



State of Connecticut  
Department of Developmental Services



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DEPARTMENT OF DEVELOPMENTAL SERVICES  
TESTIMONY BEFORE THE  
PUBLIC HEALTH COMMITTEE

*March 11, 2011*

**S.B. No. 529 - An Act Concerning the Provision of Autism Spectrum Disorder Services in Southeastern Connecticut**

Senator Gerratana, Representative Ritter, and members of the Public Health Committee, I am Peter O'Meara, Commissioner of the Department of Developmental Services (DDS). Thank you for allowing DDS to submit testimony regarding **S.B. No. 529 - An Act Concerning the Provision of Autism Spectrum Disorder Services in Southeastern Connecticut**. The intent of the bill, to further expand services for individuals with autism spectrum disorder, is a good one. However, this bill is in conflict with DDS's agency bill, H.B. 6278, which was reported out of the Public Health Committee with a favorable report on Monday, March 7<sup>th</sup>.

The Department of Developmental Services currently has the statutory authority to provide supports and services to persons with autism spectrum disorder (ASD). DDS's Autism Division was created to be the successor to the Autism Spectrum Disorder pilot program that was terminated by statute in June of 2009. The Division's statute (Section 17a-215c(c)) reads in part: "The Division of Autism Spectrum Services may, within available appropriations, research, design and implement the delivery of appropriate and necessary services and programs for all residents of the state with autism spectrum disorders." This statute specifically gives the Division authority for programs and services throughout the state "within available appropriations." With their available appropriations, the Autism Division has continued to provide services to those individuals who began receiving services from the ASD pilot program (adults with a diagnosis of autism who do not also have mental retardation). There is nothing in the statute that prohibits the Division and its private provider network from expanding into other parts of the state including New London County. The pilot was initially focused primarily on Hartford and New Haven Counties, in statute, due to provider capacity issues and available program funding.

The department has developed three home and community based services Medicaid waivers to provide services and supports to children and adults who have a diagnosis of an autism spectrum disorder and not a diagnosis of mental retardation. These waivers are pending submission to the

legislature. One of the targeted groups who will be enrolled in a new autism waiver is children with a diagnosis of autism, but not mental retardation, who are currently receiving voluntary services from the Department of Children and Families (DCF). These children will be transferred to the Autism Division at DDS. Another targeted group is adults with a diagnosis of autism, but not mental retardation, who are receiving services from the Department of Mental Health and Addiction Service (DMHAS). Those individuals will continue to receive services through DMHAS and will be enrolled in a new autism waiver. The third group would include any adult currently receiving services from the DDS Autism Division. As funding becomes available to the division of autism services, either through attrition or a new allocation of resources, new adults will be enrolled in the waivers. There will be no geographic restrictions to the enrollment of new adults. The benefit of having these Autism waivers in place is that the state will be reimbursed for 50% of the state's costs for Autism services. As a condition of this reimbursement, it is required that waiver services be available to all persons who qualify, regardless of location. Implementation of these waivers will make the provisions of S.B. No. 529 unnecessary.

Additionally, we believe that there is a technical issue with the bill. It seeks to amend the autism pilot program statute (Section 17a-215b) that, if the DDS agency bill [H.B. No. 6278](#) *An Act Concerning The Department of Developmental Services Division of Autism Spectrum Disorder Services* is enacted, would be repealed.

Governor Malloy has indicated his support of services for individuals with autism through his recommended budget currently before the legislature which proposes to fund a Study of Need of Persons with Autism Spectrum Disorder, including the feasibility of a center for Autism and Developmental Disabilities. In addition, the Governor's recommended budget provides for three positions to support caseload growth anticipated from the new Autism waivers, in particular the children transferring from DCF. It is anticipated that at least two of these positions will be case managers. We are considering the other position for supervision of case management and monitoring of quality assurance indicators for the Medicaid waivers. The Governor's proposals, along with the legislature's expected approval of the pending autism waivers and the continued work of the DDS Division of Autism Services over the next several years, will work to enhance services to individuals with ASD in Connecticut.

Thank you for the opportunity to submit testimony on S.B. No. 529. If you have any questions concerning our testimony please contact Christine Pollio Cooney, DDS Director of Legislative Affairs at (860) 418-6066.