocated for prevention services. The act takes effect October 1, 2007.

<http://www.cga.ct.gov/2007/ACT/Pa/pdf/2007PA-00047-R00HB-05108-PA.pdf>

PA 07-52 (HB 6370) An Act Concerning the Illegal Use of Handicapped Parking Spaces.

This act increases the fine for violating laws relating to the provision and use of parking spaces designated for handicapped people. Previously, violations were infractions with a minimum fine of \$85. The act eliminates the designation as an infraction and increases the fine to \$150 for a first violation and \$250 for a subsequent violation. However, it designates these fines as payable by mail to the Centralized Infractions Bureau so a court appearance is not required if the violator chooses to mail in the fine. Under the prior law, a violator who mailed in the fine paid a total of \$131. This included the base fine of \$85 and, because violations were designated as infractions, additional assessments required by law bringing the total amount due to \$131. Under the act, violators are no longer subject to the additional charges since the violation is no longer classified as an infraction. Therefore, for a first violation, the person will pay \$150 instead of \$131. The violations of the handicapped parking law subject to the act's higher fine include: 1. parking in a space designated for a handicapped person, 2. unauthorized display of a special license plate or placard issued to a disabled person, 3. failure to return a plate or placard when required to do so by the motor vehicle commissioner, and 4. failure to provide the designated spaces for handicapped persons the law requires. The act takes effect October 1, 2007.

<http://www.cga.ct.gov/2007/ACT/Pa/pdf/2007PA-00052-R00HB-06370-PA.pdf>

PA 07-70 (HB 6372) An Act Concerning the Location of State Facilities. This act requires the public works commissioner, when leasing, purchasing, or contracting for the purchase of any state facility, to (1) consider the proximity of state facilities to rail lines or bus routes and (2) consult with the Department of Transportation, transit districts, or regional planning agencies on the current and future status of rail and motor bus routes. These requirements apply to buildings or real property the state owns or leases. The act took effect upon passage.

<http://www.cga.ct.gov/2007/ACT/Pa/pdf/2007PA-00070-R00HB-06372-PA.pdf>

PA 07-75 (HB 7055) An Act Concerning Medical Necessity and External Appeals. This act requires insurers, HMOs, and other entities to include a particular definition of "medically necessary" or "medical necessity" in individual and group health insurance policies and contracts. For insurers and HMOs that have entered into a federal court-approved class action settlement with physicians, the requirement does not apply until the settlement's expiration date. The act extends the timeframe for appealing to the insurance commissioner (i.e., filing an external appeal) after a person has exhausted a company's internal grievance procedures. Under prior law, after receiving a final written claim denial based on a lack of medical necessity or determination not to certify an admission, service, procedure, or extension of hospital stay, a person had 30 days to file an external appeal. The act extends this to 60 days. The act takes effect

January 1, 2008, except for the appeal provision, which is effective upon passage.
<http://www.cga.ct.gov/2007/ACT/Pa/pdf/2007PA-00075-R00HB-07055-PA.pdf>

PA 07-76 (HB 7222) An Act Concerning Use of Unlicensed Assistive Personnel in Residential Care Homes. This act allows unlicensed “assistive personnel” employed in residential care homes to perform limited health-related activities for residents. Under the act, they can obtain and record a resident's blood pressure and temperature with digital medical instruments if such instruments (1) have internal decision-making electronics, microcomputers, or software that interpret physiologic signals and (2) do not require the user's discretion or judgment. The act also allows unlicensed assistive personnel to obtain and document a resident's weight and to assist residents in using glucose monitors for obtaining and documenting blood glucose levels. A “residential care home” is an establishment furnishing, in single or multiple facilities, food and shelter to two or more persons unrelated to the proprietor. Also, it provides services that meet a need beyond the basic provisions of food, shelter, and laundry. The effective date of the bill is October 1, 2007.

<http://www.cga.ct.gov/2007/ACT/Pa/pdf/2007PA-00076-R00HB-07222-PA.pdf>

PA 07-82 (HB 6109) An Act Reducing License renewal Fees for Retired Dentists and Physicians. This act allows (1) retired dentists to renew their licenses at a reduced fee and (2) certain physicians volunteering their services to renew their licenses at no charge. Under the act, a dentist who has retired may renew a license for \$45. The license issued by the Department of Public Health (DPH) must indicate that the dentist is retired. DPH must adopt regulations by January 1, 2008 that include (1) a definition of “retired from the profession” as it applies to dentists; (2) procedures for a retired dentist to return to active employment; and (3) appropriate restrictions on retired dentists' scope of practice, including restricting the license to providing volunteer services without monetary compensation. The act allows a physician who (1) practices for no fee for at least 100 hours a year at a public health facility and (2) does not otherwise practice medicine, to renew a license without charge. Existing law defines a “public health facility” as a hospital, community health center, group home, school, preschool operated by a local board of education, Head Start program, rest home, health care facility for the handicapped, nursing home, residential care home, mental health facility, home health care agency, homemaker-home health aide agency, substance-abuse treatment facility, infirmary operated by an educational institution, and an intermediate-care facility for the mentally retarded. The act takes effect October 1, 2007. <http://www.cga.ct.gov/2007/ACT/Pa/pdf/2007PA-00082-R00HB-06109-PA.pdf>

PA 07-83 (HB 7065) An Act Concerning Legislative Review and Approval of Waiver Applications Submitted by the Commissioner of Social Services to the Federal Government. This act strengthens legislative oversight of the Department of Social Services' (DSS) federal waiver applications. By law, whenever DSS applies to the federal government to waive certain federal program requirements, it must first submit the waiver application to the Human Services and Appropriations committees. Previously, the committees could advise the DSS commissioner of their opinion of the application, which, in practice, had not been binding on him. The act (1) requires, rather than allows, the committees to advise the DSS commissioner of their approval, rejection, or modification of the application within 30 days of receiving it; (2) requires the committees to hold a public hearing on the application after they receive it and

before they advise the commissioner; and (3) makes the committees' failure to advise an approval. If the committees reject the waiver application, the commissioner may not submit it to the federal government. He must modify the application when the committees advise him to do so. If the committees disagree, the act requires their chairmen to appoint a six-member conference committee composed of three members from each committee. At least one member from each committee must be from the minority party. The conference committee must report to the standing committees, which must in turn vote to accept or reject, but not amend, the report. The Appropriations Committee must advise the commissioner if both committees accept the report, and he must act in accordance with it. If either committee rejects the conference report, the waiver application is considered approved, and the committee rejecting it must notify the commissioner. When submitting the application to the federal government, the act requires the commissioner to include (1) a complete transcript of the joint committees' proceedings along with the written comments submitted to the committees at the proceedings, which the act directs the committees to send to him and (2) any written comments he receives during the public comment period, which he must, by law, provide before submitting the application to the General Assembly. The Governor vetoed the bill and then the veto was overridden when reconsidered. Therefore, the bill took effect on July 1, 2007.

<http://www.cga.ct.gov/2007/ACT/Pa/pdf/2007PA-00083-R00HB-07065-PA.pdf>

PA 07-86 (HB 7191) An Act Concerning Revisions to the Statewide Respite Care Program.

The State-Wide Respite Care Program provides respite care for people with Alzheimer's disease or related disorders, regardless of age, who have annual incomes up to \$30,000 and liquid assets up to \$80,000. Prior law also required that they not be covered by Medicaid. This act allows people under age 65 receiving community Medicaid, which does not provide respite care, to participate in the State-Wide Respite Program. It does this by changing the people ineligible for this program from those covered by Medicaid to those covered by the Connecticut Home Care Program for Elders (CHCPE). CHCPE is a Medicaid waiver and state-funded program that provides respite services, as well as other home- and community-based care, to people aged 65 and over who meet its eligibility requirements. Respite care services are support services that provide short-term relief for family caregivers from the demands of continual care for an individual with Alzheimer's or related diseases. The act took effect July 1, 2007.

<http://www.cga.ct.gov/2007/ACT/Pa/pdf/2007PA-00086-R00HB-07191-PA.pdf>

PA 07-100 (HB 6396) An Act Concerning the Use of Cleaning Products in State Buildings.

This act bans the use of cleaning products that do not meet certain guidelines or environmental standards in state-owned buildings beginning October 1, 2007. The guidelines or standards must be set by a national or international environmental certification program, which the Department of Administrative Services (DAS) must approve in consultation with the Department of Environmental Protection (DEP) commissioner. To be eligible for use, the cleaning products must minimize the potential harmful impact on human health and the environment to the maximum extent possible. The act specifies that for its purposes "cleaning product" does not include any disinfectant, disinfecting cleaner, sanitizer, or any other antimicrobial product regulated by federal law. The effective date of the act is October 1, 2007.

<http://www.cga.ct.gov/2007/ACT/Pa/pdf/2007PA-00100-R00HB-06396-PA.pdf>

PA 07-103 (HB 7155) An Act Concerning a Professional Assistance Program for Health Care Professionals. This act allows state or local health care professional societies and organizations to establish a single assistance program to serve all health care professionals. The assistance program must have one or more medical review committees. A “medical review committee” is a committee that reviews and monitors participation by health care professionals in the assistance program. The assistance program is an alternative, voluntary, and confidential program to rehabilitate health care professionals. It must provide a variety of educational, rehabilitative, and supportive services to health care professionals with a chemical dependency, emotional or behavioral disorder, or physical or mental illness. It must include mandatory, periodic evaluations of each participant's ability to practice with skill and safety and without posing a threat to the health and safety of any person or patient in the health care setting. The program must annually report certain information to the Department of Public Health (DPH), licensing boards, and the Public Health Committee. The program is available to: physicians and surgeons, physician assistants, chiropractors, naturopaths, homeopathic physicians, podiatrists, athletic trainers, physical therapists, occupational therapists, alcohol and drug counselors, radiographers and radiologic technologists, nurse-midwives, nurses, dentists, dental hygienists, optometrists, opticians, respiratory care practitioners, psychologists, marital and family therapists, clinical social workers, professional counselors, veterinarians, massage therapists, dietitian-nutritionists, acupuncturists, paramedics, hearing instrument specialists, speech pathologists and audiologists, and embalmers and funeral directors. A medical review committee must determine a person's appropriateness for the program before admittance. The act specifies various confidentiality provisions concerning the program and participation by health care professionals. DPH must establish an oversight committee to monitor program quality. The oversight committee must meet with the assistance program on a regular basis; the program must also undergo an annual audit. The bill was effective upon passage.
<http://www.cga.ct.gov/2007/ACT/Pa/pdf/2007PA-00103-R00HB-07155-PA.pdf>

PA 07-106 (HB 7270) An Act Concerning the Emergency 9-1-1 Surcharge and Misuse of the E 9-1-1 System. This act establishes a crime of misusing the emergency 911 (E 911) system and makes violations a class B misdemeanor (see Table of Penalties). A person is guilty of this crime if he or she (1) dials E 911 or causes it to be dialed in order to make a false alarm or complaint or (2) purposely reports false information that could result in the dispatch of emergency services. By law, telephone companies must forward the telephone number and street address from which a 911 call is made to a safety answering point. The companies and their agents are immune from liability to the person making the call over the E 911 system for the release of this information. The act extends these provisions to companies providing voice over internet protocol (VOIP) service and their agents but allows a VOIP provider to meet the forwarding requirement by complying with relevant federal law. It also requires VOIP providers and active prepaid wireless telephone service providers providing E 911 services to comply with federal law, and also to comply with state law, if the provisions in state law are not addressed in, or inconsistent with, federal law and regulations. By law, the Department of Public Utility Control must determine the amount of the monthly fee assessed against each telephone and commercial mobile radio services subscriber to fund the development and administration of the E 911 program. (Commercial mobile radio services include personal communications services (PCS), among others.) The act extends this requirement to cover the VOIP and prepaid wireless service providers. It requires the VOIP and prepaid wireless telephone service providers to assess

their subscribers the fee. The act increases the number of emergency management officials on the State-wide Emergency Management and Homeland Security Coordinating Council from one to two. The act takes effect July 1, 2007, except for the provisions making misuse of E 911 a crime and the monthly fee assessments, which are effective October 1, 2007. The council membership is effective upon passage. <http://www.cga.ct.gov/2007/ACT/Pa/pdf/2007PA-00106-R00HB-07270-PA.pdf>

PA 07-110 (SB 1093) An Act Concerning the State Building Code. This act makes several unrelated changes in the statutes pertaining to the state building code. It increases the fine for violating a building inspector's written order to provide exit facilities or to repair, alter, or remove part of a building and allows courts to impose both a fine and imprisonment for violations. Under prior law, the penalty was a fine of up to \$500 or imprisonment for up to six months. Under the act, the penalty is a fine of \$200 to \$1,000, imprisonment for up to six months, or both. The act also: 1. modifies the amount of the education fee that (a) the state may levy on building permit applications and (b) towns may withhold for the administrative costs of collecting such fees; 2. establishes a waiver and appeal process for boiler design, construction, installation, repair, use, and operation consistent with waivers for other building code activities; 3. eliminates a provision allowing the mayor, borough warden, or first selectman to serve as a building inspector in a jurisdiction that does not have a building inspector and makes conforming changes; and 4. makes a technical change, replacing references to the Building Officials and Code Administrators (BOCA), an organization that publishes national building and related codes, with the International Code Council, which has replaced BOCA. The effective date of the act is July 1, 2008 for the fee provisions and October 1, 2007 for the other provisions. <http://www.cga.ct.gov/2007/ACT/Pa/pdf/2007PA-00110-R00SB-01093-PA.pdf>

PA 07-112 (SB 1186) An Act Concerning State Employees Serving in Operation Jump Start or Certain Other Operations. This act was effective upon passage. It extends (1) paid leave to state employees called by the president or governor to active service in "Operation Jump Start" at the border of the United States and Mexico and (2) health insurance coverage to such employees and their dependents. These employees get (1) full state pay for active-duty leave up to 30 days and (2) payment of the difference between their state pay (including longevity) and military pay after 30 days. These employees and their dependents continue to receive state health insurance coverage for the duration of the call-up as long as the employees continue to make their co-payments at pre-activation levels. The law already provides these same benefits to state employees called to active service in (1) Operation Enduring Freedom (Afghanistan war), (2) Operation Noble Eagle (anti-terrorism activities within the United States), (3) any related military or emergency operation whose mission was substantially changed because of the September 11, 2001 terrorist attacks, (4) any federal or state action authorized by the governor to support Operation Liberty Shield or combat terrorism in the United States, and (5) military action authorized by the president against Iraq. The act prohibits employers from denying benefits to state employees called to active service in the above conflicts solely because of any collective bargaining agreement classifying their leave as recess or other equivalent leave rather than vacation. These include bargaining agreements covering state employees in teaching, instructional, or professional positions in Unified School Districts 1, 2, or 3. The act took effect upon passage. <http://www.cga.ct.gov/2007/ACT/Pa/pdf/2007PA-00112-R00SB-01186-PA.pdf>

PA 07-116 (SB 1439) An Act Concerning Conservators and Appeals of Conservatorships and Guardianships. The act allows the probate court to appoint a conservator of the estate for someone who cannot manage his or her affairs and a conservator of the person for someone incapable of caring for himself or herself. This act changes procedures for appointing conservators and designating their powers, and sets procedures for appealing probate court decisions and filing habeas corpus petitions. Among the act's most important changes, it:

1. requires the probate court to record proceedings on appointing conservators, setting their powers and duties, and terminating conservatorships;
2. requires appeals of hearings appointing a conservator to be on the record and sets the standard for court review;
3. changes the definitions of incapacity, which is required for the court to find appointment of a conservator necessary;
4. includes specific language for a notice to the person who is the subject of a petition for appointment of a conservator;
5. adds specific provisions about the right to an attorney and to choose an attorney, for a person who has a conservator appointed for him or her or is the subject of a petition for the appointment of one;
6. requires the probate court to consider certain factors and changes the standard the court must apply before deciding to appoint a conservator, including requiring a finding that appointing the conservator is the least restrictive intervention available to assist the person;
7. requires the probate court to give a conservator only the least restrictive duties and authority necessary to meet the person's needs, and the court must make specific findings on the need for each duty or authority;
8. requires a conservator to carry out the duties and authority assigned by the court in a manner that is the "least restrictive means of intervention" (Sections 19-20);
9. makes a number of similar changes to provisions on appointing a temporary conservator;
10. imposes specific requirements on the conservator of the person, including assisting in removing obstacles to the conserved person's independence, ascertaining the person's views, and making decisions that conform with the person's reasonable and informed preferences;
11. creates a procedure for the probate court to hold a hearing on changing a conserved person's residence similar to provisions in existing law for a conservator placing a person in a long-term care institution;
12. allows a conserved person to petition the probate court to terminate the conservatorship at any time; and
13. provides that a person under involuntary conservatorship and minors or mentally retarded people under guardianship can use a writ of habeas corpus to challenge the legality of the conservatorship or guardianship, without exhausting other available remedies. The act defines "least restrictive means of intervention" as intervention for a conserved person that is sufficient to provide, within the available resources of the person's estate or public or private assistance, for the person's personal needs or property management while allowing the greatest amount of independence and self-determination. The act also changes the term of someone who is subject to involuntary representation by a conservator from ward to a conserved person. It makes numerous technical and conforming changes. The act takes effect October 1, 2007. <http://www.cga.ct.gov/2007/ACT/Pa/pdf/2007PA-00116-R00SB-01439-PA.pdf>

PA 07-124 (SB 1051) An Act Concerning the Inspection and Evaluation of Air Quality in State Buildings. Effective July 1, 2007, This act requires state departments to follow certain guidelines for indoor air quality before they can accept all or part of a building to be occupied by state employees or others under a lease, lease renewal, or purchase. Each department must (1) provide for an inspection of the premises and (2) develop a protocol for the periodic assessment and remediation of indoor air quality issues. The protocol must include (1) the best practices for commercial office space and (2) all applicable provisions of the Environmental Protection

Agency's (EPA) Indoor Air Quality "Tools for Schools" Program. It is not clear how commercial space and school guidelines can be combined into a single protocol. The act also requires that each lease agreement any state department signs on or after July 1, 2007 contain a provision requiring the lessor to make all necessary efforts to maintain the structure and its mechanical systems to keep the indoor air quality at the same level as when the premises were accepted. The lessor must also agree to carry out the air quality protocol the department is required to establish under the act. The act took effect July 1, 2007.

<http://www.cga.ct.gov/2007/ACT/Pa/pdf/2007PA-00124-R00SB-01051-PA.pdf>

PA 07-130 (SB 1451) An Act Establishing the Connecticut Homecare Option Program for the Elderly. This act establishes a Connecticut Home Care Option Program for the Elderly and a Connecticut Home Care Trust Fund, administered by the state comptroller. The program and the fund must help people plan and save for the costs of certain elderly services that (1) are either not covered by a long-term health insurance policy or supplement services covered by such a policy or by Medicare and (2) will allow them to remain in their homes or live in a non-institutional setting as they age. The act allows participants to establish individual savings accounts within the fund and allows an account's designated beneficiary to withdraw funds from it for qualified home care expenses. It exempts interest earned on fund accounts from the state income tax and makes any unspent funds remaining in an account when a beneficiary dies part of his or her estate. The act specifies the comptroller's duties and authority over the program and the trust fund, establishes standards for investing the fund's assets and for offering the fund to investors, and creates a 19-member advisory committee for the program. Finally, the act eliminates the 250-person limit on the number of participants in a state-funded pilot program that allows seniors to hire their own personal care assistance (PCA) attendants directly instead of going through a home health care agency. The bill takes effect October 1, 2007, except for the repeal of the PCA pilot program participation limit, which takes effect July 1, 2007. The income tax exemption applies to tax years starting on or after January 1, 2007.

<http://www.cga.ct.gov/2007/ACT/Pa/pdf/2007PA-00130-R00SB-01451-PA.pdf>

PA 07-134 (HB 5537) An Act Concerning Wheelchair Safety. This act requires anyone transporting someone being transferred into or out of a motor vehicle while in a wheelchair to provide and use a device designed to secure the person in the wheelchair while transferring him or her from the ground to the vehicle or the vehicle to the ground. The device must be in the vehicle at all times. DMV may adopt regulations to implement these requirements. The Act also requires that the operator provide and use an additional device that secures the wheelchair to the vehicle's mechanical lift or otherwise prevents or seeks to prevent the person in the wheelchair from falling from the vehicle certain types of lift-equipped vehicles registered for the first time after September 30, 2007. <http://www.cga.ct.gov/2007/ACT/Pa/pdf/2007PA-00134-R00HB-05537-PA.pdf>

PA 07-142 (SB 1106) An Act Concerning Procedures for the Hearing of Complaints Against State Contractors and Subcontractors by the Commission on Human Rights and Opportunities and the Documentation of Nondiscrimination Policies Adopted by State Contractors. This act establishes a separate process for the Commission on Human Rights and Opportunities (CHRO) to hear and remedy complaints against contractors and subcontractors for noncompliance with (1) state antidiscrimination laws; (2) mandatory antidiscrimination

provisions in state and certain political subdivision contracts, and (3) the set-aside law. It does so by allowing CHRO to bring a matter to a public hearing based on its monitoring and compliance process instead of going through its normal complaint process. The act appears to eliminate certain procedural requirements concerning complaints filed by CHRO against state agencies concerning affirmative action plans required by law. If, after the hearing, a presiding hearing officer finds noncompliance, the act authorizes the officer, instead of CHRO, to impose certain penalties and take other actions. It also eliminates certain automatic sanctions and instead gives the presiding officer discretion to impose them. The act authorizes the chief human rights referee, instead of CHRO's executive director or designee, to appoint a hearing officer or human rights referee to hear complaints against contractors and subcontractors filed by CHRO under the act. The act requires that before entering into a contract with the state or any political subdivision other than a municipality, the contractor must provide documentation to support the nondiscrimination agreement and warranty the law requires for such contracts. The documentation must be a company or corporate policy adopted by resolution of the contractor's board of directors, shareholders, managers, members, or other governing body. The act specifies that "contract" includes any extension or modification of the contract, and "contractor" includes any successors or assigns of the contractor. The act took effect July 1, 2007, except for the provisions dealing with documentation of company or corporate policy, which were effective upon passage. <http://www.cga.ct.gov/2007/ACT/Pa/pdf/2007PA-00142-R00SB-01106-PA.pdf>

PA 07-147 (SB 977) An Act Concerning Restraints and Seclusion in Public Schools. This act regulates the use of physical restraints and seclusion on students receiving or awaiting eligibility determinations for special education services in public schools. It (1) gives the State Board of Education (SBE) authority over their use as part of its existing mandate to regulate special education curriculum and instructional conditions and (2) requires the SBE to adopt implementing regulations. Existing law regulates the use of these techniques on people receiving direct care and educational services from regional educational service centers; private institutions and facilities that provide special education under contract with school boards; the departments of Children and Families, Mental Health and Addiction Services, Mental Retardation, and Public Health; and entities they license or supervise. It excludes nursing homes and Department of Correction (DOC) facilities. The act requires local and regional boards of education to tell pupils, parents, guardians, and others standing in the place of parents about: 1. the laws and regulations governing the use of physical restraints and seclusion and 2. related student and parental rights at the first planning and placement team meeting (PPT) involving the student's individual educational program (IEP). The act also creates reporting procedures. The act takes effect October 1, 2007. <http://www.cga.ct.gov/2007/ACT/Pa/pdf/2007PA-00147-R00SB-00977-PA.pdf>

PA 07-153 (HB 6390) An Act Concerning Treatment Options for Defendants Found not Competent to Stand Trial. This act permits the court, in appropriate cases, to order community placement and treatment of certain defendants who have been found not competent to stand trial and have been placed in the custody of the Commissioner of Mental Health and Addiction Services. When a panel's report indicates that an incompetent defendant is not likely to be restored to competency but appears to be eligible for civil commitment, the criminal court previously could order that the defendant be: 1. treated in a DMHAS facility to restore his or her competency, if this was likely to be successful within the permissible statutory period; 2. released; or 3. placed in the custody of DMHAS or the departments of Children and Families or

Mental Retardation and directing the agencies to file a Probate Court civil commitment application. The act gives the court the additional option of ordering the defendant into DMHAS custody for treatment in a less restrictive setting. It permits this only when the examiners' written report or court testimony indicates that services are available and appropriate. The act takes effect October 1, 2007.

<http://www.cga.ct.gov/2007/ACT/Pa/pdf/2007PA-00153-R00HB-06390-PA.pdf>

PA 07-155 (HB 6893) An Act Requiring that the Department of Social Services Establish a Communications and Outreach Program on Long-Term Care and the Medicare Part D Program. This act expands the statutory role of the Department of Social Services' CHOICES health insurance assistance program in disseminating information (including preparing and distributing written material) and providing advice to Medicare beneficiaries. Under the act, the program must provide information on the federal Medicare Part D prescription drug program and long-term care options in the state. The act includes the Medicare Part D program in the list of mandatory Medicare-related information in the Connecticut Medicare consumer guide. CHOICES develops and distributes this guide after consulting with the insurance commissioner and other organizations. The act also requires CHOICES to collaborate with other state agencies and entities in developing consumer-oriented websites that provide information on Medicare plans, including Medicare Part D plans and available long-term care options. It adds CHOICES personnel designated by the social services commissioner to the group charged with developing the state's long-term care website, which began operating in 2006. (The other entities are the Office of Policy and Management, Select Committee on Aging, Commission on Aging, and Long-term Care Advisory Council.) The act took effect July 1, 2007.

<http://www.cga.ct.gov/2007/ACT/Pa/pdf/2007PA-00155-R00HB-06893-PA.pdf>

PA 07-160 (HB 7240) An Act Implementing the Recommendations of the Legislative Program Review and Investigations Committee Concerning the State's Welfare Reform Initiative. This act makes changes in the state's welfare-to-work program. It allows the Department of Social Services (DSS) commissioner to run parts of the cash welfare program, Temporary Family Assistance (TFA), using state funds only to help the state avoid federal work participation rate-related penalties. The act expands the Safety Net program to include families who have complied with the Jobs First program rules. The act makes certain Department of Labor records available for review by the state's regional workforce investment boards provided the records' confidentiality is protected. Finally, the act conforms law to practice by requiring the labor commissioner, instead of the DSS commissioner, to collect data from the job training and placement services it funds. Generally, under the Jobs First program, DSS determines eligibility for and grants TFA, while the labor department develops, implements, and funds the program's work component. The act took effect July 1, 2007.

<http://www.cga.ct.gov/2007/ACT/Pa/pdf/2007PA-00160-R00HB-07240-PA.pdf>

PA 07-181 (SB 1048) An Act Concerning the Investigation of a Discrimination Complaint Against or By an Agency Head or State Commission or Board Member. This act requires investigations of discrimination complaints made against or by a state agency head, a board or commission member, or an affirmative action officer (AAO) to be shifted to another agency (The Department of Administrative Services). By law, each state agency, department, board, or commission must designate an AAO. Prior law required the AAO to (1) investigate all

discrimination complaints made against the entity and (2) report all the findings and recommendations to the entity's commissioner or director for proper action. Under the act, complaints against or by an agency head, board or commission member, or AAO must be referred to the Commission on Human Rights and Opportunities (CHRO) for review and, if appropriate, to the Department of Administrative Services (DAS) for investigation. Also, it requires that a discrimination complaint against CHRO be handled by DAS and a complaint against DAS be handled by CHRO. The act took effect upon passage.

<http://www.cga.ct.gov/2007/ACT/Pa/pdf/2007PA-00181-R00SB-01048-PA.pdf>

PA 07-184 (SB 1438) An Act Concerning Notice of Certain Probate Court Hearings and the Filing of Certain Reports. It amends the methods for delivering or serving notice of certain probate court hearings, and (2) changes from April to March the deadline for the filing of reports related to certain assessments due from probate judges. The bill gives the probate court administrator additional powers over probate courts and probate court judge and changes the method for notifying parties in connection with various probate court proceedings. The act takes effect October 1, 2007, except for the provisions relating to probate court administration, which became effective July 1, 2007.

<http://www.cga.ct.gov/2007/ACT/Pa/pdf/2007PA-00184-R00SB-01438-PA.pdf>

PA 07-185 (Emergency Certification SB 1484) An Act Concerning the Healthfirst Connecticut and Healthy Kids Initiative. This bill expands access to public health insurance by making a number of changes in the HUSKY program. Among other things it:

1. raises the income limit for HUSKY A (Medicaid) coverage for caretaker relatives;
2. expands HUSKY A coverage for pregnant women;
3. expands HUSKY B coverage for children in higher income families, with premium assistance for families with access to employer-sponsored coverage;
4. requires automatic enrollment of uninsured newborns in HUSKY;
5. requires the Social Service Department (DSS) and other entities to expand HUSKY outreach;
6. requires DSS to seek a federal waiver to convert the State-Administered General Assistance (SAGA) program from a fully state-funded program to a Medicaid-funded one and potentially raises the income limit for this coverage; and
7. requires DSS, within available appropriations, annually to increase the rates it pays Medicaid providers, including hospitals, beginning in FY 08.

The bill creates two new health-related planning entities, (1) a HealthFirst Connecticut Authority to recommend alternatives for affordable quality health care coverage for un- and underinsured people and cost containment measures and insurance financing mechanisms and (2) a Statewide Primary Care Authority to develop a universal system for providing primary care services, including prescription drugs, to all Connecticut residents. It establishes a board to govern a network that integrates state and social services data within and across various departments. It requires the Public Health Department (DPH) to develop standards to facilitate the development of a statewide, integrated "electronic health information system" for use by health care providers and institutions that are funded by the state. And it designates a nonprofit entity to act as the state's lead health information exchange organization for five years. It requires the DSS commissioner to (1) develop and implement a plan for a preventive health services system for children covered by HUSKY A and B and (2) establish a child health quality improvement program to promote the implementation of evidence-based strategies by HUSKY providers to improve the delivery of and access to children's health services. The bill extends, from age 23 to 26, the age to which group comprehensive and individual health insurance

policies that cover children must do so. The bill permits the Health Reinsurance Association to again sell special health care plans to small employers, and it potentially makes these plans available to a wider range of employers by raising the income eligibility limit for their low-income employees from 200% to 300% of FPL. It requires (1) DSS to inventory public disease management programs, (2) DPH to develop an electronic license renewal system for certain professions, and (3) the healthcare advocate to create a consumer health information website. It appropriates funds for various school- and community-based health center operations. And the bill makes technical changes. Most of the act took effect July 1, 2007 although a few provisions take effect October 1, 2007 or upon passage. <http://www.cga.ct.gov/2007/ACT/Pa/pdf/2007PA-00185-R00SB-01484-PA.pdf>

PA 07-195 (SB 1396) An Act Concerning the State Purchase of Service Contracts for Health and Human Services. This act codifies existing practice by expanding the Office of Policy and Management (OPM) secretary's authority to waive the competitive procurement requirements set out in the personal service agreement (PSA) statute for any purchase of service (POS) contract between a state agency and a human services private provider. By law, he can waive these requirements under certain circumstances for PSAs. The act also allows him to waive them for POS contracts between a state agency and a private provider organization or municipality for ongoing direct health and human services for agency clients. The act requires the secretary, to ensure continuity of care in health and human services delivery, to develop a plan for the competitive procurement of health and human services by January 1, 2008, in consultation with the Connecticut Nonprofit Human Services Cabinet and representatives of state agencies that provide health and human services. It requires the secretary to submit the plan, by February 1, 2008, to the Human Services and Public Health committees. In developing the plan, the secretary must consider a number of factors specified in the act. The act allows the secretary to implement the plan on or after July 1, 2008. By law, the OPM secretary is responsible for establishing uniform policies and procedures for obtaining, managing, and evaluating the quality and cost-effectiveness of human services purchased from private providers. The act adds health services to this provision and specifies that it applies to direct health and human services. It requires the secretary to report to the General Assembly on the system for purchasing such services in the state every two years, starting by January 1, 2008. (According to a 2005 attorney general's opinion, there is no legal distinction between a PSA and a POS contract, so both are subject to the PSA statute (Chapter 55a). But, according to the opinion, OPM may choose to treat them differently (AG Opinions 2005-031 and 2004-020)).

<http://www.cga.ct.gov/2007/ACT/Pa/pdf/2007PA-00195-R00SB-01396-PA.pdf>

PA 07-197 (SB 66) An Act Expanding Insurance Coverage for Specialized Formulas for Children. This act requires health insurance policies to cover medically necessary specialized formulas administered under a physician's direction for children up to age 12, instead of age eight. The act applies to group and individual insurance policies delivered, issued for delivery, or renewed in Connecticut after September 30, 2007 that cover (1) basic hospital expenses; (2) basic medical-surgical expenses; (3) major medical expenses; (4) accidents only; and (5) hospital or medical services, including HMO contracts. It does not apply to self-insured benefit plans, which are regulated under the federal Employee Retirement Income Security Act (ERISA). The act takes effect October 1, 2007. <http://www.cga.ct.gov/2007/ACT/Pa/pdf/2007PA-00197-R00SB-00066-PA.pdf>

PA 07-201 (SB 145) An Act Concerning the Filing of Certain Statements of Financial Interests and Establishing a Task Force to Study the Recommendations of the Office of State Ethics Concerning Municipal Ethics. This act requires certain public officials and state employees to include in their annual statements of financial interests the names of outside employers who provide them with income in excess of \$1,000 and a description of the income's source rather than its category or type. It requires those officials and employees required to file a statement on or before May 1, 2007 to file a supplemental statement by August 1, 2007 that states the names of their employers. The Office of State Ethics (OSE) must prescribe the form for the supplemental statement by June 15, 2007 and notify each person subject to the filing requirement of the need to file the supplemental statement. The act establishes an eight-member task force to study OSE's recommendations for implementing a municipal ethics code.
<http://www.cga.ct.gov/2007/ACT/Pa/pdf/2007PA-00201-R00SB-00145-PA.pdf>

PA 07-202 (SB 707) An Act Concerning the Pay Scale of the State Police, the Prequalification Program Administered by the Department of Administrative Services and Certain Revisions to the Freedom of Information Act. This act makes numerous substantive and technical changes to the laws regarding the prequalification of contractors and substantial subcontractors who work on state administrative services and state and municipal building construction contracts that are at least partially state-funded, including increasing, from two to five years, the maximum amount of time a contractor may be disqualified from bidding on a Department of Administrative Services (DAS) contract. It makes a public agency potentially ineligible for state funds if it accepts a contractor's bid without (1) proof that he or she is prequalified and (2) a statement of his or her qualifications. It exempts state building construction contracts valued above \$500,000 from the requirement that state and municipal agencies complete an evaluation of the contractor. It requires all state public works projects, other than those administered by the Department of Transportation (DOT), to be awarded on the basis of competitive bidding to the lowest responsible prequalified contractor. The law already requires state building construction contracts, other than statutorily specified non-bid (fast-track) projects, to be awarded in this way. The act requires surety contracts for public building construction contracts with the state or a municipality estimated to cost more than \$500,000 to contain certain language. The act broadens security-related exemptions under the Freedom of Information Act (FOIA). It narrows the Department of Public Works (DPW) commissioner's role in determining whether certain records should be exempt because disclosure could result in a safety risk. It requires the Freedom of Information Commission to (1) take evidence and receive testimony from parties during preliminary hearings, and (2) specify its findings of fact and conclusions of law in any decision it issues after a final hearing. It removes a requirement for the commission to make printed reports of its decisions and opinions available to the public for not less than \$28. Lastly, the act requires the administrative services commissioner, within available appropriations, to (1) study the pay scale for sworn state police officers to identify any pay inequities and (2) report her findings and recommendations to the Public Safety Committee by February 1, 2008. The act is effective upon passage, except that (1) changes to prequalification that by law are not effective until October 1, 2007 and (2) security-related FOIA provisions are effective on October 1, 2007.
<http://www.cga.ct.gov/2007/ACT/Pa/pdf/2007PA-00202-R00SB-00707-PA.pdf>

PA 07-209 (HB 5639) An Act Concerning the Closing of a Long Term Care Facility. This act requires the Department of Social Services (DSS) commissioner to hold a public hearing at a nursing home, rest home, residential care home, or intermediate care facility for the mentally retarded within 30 days after the facility submits a letter of intent or applies for a certificate of need (CON), whichever happens first, to close the facility or substantially decrease its bed capacity. Prior law (which continues to apply to other types of applications such as increases in beds or purchases of capital equipment) allowed the commissioner to hold a hearing on an application, at his discretion, in Hartford or the area served and had no deadline for holding the hearing. The act specifically prohibits any such facility from closing or decreasing substantially its total bed capacity until a public hearing has been held and the commissioner approves the facility's request, unless the decrease in beds is associated with a census reduction.

It also allows the commissioner to impose up to a \$5,000 fine on any facility that fails to comply with these provisions. It requires the commissioner to deposit the fines in an existing special fund to be used, in DSS's discretion, for the protection of the health or property of nursing home residents, including (1) relocation costs, (2) payment for continuing operation of a facility pending correction of deficiencies or closure, and (3) reimbursement of residents for personal funds lost. The act modifies some of the duties of a court-appointed receiver of a nursing home or residential care home and extends the timeframes for accomplishing these duties. It also modifies the DSS commissioner's authority to set a higher interim rate for Medicaid payments to nursing homes sold after being in receivership. Finally, the act extends the moratorium on new nursing homes and nursing home beds from June 30, 2007 to June 30, 2012. The bill took effect July 1, 2007, except for the nursing home moratorium extension, which is effective upon passage. <http://www.cga.ct.gov/2007/ACT/Pa/pdf/2007PA-00209-R00HB-05639-PA.pdf>

PA 07-211 (HB 6988) An Act Updating the Social Security Retirement Age to Reflect Federal Changes. This act increases the age, from 65 to the eligibility age for full Social Security retirement benefits, after which a Tier I state retiree no longer receives the additional temporary retirement benefit. This ties the cut-off for the additional benefits to the age at which people are eligible for full Social Security benefits. Under federal law, the age that a person is eligible for full Social Security retirement benefits is increasing each year in two-month increments until it reaches age 66 in 2008 (e.g., if someone turns 65 in 2007, he or she would not be eligible for full federal benefits until reaching age 65 and 10 months). It will stay at age 66 for 11 years, then gradually increase again until reaching age 67 in 2025. The act also requires the comptroller, if asked by a political subdivision of the state, to allow employees of the subdivision to join the state's 403(b) deferred compensation program for state education employees. It permits the comptroller to set additional terms and conditions for employees to join the program. This annuity program is authorized under federal tax law. Political subdivisions of the state include towns, cities, boroughs, special tax districts, fire districts, water districts, and similar entities. The act takes effect October 1, 2007, except the provision on the deferred compensation program took effect upon passage. <http://www.cga.ct.gov/2007/ACT/Pa/pdf/2007PA-00211-R00HB-06988-PA.pdf>

PA 07-213 (SB 1182) An Act Concerning Administrative Procedures of the Department of Public Works, Auditing of Large Construction Contracts, Environmental Review of Certain Land Transfers, Grant Payments to Municipalities, Advertising on State buildings and Certain Exemptions to the Freedom on Information Act. This bill makes several

unrelated changes affecting (1) state construction and contracts, (2) state real property, (3) the Freedom of Information Act (FOIA), (4) certain state grant payments to municipalities and neighborhood revitalization zones (NRZs), and (5) the comptroller. Concerning state real property, the bill (1) removes the DPW commissioner's 20-year limit on leases of state property to municipalities; (2) establishes a procedure to review proposed sales and transfers of state property to determine if it has significant natural and recreational resources that should be preserved; and (3) specifies to which facilities certain energy and environmental standards apply. It also requires the DPW commissioner to make recommendations to the Government Administration and Elections (GAE) Committee concerning placing commercial advertisements on certain state properties. The bill exempts responses to public agency requests for proposals or bid solicitations, and any related record or file created by the agency, if the agency's chief executive officer certifies that the public interest confidentiality outweighs the public interest in disclosure. The documents may remain confidential only until the contract is executed or negotiations have ended, whichever comes first. It also expands public meeting notice requirements by requiring state agencies, other than the General Assembly, to file their regular meetings agendas with the Secretary of the State. By law, agencies must file notices at least 24 hours in advance of the meetings. The bill requires state agencies and the Secretary of the State to post the agendas on their websites but does not specify when the postings must occur. By law, unchanged by the bill, state and local agencies have to file the agendas in their respective offices. Under current law, they have to file their agendas only with the Secretary of the State or the appropriate clerk if they have no regular office or place of business. The act took effect upon passage, except the DPW commissioner's authority to contract with consultants was effective July 1, 2007 and the provisions addressing (1) labor and material bonds, (2) the review of state property and the related account, and (3) FOIA, are effective October 1, 2007. <http://www.cga.ct.gov/2007/ACT/Pa/pdf/2007PA-00213-R00SB-01182-PA.pdf>

PA 07-226 (HB 7283) An Act Establishing a Long-Term Care Initiative. This act changes the elimination period under a long-term care (LTC) insurance policy. Prior law required an LTC policy to contain a “reasonable” elimination period (i.e., a waiting period after the onset of the injury, illness, or function loss during which no benefits are payable). The act instead requires an elimination period that is (1) up to 100 days of confinement or (2) between 100 days and two years of confinement if an irrevocable trust is in place that is estimated to be sufficient to cover the person's confinement costs during this period. The act requires that the trust (1) pay the health care provider directly and (2) create an unconditional duty to pay only confinement costs during the elimination period. It specifies that the (1) state, grantor, or person acting on the grantor's behalf may enforce this duty and (2) trust remains subject to taxes and any trustee charges allowed by law. For LTC policies that offer the elimination period trust option, the act requires an insurer to include, (1) in rate filings it submits to the insurance commissioner, how it estimated trust values and (2) on the policy application and face page, a clear and conspicuous statement that the trust may be insufficient to cover all costs incurred during the elimination period. The act takes effect October 1, 2007. <http://www.cga.ct.gov/2007/ACT/Pa/pdf/2007PA-00226-R00HB-07283-PA.pdf>

PA 07-242 (HB 7342) An Act Concerning Electricity and Energy Efficiency. This is the main “Energy bill” from the session. It has many provisions. Sections 10 and 11 of the bill broaden and increase the state's “green building” requirements. Under current law, state facilities

costing \$ 5 million or more, funded on or after January 1, 2007 (with limited exceptions for structures such as garages), must meet specified energy and environmental standards. Starting January 1, 2008, the bill modifies the requirements by eliminating the exceptions and limiting the current requirements to those state facilities where at least \$ 2 million of the funding comes from the state. The bill also extends the requirements to the following types of projects with at least \$ 2 million or more in state funding: (1) renovations to state facilities approved and funded on or after January 1, 2008 that cost \$ 2 million or more, (2) new school construction projects authorized by the legislature on or after January 1, 2009 that cost \$ 5 million or more, and (3) school renovation projects authorized by the legislature on or after this date costing at least \$ 2 million. In all cases, the bill requires the institute, rather than the OPM secretary, to determine whether the cost of compliance significantly outweighs the benefits. The bill also requires all of these facilities to exceed the current building code energy efficiency standards by at least 20%. Section 122 of the bill I modifies fuel efficiency requirements for state fleet vehicles and increases the proportion of these vehicles that must be alternatively fueled. Under current law, the average fuel efficiency of cars and light duty trucks must be at least 40 miles per gallon. The bill additionally requires, starting January 1, 2008, that each car or light duty truck have an efficiency rating that is in the top third of the vehicles in its class. Under current law, the state fleet must meet federal requirements for the proportion of vehicles that run on alternative fuel. Under federal law, at least 75% of vehicles bought by the state (with certain exceptions) must be alternative fuel (these include electric vehicles and vehicles capable of operating on ethanol, among others). The bill requires that, between January 1, 2008 and December 31, 2009, at least 50% of the purchased vehicles be alternative fueled, hybrid electric, or plug-in electric vehicles. This proportion must increase to 100% starting January 1, 2010. I have included a link to the bill summary (by section) for anyone who might be interested in the other sections of the bill.

<http://www.cga.ct.gov/2007/BA/2007HB-07432-R01-BA.htm>

<http://www.cga.ct.gov/2007/ACT/Pa/pdf/2007PA-00242-R00HB-07432-PA.pdf>

PA 07-246 (HB 7269) An Act Concerning Criminal History Background Checks, Child Pornography, Repeated False Alarms, the Destruction of Seized Fireworks, Amusement Patrons' Safety and Assessor's Drawings. Among other provisions, this act allows the public safety commissioner to adopt regulations to implement criminal history record check provisions of one state and three federal laws in regard to the use of criminal history background checks for non criminal justice purposes (employment and volunteer work etc.) It is still unclear at this point what direct impact it will have on DMR for employment purposes and as this is a regulatory process, however we will be following the process closely. The act takes effect October 1, 2007.

<http://www.cga.ct.gov/2007/ACT/Pa/pdf/2007PA-00246-R00HB-07269-PA.pdf>

PA 07-252 (HB 7163) An Act Concerning Revisions to Statutes Relating to the Departments of Public Health and Social Services and Town Clerks. Sections 1, 2, & 19-21 of this act are related to the appointment of a health care representative, power of attorney for health care decisions and shock therapy. The act specifies that a short-form power of attorney can no longer be used for health care decision purposes. It specifies that an appointment of a (1) health care agent or (2) power of attorney for health care decisions, properly executed before October 1, 2006 under the law in effect at that time has the same legal force and effect as if it had been executed according to the law after October 1, 2006. PA 06-195 amended and updated

Connecticut law on health care decision-making by, among other things, (1) combining the authority of the health care agent and attorney-in-fact for health care decisions into a unified proxy known as the “health care representative” and (2) authorizing the health care representative to make any and all health care decisions for a person incapable of expressing those wishes. For purposes of the appointment of a health care representative and health care decision-making, the act specifies that “shock therapy” is as defined under the law on patients' rights for persons with psychiatric disabilities (CGS § 17a-540). The effective date of these sections is October 1, 2007. <http://www.cga.ct.gov/2007/ACT/Pa/pdf/2007PA-00252-R00HB-07163-PA.pdf>

BUDGET:

The legislature did not pass a budget during the regular legislative session and had to convene a special session in June to finish its business. The Governor issued a declaration to lift the spending cap and the legislature passed HB 8001 (the budget), HB 8002 (the Public Health/Human Services Implementer), HB 8003 (the Education implementer) and SB 1500 (the OPM Implementer). There are still a couple of outstanding issues as of the distribution date of this summary including the bond package and legislation concerning the state contracting process. No specific date has been set yet for the legislature to take action on these items.

June Special Session, Public Act No. 07-1 (HB 8001) An Act Concerning the State Budget for the Biennium Ending June 30, 2009, and Making Appropriations Therefor. On Monday, June 25, 2007 the Senate approved the Biennium Budget for fiscal years 2008 and 2009 in concurrence with the House. The approved budget includes an Appropriation of \$926,911,959 in FY 08 and \$974,057,528 in FY 09 to DMR. The FY08 Appropriation represents a \$61.4 million (7.09%) increase over the Department’s FY 07 Appropriation. The FY 09 Appropriation represents a \$47.1 million (5.09%) increase over the FY08 appropriation. PA 07-1: <http://www.cga.ct.gov/2007/ACT/Pa/pdf/2007PA-00001-R00HB-08001SS1-PA.pdf>
Fiscal note: <http://www.cga.ct.gov/2007/FN/2007HB-08001-R00-FN.htm>

Included are some of the highlights:

1. Departmental Operations:

- A. Personal Services:** The FY 08 Appropriation increases DMR’s Personal Services account by \$20.2 million from the FY 07 Appropriation. The increase in FY 09 totals \$13.3 million.
- B. Staffing:** The Department’s full time position count is decreased by 1, from 4,046 in 2007 to 4,045 in FY 08 and FY 09. The Department’s part time position count is funded at 1,175.
- **Reductions:** Eleven (11) full time positions were reduced to reflect the transfer of funding from Personal Services to the Community Residential Services SID. This transfer reflects the funding for the placement of four (4) individuals into community programs.
 - **Additions:** Ten (10) full time positions were added to increase the number of Case Managers.

C. Operating Expenses: The Appropriation addresses the Department's base needs and increased needs in the following areas:

- Information Technology
- Property Leases
- Energy Increases

2. Contracted Services/ Current Service Funding:

A. Wait List: The Department's full request for both annualization of services (for both FY 07 and FY 08) and new funding for services (for FY 08 and FY 09) is included in the Appropriation.

B. Cooperative Placements: The Appropriation provides for two (2) new/additional placements in both FY 08 and FY 09.

C. Age Outs:

- **Residential Services:** The Appropriation funds sixty-six (66) individuals eligible for services in FY 08 and sixty-four (64) individuals in FY 09.
- **Day Services:** The Appropriation funds seventy-nine (79) individuals eligible for services in FY 08 and seventy-three (73) individuals in FY 09.

D. High School Graduates:

- **Day Services:** The Appropriation funds two hundred and seventy (270) individuals identified for services in FY 08 and two hundred and forty-five (245) individuals in FY 09. There is a 1-month delay associated with the high school grad funding in both years, however program start dates are generally staggered.

E. Other:

- **Birth to Three:** The Appropriation funds the Department's request for annualization of \$1.27 million for COLAs and private provider rate increases, and funds an expansion totaling \$913,507 in FY 08 and \$1,267,912 in FY 09 to provide funding for eligible babies with very low birth weight, babies born at fewer than twenty-eight (28) weeks, children with significant delays in speech and biological risk factors and children with mild or unilateral hearing loss.
- **Private Provider COLA:** The Biennium Budget provides funding within the OPM Private Provider account to fund a 3% increase effective July 1, 2007 for most private agencies under contract with DMR. There is no additional COLA provided in FY 09.
- **Autism** – The Appropriation funds \$1 million for FY 08 and expands the pilot account to \$1.5 million in FY 09. The FY 09 Appropriation also adds \$500,000 to the Department's Personal Services account to fund Autism positions. The program will become a separate division within DMR.
- **Voluntary Services Program:** The Appropriation increases VSP funding by \$6.6 million in FY 08 to provide the annualization of FY 07 services, and to fund thirty (30) additional children in FY 08. The Appropriation funds an additional \$5.4 million in FY 09 to fund the annualization of FY 08 service costs and supports thirty (30) additional children.

3. Other Services:

- A. Workers Comp:** The Appropriation increases funding in FY 08 by \$223,768 and increases funding by \$239,821 in FY 09.
- B. Dental Program:** Within the framework of the Appropriation, DMR will continue to search for a competent dental professional to coordinate related activities, and will continue our commitment to fund and support a joint Dental Fellowship program with UCONN.
- C. Respite and Family Support:** The Department, presented with the resources contained within the FY 08 and 09 Appropriation, will continue to review and plan the continuance of our Respite and Family Support Initiative.

BUDGET IMPLEMENTER BILLS:

June Special Session PA 07-2 (HB 8002) An Act Implementing the Provisions of the Budget Concerning Human Services and Public Health. This bill has many provisions, some of which include: **Section 1** reduces the **nursing home user fee** from 6% to 5.5%. As this aligns statute with federal requirements as well as current practice, there is no associated fiscal impact. **Section 2** provides a cost of living adjustment (**COLA**) for the **Temporary Family Assistance and State Administered General Assistance cash assistance programs**. HB 8001 (the FY 08-09 biennial budget bill) contains \$4.1 million in FY08 and \$8.2 million in FY09 for this change. **Section 3** defers a **statutory COLA for the supplemental assistance programs** over the biennium. The budget bill reflects savings of \$2.1 million in FY08 and \$4.1 million in FY09 for this change. **Sections 4 and 21** amend the **Medicare Part D Supplemental Needs Fund** to reflect current program operations and to clarify that the Fund will cover those drugs determined to be medically necessary. The budget bill contains \$5 million in each year of the biennium for this Fund. **Section 5** raises the number of approved slots under the **Money-Follows-the-Person** grant from 100 to 700, to bring the statutes into compliance with a demonstration grant received from the federal government. The federal grant, as well as funding included in the budget bill, anticipates that 700 slots will be filled over the 5-year period of the federal grant. The budget bill includes \$2,720,800 in FY08 and \$5,630,700 in FY09 under DSS to implement the program. **Section 6** limits the circumstances in which institutionalized Medicaid applicants could assign their spousal support rights to the Department of Social Services (DSS). Institutionalized Medicaid applicants would no longer be able to shelter assets in the name of the community spouse, in excess of those already protected under the law. The budget bill reflects savings of \$1.4 million in FY08 and \$3.6 million in FY08 to reflect this change. **Section 7** makes a technical change to P. A. 07-185 (AAC the HealthFirst Connecticut and Healthy Kids Initiatives) to ensure that individuals currently enrolled in the HUSKY program remain so enrolled. This section also eliminates a HUSKY cost-sharing requirement that was never implemented. The section has no fiscal impact. **Section 8** requires DSS to implement a premium-sharing component to the **HUSKY plan, part A**. The budget bill contains \$500,000 in FY08 to develop this program and reflects a net savings of \$4.9 million in FY09 from the implementation of the program. **Sections 11 and 12** provide a **2.9% Medicaid rate increase for nursing homes and intermediate care facilities for the mentally retarded (ICF/MRs) in FY08**. The budget bill contains \$39 million in each year of the biennium for this increase. **Section 13** provides for a **2% rate increase for the room and board component of Community Living Arrangements (CLAs)**. The budget bill includes \$2 million in FY08 and \$4.2 million in FY09 for rate

increases for CLAs and residential care homes. **Section 14** clarifies DSS's authority to provide limited **non-emergency medical transportation and vision services under the SAGA** program. The budget bill contains \$2.5 million in each year to provide such services. **Section 16** requires DSS to develop a **pilot primary case management system** for at least 1,000 current HUSKY A clients. The budget bill contains \$2.5 million in each year to implement this system. **Sections 17, 44 and 72** amend P. A. 07-185 to repeal provisions that increased coverage under the HUSKY program to 400% of the Federal Poverty Level (FPL). This aligns statute with the funding available under the budget bill. **Section 17** also amends P. A. 07-185 to specify that **uninsured newborns are covered** for 4 months after birth, which aligns statute with the funding available under the budget bill. The budget bill contains \$4.6 million in FY08 and \$8.8 million in FY09 to reflect the 4 months of coverage. **Sections 18 through 21** implement third party liability changes to ensure that Medicaid is the payor of last resort, as required by the federal Deficit Reduction Act. The budget bill reflects savings of \$2 million in each year of the biennium due to this change. **Section 23** establishes a **Charter Oak Health Plan** for uninsured adults, from age 19 to 64, of all income levels. Financial assistance with premium costs will be provided on a sliding scale based on an individual's gross earnings, ranging from \$175 for individuals with income under 150% FPL to no assistance for clients with income over 300% FPL. The budget bill contains \$2 million in FY08 to design and implement this plan and \$11 million in FY09 to reflect the provision of benefits. **Section 24** stipulates that each local or regional board of education require each pupil to annually report whether the pupil has health insurance. This requirement will result in a cost of approximately \$50,000 annually for additional forms. The bill is not clear whether the cost of these forms is to be borne by the school boards, the State Department of Education or DSS. It is expected that through **enhanced identification of uninsured children** and subsequent referral to the HUSKY programs, DSS will realize increased enrollment in these programs. The budget bill assumes that an additional 3,300 children will be enrolled under this initiative, at a cost of \$5.4 million in FY08 and \$8.4 million in FY09. **Section 25** delays the establishment of the Department on Aging until July 1, 2008. **Section 29** allows DSS to establish within available appropriations a **state funded pilot program for certain people with disabilities**. Up to \$400,000 may be available under the budget bill for such a program. **Sections 30 through 43** implement **inspections of managed residential communities**. Funding of \$39,500 in FY 08 and \$132,000 in FY 09 has been included within the budget bill under the Department of Public Health (DPH) to support costs of additional staffing and other expenses. This will support the salaries of one Nurse Consultant, one Office Assistant and a ¼ time Processing Technician needed to commence biennial licensure inspections, prepare written reports, investigate complaints and pursue disciplinary actions when warranted. One quarter year funding has been provided in FY 08, to reflect a 4/1/08 effective date. The Office of the Attorney General can perform its duties under Section 36 of the bill without requiring additional staffing. Any expenses incurred to litigate these matters are anticipated to be minimal, and would be passed on to the DPH. Should the implementation of the new regulatory program increase the cost of assisted living operations and/or result in fewer assisted living slots being available statewide, Medicaid may realize increased utilization of more expensive nursing home services. Currently, the Department of Social Services spends an average of \$78,000 annually. A potential revenue gain to the state would result, to the extent that civil penalties of up to \$5,000 are assessed upon non-compliant residences. **Sections 47-60** implement a **comprehensive childhood lead program**. Funding of \$650,409 in FY 08 and \$992,590 in FY 09 has been included under DPH within the budget bill to support associated

state and local costs. The first year sum includes \$600,000 from anticipated FY 07 surplus funds carried forward into FY 08 to support the purchase of needed laboratory equipment. Budgeted FY 09 funding will also allow the DPH to reimburse local health authorities for costs incurred in the course of conducting additional on-site inspections of sources of lead. The annualized cost associated with this initiative will be approximately \$1. 5 million commencing in FY 10. Local costs may increase significantly commencing in FY 12, as the bill would require local intervention when a health director is notified of any child having an elevated blood lead level equal to or greater than 10 micrograms per deciliter, on and after 1/1/12, if at least one percent of the children in the state under age six have reported elevated blood lead levels of at least 10 micrograms per deciliter. It is anticipated that local health authorities will accommodate revised regulatory provisions contained within sections 55-57 within their routine workload. **Section 50** requires local health directors to provide information to parents of children with elevated blood lead levels concerning the child's potential eligibility for the **Birth-to-Three program**. To the extent that this results in additional evaluations and increased enrollment in the program, an additional cost may result to the Department of Mental Retardation (as this is an entitlement program). Although the bill does not change eligibility for Birth-to-Three services, the provision may result in identifying eligible children earlier than may have otherwise occurred. The average annual net cost per child is \$7,300. The bill mandates that health insurance policies cover lead screening and risk assessments ordered by a child's primary care provider. This provision is anticipated to increase costs for the state and certain municipal health insurance plans that cannot be determined at this time. Such cost would be mitigated by the savings associated with future health problems prevented by the early detection of elevated lead levels. Should implementation of the comprehensive lead screening program mitigate the incidence of lead poisoning in children or reduce the severity of such poisoning, future indeterminate savings in the areas of educational and health services may result. **Sections 64, 65 and 69** amend P. A. 07-185 concerning coverage of individuals up to the age of 26 under their parent's health insurance to align the policy with the funding available under the budget bill. The budget bill contains \$4 million for the Office of the State Comptroller to implement this policy effective January 1, 2009. **Sections 66 and 72** amend P. A. 07-185 concerning the **Connecticut Health Information Network (CHIN)** to align the program with the funding available under the budget bill. The budget bill contains \$500,000 in each year of the biennium under the University of Connecticut Health Center to design and implement CHIN. **Section 67** amends P. A. 07-185 concerning the membership of the **HealthFirst Connecticut** Authority. There is no direct fiscal impact from this change. **Section 68 and 72** modifies provisions contained within P. A. 07-185 by stating that the DPH shall contract through a competitive bid process for the development of a state-wide health information technology plan, including, but not limited to, electronic data standards. The budget includes \$750,000 to support costs associated with these efforts. The Office of Health Care Access will be able to consult in this effort within its normally budgeted resources. **Section 70** establishes grants to expand **school-based health clinic services** for priority school districts and areas designated by the federal Health Resources and Services Administration as health professional shortage areas, medically underserved areas or areas with a medically underserved population. The budget bill contains \$2. 5 million in each of FY 08 and FY 09 under DPH to support these grants.

PA 07-2: <http://www.cga.ct.gov/2007/ACT/Pa/pdf/2007PA-00002-R00HB-08002SS1-PA.pdf>

Fiscal note: <http://www.cga.ct.gov/2007/FN/2007HB-08002-R00-FN.htm>

June Special Session PA 07-3 (HB 8003) An Act Implementing the Provisions of the Budget Concerning Education. The bill makes various education changes related to: education grant caps, priority school district grants, open choice grants, charter schools, early childhood education, distance learning, after-school grants, school paraprofessionals, minority teacher recruitment and retention, accountability, youth service bureaus, magnet schools, higher education, school expulsions, ECS, UCONN 2000 code violation repairs, and school construction projects.

PA 07-3: <http://www.cga.ct.gov/2007/ACT/Pa/pdf/2007PA-00003-R00HB-08003SS1-PA.pdf>

Fiscal Note: <http://www.cga.ct.gov/2007/FN/2007HB-08003-R00-FN.htm>

June Special Session PA 07-4 (SB 1500) An Act Implementing Provisions of the Budget Concerning General Government. This bill has many provisions, some of which include: **Section 6** implements the budget by requiring the Probate Court Administrator to establish, within available appropriations, a program in the regional children's probate court for the district of New Haven to reduce the number of children who are placed out of their communities and in foster care due to abuse and neglect. The program will provide outreach to extended family members in the community and seek volunteers to act as assisted care providers to assist guardians in caring for children. Under the program, each guardian appointed by the court shall be eligible to receive a maximum grant of five hundred dollars per child. **Section 64** expands eligibility for a program to fund renewable energy and cogeneration projects in state-owned buildings. sHB 7432 authorizes \$30 million in General Obligation (GO) bonds for this purpose. To the degree that Section 64 causes these funds to be expended more rapidly than they otherwise would have been, there may be an increase in General Fund debt service costs in future years. **Section 102** modifies Section 66 of HB 7432, AAC Electricity and Energy Efficiency, which concerns the Connecticut Energy Assistance Program (CEAP) administered by the Department of Social Services. It provides discretion to the commissioner of social services when determining whether to take advantage of programs offered by fuel vendors, that reduce the cost of fuel purchased. It also removes a provision of HB 7432 which would have required CEAP recipients to be treated the same as a fuel vendor's other customers. This clarification will assure that DSS will not be required to pay a vendor's retail price charged to its other customers, and thus preclude a potential increase in program costs. The bill further modifies a provision of Section 66 that would have required payments by agencies administering CEAP in advance of delivery where price-management strategies require by stating that this is to be accomplished only as funding allows. And, finally, it modifies a provision that would have required each community action agency to begin accepting CEAP applications no later than September 1st annually by stating this is to be done if funding allows. These two changes will potentially mitigate additional programmatic costs, which may have resulted in a reduction in resources available for benefits and services to participating households. **Sections 109 - 114 establish policy that supports individuals with autism spectrum disorders (ASD) within the Department of Mental Retardation. The bill establishes a new division of autism spectrum services within DMR; requires DMR to adopt regulations to establish eligibility standards; and allows the new division within available appropriations, to research, design and implement delivery of services for individuals with ASD. The budget includes \$1 million in FY 09 in DMR to support staff and services within the new autism services division. The bill also allows DMR to carry forward up to \$200,000 in the Pilot Program for Autism Services account into FY 08 to be used for a feasibility study regarding either a Medicaid**

waiver or amendment to the state plan for a community based program for individuals with ASD who are not mentally retarded. Further the bill allows DSS in consultation with DMR to seek approval of a waiver or a state plan amendment. PA 07-4:

<http://www.cga.ct.gov/2007/ACT/Pa/pdf/2007PA-00004-R00SB-01500SS1-PA.pdf>

fiscal note: <http://www.cga.ct.gov/2007/FN/2007SB-01500-R00-FN.htm>

BILLS VETOED BY THE GOVERNOR:

To date, the Governor has vetoed five public acts passed in the 2007 session and used the line-item veto for one more. One veto has been overridden.

The acts that were vetoed are:

1. PA 07-135 (HB 5656), An Act Concerning Access to Postsecondary Education;
2. PA 07-137 (HB 6715), An Act Concerning the Palliative Use of Marijuana;
3. PA 07-229 (HB 7338), An Act Concerning the Implementation of Generally Accepted Accounting Principles (GAAP); and
4. PA 07-248 (HB 7400), An Act Concerning Various Revenue Measures;

The Governor used the line-item veto to strike sections 126 and 128 from PA 07-242 (HB 7432), An Act Concerning Electricity and Energy Efficiency.

The Governor vetoed PA 07-83 (HB 7065), An Act Concerning Legislative Review and Approval of Waiver Applications Submitted by the Commissioner of Social Services to the Federal Government, but the General Assembly overrode the veto on May 22.

BILLS THAT DID NOT PASS: To further check the bill history of bills that did not pass (or were incorporated into another bill) this session, log on to www.cga.ct.gov, type the bill number in the upper right hand box and click on “go.” This will bring you to the bill history which shows where the bill died, (in committee, on the house or senate calendar, etc.) any substitute language, and any amendments (whether or not they were called). The following bills did NOT pass this session. Please note that, for other than a handful of exceptions, I did not include bills that were not voted out of their committee of origin with a favorable report:

SB 5 An Act Concerning the Functions, Powers and Duties of the Department of Aging.

This bill (1) postpones the re-establishment date of a Department on Aging by one year, from July 1, 2007 to July 1, 2008 and (2) requires the results of two previously authorized studies to be presented to the General Assembly by January 1, 2008 for their consideration with respect to the department's functions, powers, and duties. One study is a comprehensive needs assessment of unmet long-term care needs. The other is an independent study conducted by Southern Connecticut State University on the department's establishment. The bill died on the House Calendar but was resurrected in the budget implementer PA 07-2 (HB 8002).

http://www.cga.ct.gov/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill_num=5&which_year=2007

SB 41 An Act Concerning Clean Contracting. The purpose of this legislation was to establish uniform standards for all state agencies in the area of contracting. This bill went through many drafts, many of which caused concern for DMR as an agency that contracts with private providers. However, toward the end of session, it appeared that contracts with private providers would be exempt. The bill eventually died on the Senate Calendar. It is possible that this bill will resurface in a special session, but if not, then it is likely to reappear next session.
http://www.cga.ct.gov/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill_num=41&which_year=2007

SB 73 An Act Expanding Insurance Coverage for Hearing Aids for Children. This bill passed the Senate but died on the House Calendar. The Office of the State Comptroller provided information to indicate that the passage of the bill would increase costs to the state health plans by \$525,000 in FY09 when the state enters into new contracts. This money was not included in any version of the recommended budget for FY09. Other related bills on this issue were SB 166, SB 214 and SB 816. These three bills died in the Insurance Committee with no action taken.
http://www.cga.ct.gov/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill_num=73&which_year=2007

SB 93 An Act Appropriating Funds for the State Matching Grant Program for Elderly and Disabled Demand Responsive Transportation. This bill's intent was to provide increased funding to municipalities for the elderly and disabled demand responsive transportation matching grant program. The bill died in the Appropriations Committee.
http://www.cga.ct.gov/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill_num=93&which_year=2007

SB 238 An Act Concerning Coverage for Community-Based Mental Health Programs for Children. This bill would have required private health insurers and HMOs to cover outpatient mental health services for insured children under age 18 for insurance and HMO policies delivered, issued for delivery, renewed, amended, or continued in the state on or after October 1, 2007 that cover (1) basic hospital expenses, (2) basic medical-surgical expenses, (3) major medical expenses, and (4) hospital or medical services. The bill died in the Insurance and Real Estate Committee.
http://www.cga.ct.gov/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill_num=238&which_year=2007

SB 246 An Act Concerning Home and Community Based Services to Families of Children with Special Health Care Needs. This bill directed the Department of Social Services (DSS) to apply for a waiver under the federal SCHIP program. Under this waiver, children with special health care needs would be provided with health coverage to wrap around their private medical insurance. Families with incomes up to 300% of the federal poverty level would be eligible, with DSS establishing premium and cost-sharing requirements. The cost of this proposal was dependent upon the number of children enrolled in this waiver, which was not specified in the bill. The approximate annual cost of one slot in such a program is \$25,000. Should such a waiver be granted under the SCHIP program, the federal government would reimburse 65% of program costs. sHB 7077 (the Appropriations Act, as passed by the Appropriations Committee) contains \$625,000 in FY08 and \$5 million in FY09 to implement a 200 slot waiver program. This bill

died on the foot of the Senate Calendar.

http://www.cga.ct.gov/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill_num=246&whi ch_year=2007

SB 257 An Act Providing Funds for the Relocation of Persons with Mental Retardation into Assisted Living Facilities. This bill died in the Appropriations Committee. It would have provided funds to move adult clients of the Department of Mental Retardation into assisted living facilities, when appropriate.

http://www.cga.ct.gov/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill_num=257&whi ch_year=2007

SB 263 An Act Establishing a Loan Forgiveness Program for Historically Underrepresented Students Pursuing Careers in Nursing. This bill would have required the Department of Public Health (DPH) commissioner, in consultation with the Board of Governors of Higher Education, to establish a loan forgiveness program for registered nursing (RN) degree students of racial or ethnic minority groups by July 1, 2008. The bill died on the Foot of the Senate Calendar.

http://www.cga.ct.gov/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill_num=263&whi ch_year=2007

SB 313 An Act Requiring Notification about the Location of Group Homes. This bill would have required that local authorities be informed about the location of group homes under the supervision and control of the Department of Mental Health and Addiction Services. This bill died in the Public Health Committee.

http://www.cga.ct.gov/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill_num=313&whi ch_year=2007

SB 329 An Act Concerning An Appropriation for Early Childhood Development. This bill's intent was to improve and provide funding for early childhood services and programs. This bill died in the Appropriations Committee.

http://www.cga.ct.gov/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill_num=329&whi ch_year=2007

SB 542 An Act Concerning the Posting of Public Meeting Notices on Public Agency Websites. This bill to expand current requirements concerning the posting of notice for public meetings died on the Foot of the Senate Calendar, however a version of the bill was incorporated into another bill that did pass, PA 07-213.

http://www.cga.ct.gov/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill_num=542&whi ch_year=2007

SB 570 An Act Concerning Legislative Oversight of Construction or Closure of Residential facilities Operated by the Department of Children and Families. This bill would have required state agencies, until January 1, 2009, to get legislative approval before closing any residential facility the Department of Children and Families (DCF) operates. Currently, the department operates five facilities: the Connecticut Children's Place, the Connecticut Juvenile Training School, High Meadows, Riverview Hospital for Children and Youth, and the

Wilderness School. The bill established an approval process the agency and legislature must follow and an emergency bypass mechanism. The bill died on the House Calendar.

http://www.cga.ct.gov/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill_num=570&whi ch_year=2007

SB 752 An Act Concerning an Income Tax Deduction for Long-Term Care Insurance Premium Payments and for Home Care Services. This bill's intent was to encourage the purchase of long-term care insurance and home care as a long-term care placement option by providing deductions from the personal income tax for long-term care insurance premium payments and home care payments. This bill died in the Finance Revenue and Bonding Committee.

http://www.cga.ct.gov/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill_num=752&whi ch_year=2007

SB 821 An Act Requiring a Disclosure Statement When a State or Local government Agency Requests an Individuals' Social Security Number. This bill would have required public agencies that ask for an individual's Social Security number to tell the person the agency's authority to request it, how the number will be used, and if the disclosure is mandatory or voluntary. The requirement was applicable to state and municipal departments, boards, commissions, institutions, and other agencies, including constituent units of higher education. The bill died on the House Calendar.

http://www.cga.ct.gov/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill_num=821&whi ch_year=2007

SB 1049 An Act Concerning Collective Bargaining of the Merit System. This bill would have allowed state employees to bargain collectively about matters relating to the merit system for appointment and promotion of classified state employees. This bill was recommitted to the Labor and Public Employees Committee where it died.

http://www.cga.ct.gov/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill_num=1049&whi ch_year=2007

SB 1050 An Act Concerning Retirement Benefit Options for Spouses of Certain Deceased State Employees and Vacation Leave Accrual for State Employees in Active Service. This bill would have allowed spouses of state employees who died with twenty-five years of service to elect retirement benefits from among options. This bill died in the Appropriations Committee.

http://www.cga.ct.gov/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill_num=1050&whi ch_year=2007

SB 1096 An Act Concerning the Establishment of the Fatality Review Board for Persons with Disabilities. This bill would have incorporated into statute elements of Executive Order No. 25, dated February 8, 2002, which included the establishment of the Fatality Review Board. This bill died on the House Calendar.

http://www.cga.ct.gov/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill_num=1096&whi ch_year=2007

SB 1197 An Act Concerning the Transition and Care and Treatment of Children and Youth from the Department of Children and Families to the Department of Mental Retardation and Mental Health and Addiction Services. The bill would have required the departments of Mental Health and Addiction Services (DMHAS) and Mental Retardation (DMR) to have interagency agreements with DCF delineating each agency's responsibilities for transitioning children to the appropriate agency when they become too old to receive services through DCF ("age out"). This is already current practice. The bill died on the Senate Calendar. http://www.cga.ct.gov/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill_num=1197&wh_ich_year=2007

SB 1226 An Act Establishing a Fall Prevention Program. This bill would have required the Department of Social Services (DSS) commissioner to undertake various activities addressing falls by older adults and others at high risk of falling including the promotion and support of fall prevention research. http://www.cga.ct.gov/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill_num=1226&wh_ich_year=2007

SB 1290 An Act Concerning Accountability in State Contracting. This bill would lower the threshold on the dollar value of certain state contracts that are subject to the Freedom of Information Act, provide that salary information relating to employees performing work under such contracts shall be subject to disclosure and require disclosure of certain information by nonprofit agencies who have contracts with the state. The bill required that information relating to contracts with public agencies contracting for certain governmental function services valued at more than \$2.5 million be subject to the Freedom of Information Act. It required that these contractors provide salary and job title information relating to the employees performing the work under such contracts to the contracting agency. The bill also required any for-profit or non-profit agency that has a contract, subcontract, personal service agreement, or purchase of service agreement with the state to provide certain information as outlined in the bill. The bill created a new disclosure requirement for any for-profit or nonprofit agency seeking contracts, at any dollar amount, with the state to perform a governmental function as defined in law. It requires these contractors to provide specific information to the state, including company financial information, compensation of employees engaged in providing the contracted functions, and the names and salaries of the agencies' three highest paid officials. The bill makes this information subject to public disclosure under the Freedom of Information Act (FOIA). The existing governmental functions disclosure law requires that public agency contracts with private parties to provide governmental functions include provisions (1) entitling the public agency to copies of records and files related to the contract and (2) indicating that such records and files are subject to disclosure under FOIA. The bill specifies that a contractor's employees' titles and salaries must be included in the records and files related to the contract. This bill died as a Joint Favorable Substitute out of the Commerce Committee. http://www.cga.ct.gov/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill_num=1290&wh_ich_year=2007

SB 1046 An Act Examining the Licensure System for Department of Children and Families Facilities. The bill's intent was to examine the current licensure system for facilities under the jurisdiction of the Department of Children and Families and to determine the feasibility and

appropriateness of transferring licensing responsibilities for such facilities to the Department of Public Health. This bill died on the Foot of the Senate Calendar.

http://www.cga.ct.gov/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill_num=1046&wh_ich_year=2007

SB 1096 An Act Concerning the Establishment of the Fatality Review Board for Persons with Disabilities. This bill passed the Senate but did not pass the House. The intent of the bill was to enact legislation incorporating elements of Executive Order No. 25, dated February 8, 2002, including the establishment of the Fatality Review Board.

http://www.cga.ct.gov/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill_num=1096&wh_ich_year=2007

SB 1144 An Act Establishing a Central Index for Advance Health Care Directives. The proposed bill would have required the Secretary of the State to establish and operate an advance health care directive central index (or contract with an entity to do so) for individuals to store various documents addressing health care decision-making and instructions. Documents in the registry would not have been considered public records and could not have been disclosed under the Freedom of Information (FOI) Act. The bill specifically did not require any health care provider, including hospitals and physicians, to use the central index or any documents submitted to the secretary of the state for inclusion in the index. The bill died on the House Calendar.

http://www.cga.ct.gov/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill_num=1144&wh_ich_year=2007

SB 1179 An Act Requiring Economic Impact Analysis for Proposed Regulations. This bill required any state agency proposing a regulation on or after October 1, 2007 to identify how it affects small businesses (i.e., economic impact analysis (EIA)). The law already requires agencies to determine if a proposed regulation adversely affects small businesses and, if it does, to consider other less burdensome ways to achieve the regulation's goal (i.e., regulatory flexibility analysis). The bill required the agencies to include both analyses in the regulation's official record. Before adopting a regulation, the bill required agencies to notify the public about how to obtain copies of two analyses. The agencies must also notify the business advocate about the regulation if they believe it could adversely affect small businesses, and he must help them prepare the flexibility analysis. Agencies must already notify the Department of Economic and Community Development about proposed regulations that could adversely affect small businesses, and the department must help them prepare the analysis. Under the bill, a proposed regulation does not take effect until the agency submits the EIA and the regulatory flexibility analysis to the Regulations Review Committee. By law, the regulation does not take effect until the agency gives the committee the original proposed regulation, as approved the attorney general, and 18 copies. This bill died on the foot of the Senate Calendar.

http://www.cga.ct.gov/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill_num=1179&wh_ich_year=2007

SB 1181 An Act Concerning Personal Service Agreements and Purchase of Service Contracts. This bill would have specified information that the Office of Policy and Management (OPM) secretary must include in its standard policies and procedures for obtaining, managing, and evaluating state health and human services contracts. It proposed to eliminate a

requirement for the secretary to ensure that Executive Branch state agencies comply with these policies and procedures when purchasing health and human services. Instead, it required state agencies to implement the policies and procedures, prohibits them from contracting for health and human services until they do, and subjects the contracts to existing competitive procurement procedures. The bill prohibits state agencies from using purchase of service contracts to (1) contract with an individual or (2) solely to obtain administrative or clerical services, material goods, training, or consultant services. Lastly, it changed the reporting requirements regarding personal service agreements (PSA), primarily by shifting the responsibility to report from state agencies to the OPM secretary and reducing the frequency of reports. The bill died on the foot of the Senate Calendar.

http://www.cga.ct.gov/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill_num=1181&which_year=2007

SB 1197 An Act Concerning the Transition of Care and Treatment of Children and Youth from the Department of Children and Families to the Departments of Mental Retardation and Mental Health and Addiction Services. This bill died on the Senate Calendar. It proposed the development and implementation of interagency agreements between the Department of Children and Families and the Departments of Mental Retardation and Mental Health and Addiction Services (DMHAS) for the transition of care of children and youth in the custody of the Department of Children and Families. DMR essentially has this already, but there was a significant fiscal note involved for DMHAS.

http://www.cga.ct.gov/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill_num=1197&which_year=2007

SB 1201 An Act Concerning the Health and Safety of Children Placed in Out-of-State Residential Facilities. Current law requires Department of Children and Families' (DCF) representatives to visit children the department has placed in out-of-state residential facilities at least every two months. The bill would have extended this visitation requirement to any state agency that places children under age 18 out of state, such as the Correction, Education, Judicial, and Mental Retardation departments. In addition to assessing the child's well being, which DCF must do under current law, the bill required the agency visitor to assess the quality of care and treatment progress and the child's health. This bill died in the Education Committee.

http://www.cga.ct.gov/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill_num=1201&which_year=2007

SB 1220 An Act Concerning the Birth-to-Three Program. This bill would have amended the criteria for eligibility to include environmental risk factors and provider qualifications under the Birth to Three Program. This bill died in the Appropriations Committee.

http://www.cga.ct.gov/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill_num=1220&which_year=2007

SB 1290 An Act Concerning Accountability in Contracting with State Agencies. The bill would have required that information relating to contracts with public agencies contracting for certain governmental function services valued at more than \$2.5 million be subject to the Freedom of Information Act. The bill required that these contractors provide salary and job title information relating to the employees performing the work under such contracts to the

contracting agency. The bill also required any for-profit or non-profit agency that has a contract, subcontract, personal service agreement, or purchase of service agreement with the state to provide certain information as outlined in the bill. The bill died as a Joint Favorable Substitute out of the Commerce Committee.

http://www.cga.ct.gov/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill_num=1290&which_year=2007

SB 1294 An Act Concerning Fair Wages for Human Services Providers Contracting with the State. The intent of this bill was to establish fair wages for providers of important health and community services for the state. The bill died in the Appropriations Committee.

http://www.cga.ct.gov/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill_num=1294&which_year=2007

SB 1324 An Act Concerning Health Care Access, Quality and Family Support for Children with Special Health Care Needs. This bill died in the Appropriations Committee. Its intent was to improve health care quality, access and family support for children with special health care needs.

http://www.cga.ct.gov/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill_num=1324&which_year=2007

SB 1338 An Act Concerning a Cost of Living Increase for Private Providers of Health and Human Services. The intent of this bill was to enhance the quality and continuity of care afforded state residents by the private provider community by increasing compensation rates paid by the state to such private providers. This bill died in the Appropriations Committee, however a 3% COLA for private providers was included in the budget for FY 08.

http://www.cga.ct.gov/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill_num=1338&which_year=2007

SB 1402 An Act Providing Health and Retirement Benefits for Persons Employed by Certain Health Care Facilities. This bill would have established an account within the General Fund to cover any increased costs to long-term health care facilities and to private health care providers for improved employee health care coverage or employee retirement benefits, mandated by collective bargaining agreements. The bill died on the Foot of the Senate Calendar.

http://www.cga.ct.gov/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill_num=1402&which_year=2007

SB 1407 An Act Concerning Special Education and HB 7176, An Act Concerning Special Education both had provisions throughout the session to change the requirement that towns be responsible for the cost of special education services through an individual's 21st year to the date on which the individual turns 21. Both bills died.

http://www.cga.ct.gov/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill_num=1407&which_year=2007

http://www.cga.ct.gov/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill_num=7176&which_year=2007

SB 1431 An Act Establishing a Demonstration Project for an Office of Administrative Appeals. This bill would have established a demonstration project for an Office of Administrative Hearings for purposes of ensuring the impartial administration and conduct of hearings of contested cases. The bill died on the Senate Calendar.

http://www.cga.ct.gov/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill_num=1431&wh_ich_year=2007

Emergency Certification SB 1485 An Act Concerning Clean Contracting Standards. This bill was passed by the Senate on the last night of the regular session, but did not pass the House. The bill provided for establishing a State Contracting Standards Board (SCSB) as an independent Executive Branch state agency with various responsibilities associated with the state contracting processes, including reviewing, monitoring, and auditing state contracting agencies' procurement processes. "State contracting agencies" are state Executive Branch agencies, boards, commissions, departments, offices, institutions, or councils. They do not include the Judicial Branch, the Legislative Branch, or the offices of the Secretary of the State, the State Treasurer, the State Comptroller or the Attorney General with respect to their constitutional functions. The bill allowed the SCSB to disqualify contactors and state agencies to suspend them. It required all state contracts that take effect on or after the bill's passage to contain provisions to ensure accountability, transparency, and results-based outcomes, as the SCSB prescribe (§ 14). It required the Judicial and Legislative branches to prepare their own procurement codes by February 1, 2009 and state constitutional officers to each adopt one by July 1, 2009. It establishes a procedure for privatizing state contracts including a requirement for cost-benefit analyses and business cases. It requires the Department of Administrative Services (DAS) to maintain a single electronic portal for posting most contracting opportunities in the state.

http://www.cga.ct.gov/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill_num=1485&wh_ich_year=2007

HB 5388 An Act Concerning Coverage Under the Katie Beckett Waiver Program for Services Provided by a Physical Therapist Student. To expand the scope of services available under the Katie Beckett waiver program to include services provided by a physical therapy intern who is under the supervision of a licensed physical therapist. This bill died in the Appropriations Committee.

http://www.cga.ct.gov/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill_num=5388&wh_ich_year=2007

HB 5571 An Act Concerning Closure of the Connecticut Juvenile Training School and Establishment of Regional Treatment Reintegration Education Centers. This bill would have established four regional treatment reintegration education centers for boys upon closure of the Connecticut Juvenile Training School. The bill died in the Judiciary Committee.

http://www.cga.ct.gov/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill_num=5571&wh_ich_year=2007

HB 5756 An Act Concerning State Purchases of Group Homes. This bill would have limited state costs incurred in purchasing group homes. This bill died in the Public Health Committee.

http://www.cga.ct.gov/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill_num=5756&wh_ich_year=2007

HB 6046 An Act Concerning Public Hearings on State Housing Facilities. This bill would have required a public hearing on proposals for housing facilities by state agencies. This bill died in the Housing Committee.

http://www.cga.ct.gov/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill_num=6046&which_year=2007

HB 6338 An Act Concerning Fire Safety Training. This bill would have required the state to fund entry-level training for volunteer, paid and state agency fire personnel. The bill died on the House Calendar.

http://www.cga.ct.gov/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill_num=6338&which_year=2007

HB 6723 An Act Concerning the Prevention of Childhood Lead Poisoning. This was one of 3 bills from the session on Childhood Lead Poisoning Prevention (also SB 1340 and SB 683). The bills' intent were related to preventing childhood lead poisoning in this state by screening children for lead exposure, providing health insurance coverage for lead screenings and eliminating exposure to lead. HB 6723 bill died on the House Calendar. SB 1340 died on the Foot of the Senate Calendar. SB 683 died in the Education committee. Final language on this issue was included in the budget implementer PA 07-2 (HB 8002).

http://www.cga.ct.gov/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill_num=6723&which_year=2007

http://www.cga.ct.gov/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill_num=1340&which_year=2007

http://www.cga.ct.gov/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill_num=683&which_year=2007

HB 6916 An Act Concerning the Regulation of Group Homes. This bill would have increased the regulation of group homes. This bill died in the Public Health Committee.

http://www.cga.ct.gov/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill_num=6916&which_year=2007

HB 7069 An Act Concerning Access to Oral Health care. This bill would have increased the reimbursement rate for dentists who provide dental services under the state's medical assistance program and to improve access to oral health care. This bill died on the House Calendar. The budget did include an increase to HUSKY dental rates and some specific Medicaid rate increases.

http://www.cga.ct.gov/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill_num=7069&which_year=2007

HB 7103 An Act Concerning Collective Bargaining for State Managers. This bill would have allowed state managers, excluding bureau heads, to bargain collectively. The bill died on the House Calendar.

http://www.cga.ct.gov/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill_num=7103&which_year=2007

HB 7144 An Act Establishing a Board of Education and Services for Citizens with Autism Spectrum Disorders and an Asian Pacific American Affairs Commission. This bill was proposed to establish a board, similar to the Board of Education and Services for the Blind, that would develop, coordinate and provide lifetime services for Connecticut citizens who have autism spectrum disorders. The substitute language of the bill also included a section requiring “respectful language” in any general statute, local law, ordinance, charter or regulation adopted by the state or any political subdivision of the state that refers to people with disabilities (originally SB 37) and the establishment of a “Disability Awareness Week” (originally HB 5994). The bill died on the House Calendar. In addition, there were several other autism related bills this session that died including SB 277, HB 5770, HB 6326 and HB 6917. However, a Division of Autism Services was established in the budget and implemented in the OPM Implementer, Sections 109-114 of PA 07-4 (SB 1500).

http://www.cga.ct.gov/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill_num=7144&which_year=2007

HB 7153 An Act Concerning Purchases of Land by the State. This bill would have required state entities to notify the town and the regional planning organization (RPO) when determining to purchase real property for more than \$ 50,000 within their boundaries. The entity must send a notice to the chief executive officer (CEO) of the town where the property is located and the RPO operating in the state-designated planning region where the town is located. It must send the notice by certified mail, return receipt requested, at least 60 days before purchasing the property. The notification requirement applies to state agencies, departments, institutions, and the constituent units of higher education. The CEO and the RPO may review the proposed purchase and submit comments to the state entity no later than 30 days after receiving its notice.

http://www.cga.ct.gov/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill_num=7153&which_year=2007

HB 7161 An Act Concerning the Definition of Advanced Nursing Practice. This bill would have amended the scope of practice of advanced practice registered nurses (APRNs) to allow them to practice independently without specific collaboration with physicians. It would have permitted an APRN to prescribe medications without a written collaborative agreement with a physician as currently required by law. This bill died on the House Calendar.

http://www.cga.ct.gov/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill_num=7161&which_year=2007

HB 7173 An Act Concerning transfer or Assignment of Assets with Respect to Eligibility for Medicaid Program. This bill would have eliminated (with respect to Medicaid eligibility determinations): (1) The presumption that transfers of assets, resulting in the imposition of a penalty period, are made with intent on the part of the transferor or transferee to obtain medical assistance; and (2) the establishment of a debt due and owing by the transferor or transferee to the Department of Social Services in cases where the assignment or transfer of assets results in the imposition of a penalty period. This bill died on the House Calendar.

http://www.cga.ct.gov/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill_num=7173&which_year=2007

HB 7242 An Act Concerning Health Care Access for Children with Special Health Care Needs through the Family Opportunity Act and the Children’s Health Insurance Plan Waiver. This bill died in the Human Services Committee. The intent was provide Medicaid coverage as a supplement to underinsured families to ensure that children with special health care needs have access to health care in a home setting. To ensure that children with special health care needs receive necessary and appropriate supports and services in their homes and communities and that such services are affordable.

http://www.cga.ct.gov/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill_num=7242&which_year=2007

HB 7279 An Act Concerning the Administration of the Money Follow the Person Program. Last year, PA 06-188 allowed the Department of Social Services (DSS) to apply to participate in the new federal Money Follows the Person Rebalancing Demonstration Grant Program and allowed the Connecticut demonstration, if approved, to serve up to 100 people. In January 2007, the federal government approved Connecticut's application. This bill requires DSS to establish the demonstration and increases the maximum number of people who can participate from 100 to 700. (DSS based its application on serving up to 700 people over five years.) This bill died on the House Calendar, but language ended up in the budget implementer PA 07-2 (HB 8002).

http://www.cga.ct.gov/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill_num=7279&which_year=2007

HB 7280 An Act Concerning Autism. This bill would have required the Commissioner of Social Services to take all necessary action to secure Medicaid funding for home and community-based individualized support services for adults who have autism spectrum disorders, but who are not mentally retarded. Although the bill died in the Appropriations Committee, the concept was resurrected in a budget implementer bill, Sections 109-114 of PA 07-4 (SB 1500). DMR is in the process of pursuing the feasibility of a waiver for autism services in conjunction with DSS. A report is due to the legislature at the beginning of the 2008 session.

http://www.cga.ct.gov/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill_num=7280&which_year=2007

HB 7306 An Act Concerning Government Administration, the Authority of the State Elections Enforcement Commission, Campaign Finance Reform and the State Contracting Process. This bill had many components related to the items in the title. Sec. 21 was the “Respectful Language” provision from SB 37 and HB 7144. The bill died in the Planning and Development Committee.

http://www.cga.ct.gov/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill_num=7306&which_year=2007

HB 7331 An Act Concerning Bond Commission Procedures. This bill would have required the governor, House Speaker, and Senate President Pro Tempore to agree jointly on the agendas for each State Bond Commission meeting. In practice, the governor currently controls the bond commission agenda. The bill also required the agendas to be available to commission members at least nine calendar days, rather than five business days, before the meeting. As is currently the case, the day of the meeting counts as one of the days. The bill also required the Office of Fiscal Analysis to analyze the agenda items and make its analysis available to commission members at

least four days before the meeting. The bill died on the House Calendar.

http://www.cga.ct.gov/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill_num=7331&which_year=2007

I hope that the above information is helpful. Again, copies of any of the above mentioned or any other bills from this session can be found online at www.cga.ct.gov. Enter the bill number and hit “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, you may contact me at 418-6066 with any questions.

OTHER INFORMATION and LINKS:

The Office of Legislative Research puts together information on 2007 Major Public Acts:

<http://www.cga.ct.gov/olr/MPA2007/2007-r-0399.PDF>

The Office of Fiscal Analysis puts together highlights of the 2007 - 2009 Biennial Budget, June 25, 2007: <http://www.cga.ct.gov/ofa/Documents/BudHlts/BudgetsHighlights2007.pdf>