



State of Connecticut
Department of Developmental Services



Dannel P. Malloy
Governor

Peter H. O'Meara
Commissioner

Kathryn du Pree
Deputy Commissioner

**TESTIMONY OF THE
DEPARTMENT OF DEVELOPMENTAL SERVICES
TO THE
PUBLIC HEALTH COMMITTEE**

**H.B. 5045 - An Act Requiring Health Care Providers to Display
Photographic Identification Badges during Work Hours**

February 9, 2011

Senators Stillman and Welch, Representatives Ritter and Perillo and members of the Public Health Committee. I am Commissioner Peter O'Meara of the Department of Developmental Services (DDS). Thank you for the opportunity to testify on House Bill No. 5045 – An Act Requiring Health Care Providers to Display Photographic Identification Badges during Work Hours.

While I appreciate the good intentions behind H.B. No. 5045 and understand the concerns of people who want to know that the persons caring for them or their family members have legitimate identification, there are several concerns that our department has in mandating the display of badges by the department's employees and the employees of our private providers and contractors.

Our first concern is for the safety of the department's consumers, our employees and our providers' employees. While all DDS employees are issued photo identification (ID) badges that they are required to have on their person at all times, in certain situations, these badges, if displayed, could cause a potential danger due to the nature of some of our consumers' disabilities. In many cases, the badges are specifically not displayed for this reason.

Our second concern is for the protection of our consumers' rights under HIPAA. Our consumers' HIPAA privacy rights could be breached every time one of our employees enters or exits the consumers' residence if a photo ID is required to be worn by all employees in Community Living Arrangements (CLA) and Community Training Homes (CTH). If employees were required to wear their badges at all times, it would mean that any trip into a public place would identify that consumer as a person with a disability. This would be in direct opposition to our department's mission statement that *everyone has the right to be treated with respect and dignity*. This requirement of visible ID badges would negate much of our mission to have individuals with intellectual disability or autism spectrum disorder become full members of their community, free from discrimination, and to have all the rights and responsibilities of any Connecticut citizen.

The department's third concern has to do with the specific requirements for information that must be displayed on each badge. Currently, all DDS employees have employee ID badges, but these badges would not conform to the bill's requirements to have "the name of the health care facility or institution, the name of the health care provider, and the type of license, certificate or employment title that the health care provider holds with the health care facility or institution." DDS would be required to reissue new photo ID badges to all our employees with this new information in a badge configuration yet to be determined. DDS staff time and labor required to redesign and reissue photo ID badges to roughly 3000 employees in multiple geographic locations would be considerable and would have a real impact in terms of re-directing staff hours to this project. In addition, there will be costs incurred by our private providers for providing these badges to all of their employees who work in CLAs and CTHs licensed under section 17a-227 of the Connecticut General Statutes.

There is also a question of whether persons licensed to operate a Community Training Home (CTH) would be required to wear badges at all times in their own home. Community Training Homes are licensed to provide a residence and support services for DDS consumers who need some supervision and help. CTHs are private residences that are owned or rented by persons licensed under section 17a-227 and these residences would fall under this bill's requirements. CTH licensees are persons who open their own homes to our consumers and are a much valued component of the DDS system of supports and services. Under this proposal, it appears that CTH licensees would be compelled to wear badges in their own homes.

Again, DDS appreciates the intent of the bill to "allow patients to quickly identify health care providers who are involved in their care. However, we believe that there are unintended consequences of the proposal that need to be addressed.

Thank you again for the opportunity to testify before you today. I would be happy to answer any questions that you might have, or you may contact Christine Pollio Cooney, DDS Director of Legislative Affairs at (860) 418-6066.