



**STATE OF CONNECTICUT**  
**DEPARTMENT OF MENTAL RETARDATION**



**JOHN G.  
ROWLAND  
GOVERNOR**

**LEGISLATIVE  
AFFAIRS**

*June 2, 2004*

*To: Interested Persons*

*From: Christine Pollio, DMR Legislative Liaison*

*Re: 2004 Legislative Session*

**The following bills passed during the 2004 regular session of the General Assembly and in some way impact upon DMR and/or DMR consumers. Copies of these bills in Public Act form are attached and include the effective dates. (If you are reading this via email, I have included the link to each Public Act.) Also, I have attached a list of bills that we were tracking that did not pass as of the end of session on May 5, 2004. If you have questions on these or any other bills from the 2004 legislative session, please call me at (860) 418-6066.**

**AGENCY BILLS THAT PASSED:**

**Public Act (PA) 04-54 (SB 466) AN ACTING CONCERNING REVISIONS TO THE DEPARTMENT OF MENTAL RETARDATION STATUTES.**

This bill has several parts to it. It permits the state to receive federal Medicaid reimbursement for services that Department of Mental Retardation (DMR) Birth-to-Three providers render under an individualized family service plan signed by an advanced practice registered nurse (APRN). It provides a confidentiality provision for when school systems are notified that a child is aging out of the Birth-to-Three program. It requires DMR to hold public hearings and review its five-year plan every five, rather than every two, years and it eliminates the seven-member education council that advises the commissioner and the superintendent of DMR's Unified School District # 3. In addition, the act repeals Sections 45a-668, as amended, and 17a-283 of the general statutes. 45a-668 was a transitional provision enacted in 1982 that no longer has any relevance as any transition from pre-1982 to post-1982 guardianships occurred long ago, and 17a-283 has not been consistent with DMR practice for approximately 15 years as DMR no longer uses clinics in the manner they were described or intended in this statute originally. <http://www.cga.state.ct.us/2004/act/Pa/2004PA-00054-R00SB-00466-PA.htm>

**PA 04-211 (SB 470) AN ACT CONCERNING THE DEPARTMENT OF MENTAL RETARDATION GUARDIANSHIP ASSESSMENT AND REVIEW PROCESS.** This bill reduces, from three to two, the minimum number of DMR staff who must assess an individual as part of a probate court hearing to determine whether to appoint a guardian for him. It exempts DMR from having to submit evidence when the guardianship of someone with severe or profound mental retardation is reviewed, except if the court requires it to do so. DMR must still submit evidence when a ward has mild or moderate retardation. As the result of an amendment to the legislation, the bill also transfers to the governor from the Department of Mental Retardation (DMR) Commissioner the authority to appoint the director of DMR's Ombudsman Office. It requires the General Assembly to approve the governor's appointee, sets qualifications for the position, and establishes a candidate selection and appointment process. The new process takes place upon the vacancy of the current ombudsman and is in place thereafter. <http://www.cga.state.ct.us/2004/act/Pa/2004PA-00211-R00SB-00470-PA.htm>

#### **BILLS THAT PASSED:**

**Special Act 04-04 (HB 5401) AN ACT CONCERNING THE EARLY RETIREMENT INCENTIVE PROGRAM.** This bill permits the comptroller and the Office of Policy and Management secretary to request one-year early retirement program deferrals, on a case-by-case basis, for state employees deemed critical to the CORE-CT project. It applies only to employees granted a deferral under a previous extension that allowed deferrals until June 1, 2004. The bill permits deferrals until June 1, 2005. <http://www.cga.state.ct.us/2004/act/sa/2004SA-00004-R00HB-05401-SA.htm>

**Special Act 04-07 (HB 5636) AN ACT CONCERNING ORAL HEALTH CARE.**

The Commissioner of Public Health shall establish an ad hoc committee for the purpose of assisting the commissioner in examining and evaluating possible statutory changes that would improve (1) access to oral health care, particularly by persons who are underinsured, uninsured or on Medicaid, and (2) the quality of oral health care. The committee shall hold its first meeting not later than July 15, 2004 and shall submit a report on or before December 1, 2004, with specific recommendations for statutory changes, to the Governor and the Public Health Committee. The Commissioner of Public Health may expand the membership of the ad hoc committee to include representatives from related fields if the commissioner decides such expansion would be useful. DMR has asked to be a part of this ad hoc committee when it convenes. <http://www.cga.state.ct.us/2004/act/sa/2004SA-00007-R00HB-05636-SA.htm>

**PA 04-06 (HB 5041) AN ACT CONCERNING THE USE OF MEDICARE PRESCRIPTION DRUG DISCOUNT CARDS IN THE CONNPACE PROGRAM.** This bill requires low-income participants in the Connecticut Pharmaceutical Assistance Contract to the Elderly and Disabled (ConnPACE) program to participate in the first stage of new federal Medicare prescription drug benefits (drug discount cards) as a condition of ConnPACE eligibility. It also allows the Department of Social Services (DSS) commissioner to require higher-income ConnPACE participants to sign up for a card if that is judged cost-effective for the state. For these groups, the bill wraps ConnPACE benefits around the benefits under the Medicare-endorsed discount cards, and limits the participant's combined copayment total to no more than he would pay under ConnPACE (\$16.25 per prescription) . It also places certain obligations on pharmacies participating in ConnPACE and makes a number of other statutory changes related to the discount card. <http://www.cga.state.ct.us/2004/act/Pa/2004PA-00006-R00HB-05041-PA.htm>

**PA 04-12 (HB 5198) AN ACT CONCERNING THE OFFICE OF PROTECTION AND ADVOCACY FOR PERSONS WITH DISABILITIES.** To enhance the ability of the Office of Protection and Advocacy for Persons with Disabilities in carrying out the agency's statutory duties concerning the investigation of suspected abuse, neglect or death of a person with mental retardation. <http://www.cga.state.ct.us/2004/act/Pa/2004PA-00012-R00HB-05198-PA.htm>

**PA 04-16 (SB 414) AN ACT CONCERNING TECHNICAL REVISIONS TO THE HUMAN SERVICES STATUTES.** This bill makes a number of technical changes in the statutes governing the Board of Education and Services for the Blind, Temporary Family Assistance, State-Administered General Assistance, Medicaid, HUSKY, the state-wide dental plan, long-term care facility rates, ConnPACE, the child care subsidy program, nursing home receivers, offsets for child support arrearage from lottery winnings, and community health center grants. <http://www.cga.state.ct.us/2004/act/Pa/2004PA-00016-R00SB-00414-PA.htm>

**PA 04-29 (HB 5219) AN ACT CONCERNING PROBATE COURT STERILIZATION ORDERS.** To require a stay of any probate court order or decree permitting sterilization of a person in order to afford such person adequate time to appeal such order or decree before being sterilized. <http://www.cga.state.ct.us/2004/act/Pa/2004PA-00029-R00HB-05219-PA.htm>

**HB 04-38 (SB 386) AN ACT MAKING CERTAIN REFORMS TO THE STATE ETHICS CODES.** Senate Amendment "A" replaced the original bill and makes the following changes to the State Code of Ethics: 1. increases, from three to five years, the statute of limitations for filing complaints of ethics violations with the State Ethics Commission; 2. increases the maximum civil penalty for ethics code violations from \$ 2,000 to \$ 10,000; 3. doubles the time, from 90 to 180 days, the state has to bring an action to void a contract entered into in violation of the ethics code; and 4. raises the penalty and criminal classification for intentional ethics code violations from a class A misdemeanor, which is punishable by up to one year in prison, a \$ 2,000 fine, or both, to a class D felony, which is punishable by up to five years in prison, a \$ 5,000 fine, or both. <http://www.cga.state.ct.us/2004/act/Pa/2004PA-00038-R00SB-00386-PA.htm>

**PA 04-47 (SB 130) AN ACT CONCERNING THE TIME PERIOD FOR CERTAIN WORKERS' COMPENSATION PAYMENTS.** To conform the time period for making certain workers' compensation payments to a recent statutory change in the time period for filing an appeal with the Compensation Review Board within the Workers' Compensation Commission, this bill extends, from 10 to 20 days, the maximum amount of time employers have to make worker's compensation payments to injured employees: 1. under a workers' compensation commissioner's award, 2. under a voluntary agreement on compensation between an employer and injured employee, or 3. from the Second Injury Fund (the state run fund that pays or contributes to benefits for certain workers with preexisting conditions). <http://www.cga.state.ct.us/2004/act/Pa/2004PA-00047-R00SB-00130-PA.htm>

**PA 04-87 (SB 160) AN ACT CONCERNING STATE AGENCY PURCHASE ORDERS AND THE CORE-CT SYSTEM.** This bill clarifies the procedure concerning state agency purchase orders and implements language reflecting the use of the CORE-CT system. This bill limits the alternative documentation that state agencies can use to purchase goods or services to only that approved by the comptroller. By law, agencies can use purchase orders or other documentation to purchase non-

emergency goods or services. The bill also deletes language made obsolete by the implementation of CORE-CT, the state's new accounting system. Senate Amendment "A" removes the requirement that the comptroller deduct the annual, rather than total, cost for capital expenditures from an agency's budget. <http://www.cga.state.ct.us/2004/act/Pa/2004PA-00087-R00SB-00160-PA.htm>

**PA 04-90 (SB 322) AN ACT CONCERNING THE BOARD OF EDUCATION AND SERVICES FOR THE BLIND.** This bill requires that one member of the Board of Education and Services for the Blind be the parent of a child receiving services from said board and it allows the council established to monitor the activities of the Board of Education and Services for the Blind additional time to complete its assigned tasks. Senate Amendment "B" adds the majority leaders' appointees to the council. <http://www.cga.state.ct.us/2004/act/Pa/2004PA-00090-R00SB-00322-PA.htm>

**PA 04-98 (SB 485) AN ACT ESTABLISHING FLEXIBLE HEALTH CARE SPENDING ACCOUNTS FOR STATE EMPLOYEES.** Beginning July 1, 2004, this bill requires the comptroller to maintain a flexible health care spending account program for state employees and legislators in accordance with federal Internal Revenue Code (IRC) rules. Upon an employee's written request, the comptroller or program administrator must establish a flexible spending account for the employee. The employee's salary is reduced by the amount specified in the request. That amount must be transferred to the employee's account and used to reimburse medical care expenses not covered by health insurance. The bill authorizes the comptroller to contract with a program administrator. The bill requires the comptroller or program administrator to hold flexible health care spending account funds, which must (1) be separately accounted for, (2) remain the employer's property, (3) be maintained in accordance with IRC § 125, and (4) be used to reimburse employee medical care expenses as permitted by IRC § 213. For Tier 1 and hazardous duty employees, retirement plan contributions will be based on salary less the amount deposited into a flexible health care spending account. <http://www.cga.state.ct.us/2004/act/Pa/2004PA-00098-R00SB-00485-PA.htm>

**PA 04-104 (HB 5008) AN ACT CONCERNING REPLACEMENT OF LOST OR STOLEN PRESCRIPTION DRUGS UNDER THE CONNPACE PROGRAM.** This bill allows participants in the Connecticut Pharmaceutical Contract to the Elderly and Disabled (ConnPACE) to obtain replacements for lost or stolen prescription drugs. It places a twice-a-year limit on replacements and exempts them from the program's \$16.25 copay requirement. In order for ConnPACE to pay for the replacement, the participant must sign a statement on a form prescribed by the Department of Social Services commissioner. The statement must say that the drug is lost or was stolen or destroyed and he has made a good faith effort to recover it. Willful misrepresentations in connection with the replacement will result in (1) up to one year's suspension of eligibility for the program for the first offense, (2) a permanent revocation of eligibility for the second offense, and (3) liability for up to five times the value of the material gain received. <http://www.cga.state.ct.us/2004/act/Pa/2004PA-00104-R00HB-05008-PA.htm>

**PA 04-118 (HB 5054) AN ACT CONCERNING THE EMPLOYEES' REVIEW BOARD.** This bill allows a group of permanent state employees who are not included in any state employee union to appeal directly as a group to the Employees' Review Board under certain circumstances. <http://www.cga.state.ct.us/2004/act/Pa/2004PA-00118-R00HB-05054-PA.htm>

**PA 04-130 (HB 5603) AN ACT CONCERNING SEXUAL ASSAULT OF YOUTHS BY PERSONS STANDING IN A POSITION OF POWER, AUTHORITY OR SUPERVISION.**

The bill increases the criminal penalty for any person who is twenty years old or older and has sexual intercourse or contact with a minor if the adult's professional, legal, occupation, or volunteer status places the adult in a position of trust, authority or supervision of the minor. It thereby subjects offenders to longer periods of incarceration and probation. This bill makes it second- or fourth-degree sexual assault for an adult to have sexual intercourse or sexual contact, respectively, with a person under age 18 who participates in a program or activity if the adult's professional, legal, occupational, or volunteer status gives him power, authority, or supervision over the minor. House Amendment "A" narrows the bill's scope by raising the minimum age from 18 to 20 and applying it only if the minor participates in a program or activity with which the adult is associated.

<http://www.cga.state.ct.us/2004/act/Pa/2004PA-00130-R00HB-05603-PA.htm>

**PA 04-135 (HB 5657) AN ACT CONCERNING HATE CRIMES.**

This bill makes crimes committed maliciously and with intent to intimidate or harass a person because of the person's actual or perceived disability or gender identity or expression, a crime of intimidation based on bigotry or bias. The bigotry or bias crimes currently apply to conduct based on a person's actual or perceived race, religion, ethnicity, or sexual orientation.

The bill defines disability as a physical or mental disability or mental retardation. It defines gender identity or expression as a person's gender-related identity, appearance, or behavior, whether or not it is different from what is traditionally associated with the person's assigned sex at birth.

<http://www.cga.state.ct.us/2004/act/Pa/2004PA-00135-R00HB-05657-PA.htm>

**PA 04-141 (HB 5433) AN ACT REVISING PREQUALIFICATION REQUIREMENTS FOR STATE CONSTRUCTION CONTRACTS.**

This bill makes several changes to the laws governing public construction, including who may work on public construction projects, the requirements for obtaining this work, and reports and evaluations on the quality of the work. Most of these changes are to PA 03-215, which established new procedures for bidding on and awarding public construction contracts most of which become effective on October 1, 2004. That act's prequalification provisions become effective on July 1, 2004 and its status report requirements were effective on January 1, 2004. Specifically, the bill: 1. expands the Department of Public Works (DPW) commissioner's and State Property Review Board's (SPRB) responsibilities regarding state agencies' office space needs; 2. makes changes to contractor prequalification laws, including requiring new information on prequalification applications, and adding new grounds for disqualification; 3. changes the process for awarding emergency, no-bid contracts beginning October 1, 2004; 4. increases the information that the DPW commissioner and each member of the construction awards panel must prepare on the selection process; 5. makes the contractor evaluations that each state agency must prepare after a construction project is completed available to all agencies for their use in assessing the contractor's fitness for future projects; 6. absolves from liability agencies and their employees who complete the evaluations; 7. delays for two years, from January 1, 2004 to January 1, 2006, awarding authorities' duty to complete status reports on construction projects; 8. eliminates a requirement for municipalities to complete the reports; and 9. requires DPW regulations to include objective criteria for evaluating contract proposals.

<http://www.cga.state.ct.us/2004/act/Pa/2004PA-00141-R00HB-05433-PA.htm>

**PA 04-142 ( SB 230) AN ACT CONCERNING PROBATE COURT ADMINISTRATION AND PROCEEDINGS AND INCREASING THE NUMBER OF JUSTICES OF THE PEACE IN MERIDEN.**

The purpose of this bill is to facilitate the transfer of children's matters, to clarify the prohibition against judges of probate practicing law in other courts of probate in contested matters and to conform certain probate statutes to the federal Health Insurance Accountability and Reportability Act of 1996. By law, a probate judge may not appear as an attorney in any contested matter in probate court. The bill specifies that a matter is contested when any party informs the court of any objection or opposition whether or not it appears to have merit. The bill (1) authorizes probate courts to issue an order to disclose medical information relevant to the determination of the matter before it and (2) and makes such information filed with the court confidential. The order may require the disclosure of such information to specified people and entities. <http://www.cga.state.ct.us/2004/act/Pa/2004PA-00142-R00SB-00230-PA.htm>

**PA 04-158 (SB 4) AN ACT CONCERNING SERVICES PROVIDED BY THE LONG-TERM CARE OMBUDSMAN IN MANAGED RESIDENTIAL COMMUNITIES AND THE PATIENTS' BILL OF RIGHTS FOR RESIDENTS OF NURSING HOMES AND CHRONIC DISEASE HOSPITALS.**

This bill adds several provisions and clarifications to the current patients' bill of rights for long-term care patients. The bill further requires the Office of the Long-Term Care Ombudsman to develop and implement a pilot program to provide assistance and education to residents who receive assisted living services within managed residential communities.

<http://www.cga.state.ct.us/2004/act/Pa/2004PA-00158-R00SB-00004-PA.htm>

**PA 04-159 (SB 129) AN ACT CONCERNING REGIONAL PROBATE COURT SERVICES FOR CHILDREN'S MATTERS.**

This bill creates a regional pilot probate court for children's matters. These involve guardianship, termination of parental rights, adoption, paternity, emancipation, and voluntary commitment of mentally ill children to the Department of Children and Families. The probate court administrator must use available resources, including the Probate Court Administration Fund (PCAF), to establish and fund the program in the New Haven area. He must appoint a regional administrative judge, locate an appropriate facility, and establish policies and procedures. He must submit a report to the Judiciary Committee by January 3, 2007 containing recommendations for expanding the program.

<http://www.cga.state.ct.us/2004/act/Pa/2004PA-00159-R00SB-00129-PA.htm>

**PA 04-160 (SB 291) AN ACT CONCERNING THE ADMINISTRATION OF MEDICATION FOR THE TREATMENT OF PSYCHIATRIC DISABILITIES TO PERSONS FOUND NOT COMPETENT TO STAND TRIAL.**

To establish an alternative process for medicating persons with psychiatric disabilities who are found not competent to stand trial in a criminal proceeding and who are incapable of giving informed consent regarding their treatment or refuse to consent to treatment.

<http://www.cga.state.ct.us/2004/act/Pa/2004PA-00160-R00SB-00291-PA.htm>

**PA 04-164 (SB 566) AN ACT CONCERNING THE QUALITY OF HEALTH CARE.**

This bill conforms the definition of adverse events to national standards, changes certain reporting requirements, requires practitioner review as part of an investigation, establishes patient safety organizations, and creates a committee on cardiac care improvement to work toward a system of collection of cardiac care data, evaluation of the data, and use of the data to improve cardiac care.

<http://www.cga.state.ct.us/2004/act/Pa/2004PA-00164-R00SB-00566-PA.htm>

**PA 04-165 (SB 567) AN ACT CONCERNING INFORMATION PROVIDED TO THE VICTIM BY THE COURT WHEN AN ACCUSED IS TESTED FOR HUMAN IMMUNODEFICIENCY VIRUS OR ACQUIRED IMMUNE DEFICIENCY SYNDROME.**

The law requires a health care provider to supply a patient, upon request, with complete and current information the provider has about the patient's diagnosis, treatment, and prognosis. The provider must also notify the patient of any test results he has that indicate a need for further treatment or diagnosis. The bill requires the court to give a sexual assault victim (1) educational material about HIV and AIDS developed by the Department of Public Health (DPH), (2) information about and referral to HIV testing and counseling for victims of sexual assault provided through DPH-funded sites, and (3) referrals and information concerning rape crisis centers. It also requires the court to inform the victim that she can designate (1) a provider she chooses or (2) a DPH-funded HIV testing and counseling site to receive the results of such test. The test results must be given to the victim by the designated provider or by a professional at the DPH-funded site trained in HIV and AIDS counseling. Senate Amendment "A" (1) requires a provider to notify the patient of the results of any tests requested instead of allowing a patient to directly request a clinical laboratory for test results as in the original bill and (2) deletes provisions in the bill allowing a laboratory to charge for records provided in the same manner as a provider can.

<http://www.cga.state.ct.us/2004/act/Pa/2004PA-00165-R00SB-00567-PA.htm>

**PA 04-171 (SB 584) AN ACT CONCERNING THE DISCLOSURE OF VOICE MAILS UNDER THE FREEDOM OF INFORMATION ACT.**

The bill states that nothing in the Freedom of Information Act requires any public agency to transcribe and retain records of voice mails. House amendment "A" clarifies the disclosure of identifying information concerning sexual harassment complainants. <http://www.cga.state.ct.us/2004/act/Pa/2004PA-00171-R00SB-00584-PA.htm>

**PA 04-173 (HB 5201) AN ACT CONCERNING HEALTH INSURANCE COVERAGE FOR MEDICALLY NECESSARY FORMULA.**

This bill as amended, removes a provision that would have required the DPH to institute screening of newborns for cystic fibrosis. However, the bill as amended requires health insurance policies to cover medically necessary specialized formula for children to age eight, instead of children up to age three. <http://www.cga.state.ct.us/2004/act/Pa/2004PA-00173-R00HB-05201-PA.htm>

**PA 04-186 (HB 5648) AN ACT CONCERNING THE CONVEYANCE OF CERTAIN PARCELS OF STATE LAND.**

This act provide for the conveyance of certain parcels of state land and amends a previous conveyance. The original version of this bill included language in Section 12 that would have called for the conveyance of 67 acres of state land on Undercliff Road in Meriden, to the City of Meriden for the purposes of economic development. An amended version of the bill (Section 11 of File No. 416) required the Secretary of the Office of Policy and Management, in consultation with the Commissioners of Mental Retardation, Public Safety and Public Works and the city of Meriden, to conduct a feasibility study to determine the portion of the parcel of state land located at 72 Undercliff Road in the city of Meriden that could be conveyed to the city of Meriden without necessitating the relocation of existing facilities of the Department of Mental Retardation. The final public act did not include this language, however, the Department will continue to work with OPM and the Meriden delegation regarding this issue. If land is used, it won't be land upon which DMR facilities are located. <http://www.cga.state.ct.us/2004/act/Pa/2004PA-00186-R00HB-05648-PA.htm>

**PA 04-188 (HB 5662) AN ACT CONCERNING DNA TESTING.** The bill makes it a crime for any offender to refuse to submit to the taking of a blood or other biological sample. Under the bill, refusing to submit to the taking of a sample is a class A misdemeanor, which is punishable by up to one year imprisonment, a fine of up to \$2,000, or both. It also makes the meetings and records of the DNA Data Bank Oversight Panel subject to the Freedom of Information Act. House Amendment "A" made technical and clarifying changes. House Amendment "B" subjected DNA Data Bank Oversight Panel proceedings and records to disclosure under the Freedom of Information Act. These changes may require a workload increase to handle more Freedom of Information requests, but any additional requests can be handled within the agency's resources. House Amendment "C" reduced the criminal penalty that may be imposed on an offender who refuses to submit to the taking of a DNA sample. It thereby reduced the potential cost of incarceration and revenue from criminal fines. The amendment also eliminated the bill's provision requiring the re-submittal of blood or biological samples collected from offenders if the original sample is lost or contaminated.

<http://www.cga.state.ct.us/2004/act/Pa/2004PA-00188-R00HB-05662-PA.htm>

**PA 04-196 (SB 515) AN ACT ADDRESSING THE NURSING SHORTAGE.**

The bill establishes a nursing faculty incentive program within the Office of Workforce Competitiveness (OWC) . The bill allows the establishment of the grant program “within available appropriations.” The bill also requires the Department of Higher Education to submit a report on the current and future capacity of the state higher education system to train nurses.

<http://www.cga.state.ct.us/2004/act/Pa/2004PA-00196-R00SB-00515-PA.htm>

**PA 04-198 (HB 5021) AN ACT CONCERNING LEGAL DEFENSE FUNDS ESTABLISHED BY OR ON BEHALF OF PUBLIC OFFICIALS OR STATE EMPLOYEES AND PENALTIES FOR INTENTIONAL VIOLATIONS OF THE STATE CODES OF ETHICS.**

This bill increases the penalty for certain intentional State Ethics Code violations. It makes a person who commits two or more violations or violations that provide him with a financial benefit of \$ 1,000 or more, guilty of a class D felony, which is punishable by up to five years in prison, up to a \$ 5,000 fine, or both. The current penalty for intentional violations is up to one year in prison, up to a \$ 2,000 fine, or both. The bill requires employees of the Connecticut Lottery Corporation to comply with the State Ethics Code, which primarily means they must adhere to employment and post-employment restrictions currently applicable to most state officials and public employees. It restricts contributions to legal defense funds established after the bill's passage. It allows certain individuals to contribute up to \$ 1,000 per year to a public official's or state employee's legal defense fund. It prohibits the families of lobbyists and people doing business with the state from contributing to these funds, but allows unlimited contributions from the official's or employee's relatives and from people whose relationship does not depend on the public official's or state employee's position. It requires officials and employees to submit to the State Ethics Commission quarterly reports on their legal defense fund's directors and officers, depository institution, contributions, and expenditures. And it gives the State Ethics Commission the same authority with respect to violations of the legal defense fund provisions that the law provides for violations of the code of ethics for public officials, including conducting investigations, determining violations, and imposing penalties.

<http://www.cga.state.ct.us/2004/act/Pa/2004PA-00198-R00HB-05021-PA.htm>

**PA 04-206 (SB 126) AN ACT PROVIDING NOTICE OF FREEDOM OF INFORMATION RELATED LITIGATION TO THE FREEDOM OF INFORMATION COMMISSION.**

This bill requires courts to order any party asserting a Freedom of Information Act (FOIA) violation or defense in any action to give the Freedom of Information Commission notice of the action and a copy of the complaint and all pleadings. The party may personally deliver the documents or send them by first-class mail to the commission's office. The bill also permits any court entering such an order to allow the commission to intervene (join) in the action and participate in issues related to FOIA. Senate Amendment "A" permits, instead of requires, the court to allow the commission to intervene.

<http://www.cga.state.ct.us/2004/act/Pa/2004PA-00206-R00SB-00126-PA.htm>

**PA 04-214 (HB 5340) AN ACT CONCERNING LUMP SUM PAYMENTS UNDER THE WORKERS' COMPENSATION ACT AND DISQUALIFICATIONS AND OFFSETS UNDER THE UNEMPLOYMENT COMPENSATION ACT.**

This bill eliminates the unemployment compensation benefit reduction for individuals receiving a Social Security pension thus allowing the individual to receive all of his unemployment benefits and Social Security pension. The bill also makes two changes to the definition of "willful misconduct" regarding absences from work. By law, termination from work for any statutory form of willful misconduct disqualifies an employee from eligibility for unemployment compensation. Under current law if an employee has three absences without either good cause or notice to the employer, which an employee could reasonably give under the circumstances, in an 18-month period it constitutes willful misconduct. The bill changes this to three absences in a 12-month period and makes an absence of one day or two consecutive days without good cause or employer notification a "separate instance," presumably, of such misconduct. The bill also authorizes workers' compensation (WC) lump sum settlements to be prorated over the life expectancy of the injured employee if the parties agree and the WC commissioner approves. Senate Amendment "A" adds the provisions (1) eliminating the Social Security benefit offset for unemployment benefits and (2) changing the definition of absence from work that disqualifies an employee for unemployment benefits. <http://www.cga.state.ct.us/2004/act/Pa/2004PA-00214-R00HB-05340-PA.htm>

**PA 04-216 (HB 5692) AN ACT MAKING ADJUSTMENTS TO THE STATE BUDGET FOR THE BIENNIUM ENDING JUNE 30, 2005, AND MAKING APPROPRIATIONS THEREFOR, MAKING DEFICIENCY APPROPRIATIONS FOR THE FISCAL YEAR ENDING JUNE 30, 2004, AND MAKING ADJUSTMENTS TO STATE AND MUNICIPAL REVENUES.** (See Budget Explanation on pages 15-16 of this document)

[http://www.cga.state.ct.us/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill\\_num=5692&which\\_year=2004](http://www.cga.state.ct.us/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill_num=5692&which_year=2004)

**PA 04-220 (SB 519) AN ACT CONCERNING ALLIED HEALTH WORKFORCE NEEDS.**

This bill establishes a 16-member Connecticut Allied Health Workforce Policy Board to work with the Connecticut Career Ladder Advisory Committee and specifies its responsibilities.

The board must report its findings and recommendations, including recommendations for legislation to address allied health workforce shortages in Connecticut, to the Public Health and Higher Education and Employment Advancement committees by January 1, 2006 and annually afterwards.

<http://www.cga.state.ct.us/2004/act/Pa/2004PA-00220-R00SB-00519-PA.htm>

**PA 04-221 (SB 569) AN ACT CONCERNING REVISIONS TO THE PUBLIC HEALTH**

**STATUTES.** This bill makes numerous changes in the licensing laws governing health and other professions regulated by the Public Health Department (DPH). It affects nurses, hairdressers and cosmeticians, barbers, physical therapists and physical therapy assistants, radiology technicians, massage therapists, clinical social workers, physician assistants, professional counselors, psychologists, acupuncturists, nursing home administrators, and athletic trainers. It also makes changes in laws concerning child day care centers and youth camps. The bill establishes a uniform 120-day temporary permit for several DPH-regulated professions. Under current law, these permits are typically valid from the time a person graduates a training program until the results of the licensing exam are reported, although some are valid from permit filing or issue date until the exam. The 120-day standard affects physician assistants, physical therapists, graduates of foreign physical therapy schools, and physical therapy assistants; occupational therapists; radiology technicians; most registered nurses (RNs) and licensed practical nurses (LPNs); and massage therapists. But the bill reduces, from 120 to 90 days, the period for which a temporary permit is valid for RNs seeking license by endorsement. It provides for licensure by endorsement (i.e., without examination for people licensed in another jurisdiction) for clinical social workers, paramedics, and emergency medical technicians (EMTs) and modifies existing licensure by endorsement laws for RNs and LPNs, barbers, hairdressers, and athletic trainers. It allows physician assistants to request, sign for, and receive professional samples of drugs that they are authorized by law to prescribe, and it specifies that they can dispense them only to patients. It also permits certain advance practice registered nurses (APRNs) to request, sign for, and receive drug samples. The bill allows retired doctors to not carry required medical malpractice insurance if they work without compensation in clinics that do not charge for service and meet other conditions. Section 17 of the act exempts programs serving youth seventeen or older from mandatory licensure as a youth camp. Due to this legislation, a small number of such organizations would cease to be inspected and no longer pay annual licensure fees of \$650 (for profit) or \$250 (not for profit).

<http://www.cga.state.ct.us/2004/act/Pa/2004PA-00221-R00SB-00569-PA.htm>

**PA 04-224 (HB 5344) AN ACT CONCERNING CHILDHOOD NUTRITION IN SCHOOLS,**

**RECESS AND LUNCH BREAKS.** This bill requires local and regional school boards (1) to provide all full-day students with a minimum 20-minute daily lunch break and (2) include a daily period of physical exercise for most students in kindergarten through grade five. But it allows a planning and placement team to develop a different exercise schedule for an identified special education student. The bill specifies that its provisions are subordinate to other state education laws.

<http://www.cga.state.ct.us/2004/act/Pa/2004PA-00224-R00HB-05344-PA.htm>

**PA 04-237 (HB 5488) AN ACT REVISING THE STATE BUILDING CODE FOR SUBSTANTIAL COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT AND CONCERNING MAIN ENTRANCES IN PLACES OF PUBLIC ASSEMBLY.**

The bill requires compliance with state building codes rather than with explicit statutory specifications. While it is assumed that the majority of state facilities already meet relevant federal requirements, this Public Act could result in costs in instances where state agencies are required to make additional improvements in order to achieve compliance under the building codes. House Amendment "A" allows the State Fire Marshal or the State Building Inspector to grant variations or exemptions in certain circumstances. It also clarifies the current practice that building/fire safety determinations can be appealed to the Codes and Standards Committee and superior court. House Amendments "B" and "C" make clarifying and technical changes.

<http://www.cga.state.ct.us/2004/act/Pa/2004PA-00237-R00HB-05488-PA.htm>

**PA 04-238 (HB 5572) AN ACT CONCERNING CHILD POVERTY AND THE USE OF PSYCHOTROPIC MEDICATIONS WITH CHILDREN AND YOUTH IN STATE CARE.**

The bill as amended establishes a Child Poverty Council to develop a ten year plan to reduce the number of children living in poverty in the state by 50%. The bill appoints the Secretary of the Office of Policy and Management (OPM), the president pro tempore of the Senate, the speaker of the House of Representatives, the minority leader of the Senate and the House of Representatives, the Commissioners of Children and Families, Social Services, Correction, Mental Retardation, Mental Health and Addiction Services, Transportation, Public Health, Education, Economic and Community Development and Health Care Access, the Labor Commissioner, the Chairman of the Board of Governors for Higher Education, the Child Advocate, the chairperson of the State Prevention Council, the chairperson of the Children's Trust Fund and the Executive Director of the Commission on Children. It is anticipated that these agencies can participate in the council within their normal budgetary resources of each agency. The bill as amended appoints the OPM Secretary, or his designee, to be the chairperson of the council. Additionally, the bill as amended requires the Department of Children and Families to (1) establish guidelines for the use and management of psychotropic medications and (2) establish and maintain a database to track the use of psychotropic medications with children and youth committed to the care of the agency.

<http://www.cga.state.ct.us/2004/act/Pa/2004PA-00238-R00HB-05572-PA.htm>

**PA 04-242 (SB 469) AN ACT CONCERNING MANDATORY LIMITS ON OVERTIME IN HOSPITALS.**

This bill prohibits registered and licensed practical nurses and nurse's aides from being required to work additional hours in hospitals beyond what is scheduled, except under certain conditions. Under the bill, hospitals cannot require such employees to work beyond a predetermined work shift schedule, if that schedule was set at least 48 hours before the start of the work shift. An individual can volunteer or agree to work additional hours, but refusal to do so cannot be grounds for dismissal, discrimination, discharge, or any other penalty or adverse employment decision. Under the bill, the prohibition on additional work hours does not apply to (1) a nurse participating in surgery until the surgery is completed; (2) a nurse working in a critical care unit until another employee beginning a scheduled work shift relieves him; (3) a public health emergency; (4) an institutional emergency, such as adverse weather, catastrophe, or widespread illness, that the hospital administrator believes will significantly reduce the number of nurses available for a scheduled work shift (the administrator must make a good faith effort to mitigate the impact of this emergency situation on the availability of such employees); and (5) a nurse covered by a collective bargaining agreement containing provisions addressing the issue of mandatory overtime. Senate Amendment "A" eliminates an inadvertent reference to physician assistants, and specifies that the prohibition on additional work hours does not apply to a nurse covered by a collective bargaining agreement addressing the issue.

<http://www.cga.state.ct.us/2004/act/Pa/2004PA-00242-R00SB-00469-PA.htm>

**PA 04-245 (HB 5025) AN ACT STRENGTHENING ETHICS LAWS CONCERNING FINANCIAL DISCLOSURE, GIFTS AND STATE CONTRACTORS.**

The bill makes various technical adjustments to strengthen the state ethics laws. It broadens the information public officials provide in their annual statement of financial interest to include business affiliations between a business to which they are associated. This statement must be filed with the State Ethics Commission (EC) annually by May 1. The bill states that no state agency or quasi-public agency shall execute a contract over \$500,000 unless it obtains: (1) a signed affidavit from each person, firm or corporation submitting a

bid or proposal stating whether or not any agent of such firm provided a gift during a two year preceding the submission of such bid. The bill states that the Ethics Commission shall develop a plain language summary of state ethics laws concerning (1) persons, firms and corporations submitting bids or proposals for state contracts, and (2) state contractors. This summary will be published on the commission's web site. The EC will be able to respond to the requirements of the amendment within existing agency resources. <http://www.cga.state.ct.us/2004/act/Pa/2004PA-00245-R00HB-05025-PA.htm>

**PA 04-257 (SB 604) AN ACT CONCERNING THE REVISOR'S TECHNICAL CORRECTIONS TO THE GENERAL STATUTES AND CERTAIN PUBLIC ACTS.** This bill makes various technical changes concerning grammar, gender neutrality, accuracy of internal references and consistency in the general statutes and certain public acts. (Sections 33, 71, 72, 103, 108, 109 and 111 of the Public Act all refer to DMR related statutes.) <http://www.cga.state.ct.us/2004/act/Pa/2004PA-00257-R00SB-00604-PA.htm>

**PA 04-258 (HB 5689) AN ACT CONCERNING STATE EXPENDITURES FOR SOCIAL SERVICES PROGRAMS.** **Section 2** of this Public Act postpones the FY 2004-05 rate increase for intermediate care facilities for the mentally retarded from July 1, 2004 to October 1, 2004 and changes the increase from  $\frac{3}{4}$  of 1% to 5%. **Section 4** requires the Department of Social Services (DSS) commissioner, to the extent permitted by federal law, to amend the Medicaid state plan to establish a pilot program for up to 500 Medicare-Medicaid dually eligible elderly and disabled people who voluntarily opt to participate. The pilot must demonstrate the feasibility and cost-effectiveness of delivering comprehensive health insurance coverage in a managed care setting to these people. The bill allows the commissioner to include services in the pilot program that are not presently covered under Medicaid or make other modifications to encourage voluntary participation. **Sections 5 & 6** set a combined total limit of 75 people who can participate in two private assisted living pilot programs (one Medicaid, one purely state-funded) and makes a technical change. Current law sets separate limits of 50 for the Medicaid pilot and 25 for the state-funded pilot. The programs help pay for assisted living services (but not room and board) for people living in private assisted living facilities who have used up their own resources. **Section 7** allows the DSS commissioner to contract with a pharmacy benefits manager or a Medicaid managed care organization to provide prescription drug coverage to medical assistance recipients receiving services in a managed care setting. **Section 8** deals with preferred drug list expansion and applicability to DSS programs. **Section 9** (1) eliminates the current \$ 1.50 copayment for prescription drugs under SAGA medical assistance and (2) institutes a three-month "look-back" period for SAGA applicants. Specifically, it renders a person ineligible for SAGA medical assistance if he assigns, transfers, or otherwise disposes of property for less than fair market value during the three months before he applies for assistance. The ineligibility period is determined by dividing the fair market value of the property, less any consideration received in exchange for it, by \$500. (Presumably, the resulting figure is the number of months of ineligibility.) The ineligibility period begins the month in which the applicant is determined otherwise eligible for assistance. The bill establishes a presumption that any such disposition of property was made to qualify for assistance unless the person provides convincing evidence that it was done exclusively for some other purpose. The bill also authorizes the DSS commissioner to implement policies and procedures for the SAGA medical assistance program while in the process of adopting them in regulation, provided she publishes notice in the *Connecticut Law Journal* within 20 days of implementing it. The policy and procedures are valid until final regulations are adopted. **Section 12** of the bill repeals the provisions in PA 03-3,

June 30 Special Session, that set an asset limit for ConnPACE participation of \$ 100,000 for single people and \$ 125,000 for married couples. DSS began implementing the asset limit as of February 1, 2004. Starting on that date, all new and renewal applications must show the applicants' assets, and people over the limit are denied participation in ConnPACE. The types of assets counted are the same as under the Connecticut Home Care Program for Elders. The asset limits do not include all the applicants' assets; only liquid assets are counted, while the value of a home and certain other property is excluded. **Section 21** transfers \$ 1 million of the State Department of Education's appropriation for magnet schools in the budget for FYs 2003-05 (as passed in HB 5692 to DMR's Community Residential Services account to provide residential services to individuals on DMR's waiting list. **Section 38** permits applicants for SAGA cash or medical assistance who are denied benefits, or recipients whose assistance is terminated or modified, to request administrative hearings. But SAGA medical assistance recipients who seek a review of a denial of coverage for specific medical services must first exhaust the grievance process that may be available. It eliminates the provisions in current law requiring DSS to (1) continue providing medical assistance to recipients while their appeal is pending and (2) provide no assistance while any applicant's or cash assistance recipient's appeal is pending. Current DSS regulations provide for ongoing assistance, both cash and medical, for SAGA recipients who appeal decisions to terminate benefits pending the outcome of a hearing. **Sections 40 & 41** require the DSS commissioner, within available appropriations, to establish and operate a state-funded pilot program until June 30, 2006 for up to 100 eligible seniors to receive personal care assistance (PCA) as an alternative to regular home health services (through agencies) in order to avoid institutionalization. To qualify for the pilot, seniors must be age 65 or over and meet the eligibility requirements of the Connecticut Home Care Program for Elders (CHCPE). The bill permits recipients' relatives, other than spouses, to act as personal care assistants in this pilot. Under the bill, the average annual cost to the state for PCA services per recipient in the pilot cannot exceed the average annual cost to the state per recipient of home health services under CHCPE. The bill allows the commissioner or her agent to require pilot participants to disclose if a personal care assistant is a nonspousal family member. It requires the commissioner or her agent to (1) monitor provision of services under the pilot and (2) ensure the program's cost-effectiveness. The commissioner must establish the maximum allowable rate to be paid for PCA services in the pilot program, but she may set a separate lower rate for nonspousal family members providing PCA services if she deems it necessary to ensure cost-effectiveness and to conduct the pilot within available appropriations. By January 1, 2006, the commissioner must report on the pilot including information on the quality of services, to the Appropriations, Human Services, and Aging committees and other entities specified in existing law. The bill also requires the commissioner to apply for a federal Medicaid waiver to include the PCA pilot in the Medicaid-funded portion of CHCPE and specifies that the pilot cannot exceed 100 people. <http://www.cga.state.ct.us/2004/act/Pa/2004PA-00258-R00HB-05689-PA.htm>

#### **May 2004 SPECIAL SESSION:**

**PA 04-1 (SB 801) AN ACT INCREASING CERTAIN BOND AUTHORIZATIONS FOR CAPITAL IMPROVEMENTS.** Section 16 of this bill increases the authorization by \$2 million for the Department of Mental Retardation's Community Residential Facility Revolving Loan Fund. Loans are provided to non-profit organizations for construction or purchase and renovation of community residential facilities (licensed Community Living Arrangements - group homes) and for the rehabilitation of such facilities (capital repairs and improvements to existing residential facilities). <http://www.cga.state.ct.us/2004/act/Pa/2004PA-00001-R00SB-00801SS1-PA.htm>

**Special Act 04-2 (SB 803) AN ACT AUTHORIZING BONDS OF THE STATE FOR CAPITAL IMPROVEMENTS AND OTHER PURPOSES.** **Sec. 56** (-\$544,663) & **Sec. 79** (-\$4,000,000) Fire, safety and environmental improvements, including improvements in compliance with current codes, intermediate care facility standards, site improvements, handicapped access improvements, utilities, repair or replacement of roofs, air conditioning, and other interior and exterior building renovations and demolition at all state-owned facilities, and installation of sprinkler systems at Southbury Training School and various department facilities. SA 97-1, (J5 SS), Sec. 2(h)(1); PA 99-242, Sec. 2(g). **Sec. 38** (-\$9,754), **Sec. 96** (-\$500,000) & **Sec. 105** (-\$100,000) ADA improvements: Renovations and improvements for compliance with the Americans with Disabilities Act at all regional facilities and at Southbury Training School. SA 95-20, Sec. 2(i)(3); PA 00-167, Sec. 24; SA 01-2, (JSS), Secs. 2(f)(2) & 17(c)(2). **Sec. 29** (+\$582,884) Technical adjustment - Corrects a typographical error in SA 02-1 (MSS). For further explanation or clarification on this legislation, please contact me directly. <http://www.cga.state.ct.us/2004/act/sa/2004SA-00002-R00SB-00803SS1-SA.htm>

**PA 04-2 (HB 5801) AN ACT CONCERNING BUDGET IMPLEMENTATION.** This budget bill makes various changes and implements various budget items contained in HB 5692 (the Revised Budget for FY 05 as passed by the House and Senate and signed by the Governor). As Amended by House "A" (LCO 5507) and House "D" (LCO 5516): **Section 29** provides the Commissioner of Administrative Services with the sole responsibility for establishing procedures for executive branch agencies workers' compensation programs. This may result in a savings to certain agencies workers' compensation programs, however any savings would depend on the effectiveness of these new procedures. **Section 37** limits the circumstances under which a public agency can disclose the name or address, or any other identifying information of a complainant in a sexual harassment case that the agency is investigating internally. **Section 39** postpones the transfer of state employees from various agencies to the Department of Information Technology for purposes of IT consolidation until after October 1, 2004. This could result in causing backlog and delays to various state agency projects and computer systems including but not limited to the Department of Revenue Services implementation of their new computer system, upgrades and modification to CORE-CT, Health Portability and Accountability Act (HIPAA). The statewide impact cannot be determined but is anticipated to be significant. **Section 71** allows the Commissioner of Administrative Services to extend for one year, on the date such contract would expire, any contract in effect on May 1, 2004 to perform janitorial, building maintenance, security, and food and beverage services for the state. As this section is permissive, it is expected that DAS would only extend those contracts where it is determined that competitive bidding would not result in a lower contract cost to the state. **Section 85** removes the \$3.15 pharmacy dispensing fee for the State Administered General Assistance (SAGA) program. Due to the SAGA restructuring undertaken last year, pharmacy dispensing fees under this program will be subject to negotiation with the provider network. Therefore, the statutory provision setting the dispensing fee is unnecessary. **Section 86** provides a 2.25% rate increase for residential care homes in FY05. HB 5692 provides \$1.1 million in FY05 in the supplemental assistance accounts to implement a 1.5% rate increase for residential care homes. **Section 99** permits the Secretary of OPM to authorize the carry forward of funds in any appropriated account for the delay in the payments of contractors resulting from the affidavit requirements of the Attorney General. It is uncertain how much would be carried forward. It is anticipated that these funds would have been expended during FY 04, if the affidavit requirements did not delay such payments, thus carrying forward such funds is not anticipated to affect the state's ability to achieve the FY 04 lapse. **Section 105** requires that on or before September 1, 2004, the Office of Policy and Management, in consultation with various state agencies, prepare a

report which compares, for the previous biennium, the increases paid by the state pursuant to contracts with private providers to the compensation increases paid to state employees providing the same or similar services. This section further requires the Governor to include the report in the budget document and funding reflected in the recommended current services appropriations for the FY 06 - FY 07 budget submission. However, this section does not limit the Governor's ability to recommend policy changes to current services. The Office of Policy and Management, along with the various state agencies that contract with private providers (Departments of Mental Health and Addiction Services, Mental Retardation, Children and Families and Correction; the Judicial Department, the Board of Parole and the Council to Administer the Children's Trust Fund) will be able to prepare the required report within existing resources. Although this section does not require the Governor's FY 06 - FY 07 biennial budget to fully fund these increases, the current services estimates provided in the budget submission would reflect these costs. This section provides that the previous biennium state employees' increases be applied to private provider contracted amounts and reflected in the FY 06 - FY 07 biennium budget. The estimated cost to provide for such increases would be based on the combined annual general wage increase (GWI) and an average statewide annual increment (AI). The FY 03 increase of 4.5% and the FY 04 increase of 4.0% would be applied to the FY 06 - FY 07 biennium. The annual increment may vary due to some employees being at the maximum step in the salary range, therefore an average is assumed. Private provider contracts are currently over \$1 billion.

<http://www.cga.state.ct.us/2004/act/Pa/2004PA-00002-R00HB-05801SS1-PA.htm>

#### **BUDGET:**

*Waiting List Initiative:* In the biennium budget passed last year, the legislature had not funded age-outs and high school graduates for fiscal year '05 (starting July 1<sup>st</sup> 2004). The Governor's waiting list initiative, proposed formally in February as part of his proposed mid-term budget adjustments, included 10 million dollars for FY'05 to cover the full funding of the high school graduates at about \$2.77 million, full funding for age-outs at about \$2.64 million and \$4.6 million to initiate a multi-year effort to address individuals on DMR's Waiting list (the \$4.6 million is targeted to support 150 people on the Waiting List and provide intensive family support for 100 additional individuals).

The Appropriations Committee's proposed mid-term budget adjustments reduced both the age-out and high school graduate accounts by \$500,000 each, and the waiting list initiative was reduced by \$1million to \$3.6 million.

The final budget, which passed, (HB 5692, PA 04-216) reduced the age-outs and high school graduates collectively by an additional \$480,000. An implementer bill (HB 5689, PA 04-135) that passed both chambers, added a million dollars back towards the waiting list initiative, restoring the full funding amount of \$4.6 million as originally proposed by the Governor.

Funding for age-outs and high school graduate accounts ended up reduced by a total of \$1.48 million (\$710,000 for age-outs and \$770,000 for high school graduates). Though DMR does not know the specifics as yet, the department has had some direction and consultation from the Governor's Office and the Office of Policy and Management (OPM) that their intent is to determine an administrative means to reinstate full funding for these two accounts (meaning restoration to the Governor's original budget recommendation). On average, this would allow 10 months of funding for high school graduates and 9 months of funding for age-outs in FY '05. Actual allocations will be made based on the needs of the individual, using the Waiting List Assessment. The Department will keep Regional Directors informed of any developments as this issue is worked out.

*Other Budget Issues:* The Workers Compensation Account was under funded by \$2.4 million from what DMR had requested in the Governor's budget adjustments. The Appropriations Committee in their version of the budget adjustments had included funding for 14 case managers which unfortunately did not make it into the final budget. DMR's early intervention account, the Birth to Three program, is down \$298,310 in the final budget from what was passed in the original biennium budget. Originally, a million dollars was going to be allocated to DMR because dental services, as an optional service under Medicaid were not going to be covered. The \$1 million is not included in the final budget as the service will continue to be covered under Medicaid.

*Current Service Funding:* Adequate funding is included in all agency contracted services to continue at the annual rate in effect as of June 30, 2004. In addition, there will be up to a 1.5% COLA which is included in the OPM budget, and there will be a 5% COLA for ICF-MR programs that is included in the DSS budget.

*Collective Bargaining:* The Department's appropriation includes funding for general wage increases for employees in collective bargaining units with approved contracts. General wage increases and PARS payments are included for managers and other non-collective bargaining personnel; the actual implementation date has yet to be determined.

**BILLS THAT DID NOT PASS:** To check the bill history of bills that did not pass this session, log on to [www.cga.state.ct.us](http://www.cga.state.ct.us), 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 few exceptions, I did not include bills that were not voted out of their committee of origin with a favorable report):

**SB 3 AN ACT CONCERNING THE DUTIES OF THE CONSERVATOR OF A PERSON.**

To require the conservator of a person to provide for the person's physical, mental and psychosocial needs in the least restrictive and most integrated setting that meets the needs of the person. (Died on the House Calendar)

[http://www.cga.state.ct.us/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill\\_num=3&which\\_year=2004](http://www.cga.state.ct.us/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill_num=3&which_year=2004)

**SB 45 AN ACT CONCERNING SUPPORTIVE HOUSING SERVICES AND FACILITIES FOR PERSONS WITH MENTAL DISABILITIES.** To require the commissioners of the Department of Mental Health and Addiction Services (DMHAS) and the Department of Mental Retardation (DMR) to make grants within available resources to statewide private nonprofit housing development corporations that are organized and operate to expand independent living opportunities for nonelderly people with mental disabilities. The bill requires the DMHAS' commissioner, in consultation with the DMR's commissioner, to adopt regulations for awarding the grants. (Senate Recommitted to Finance, Revenue and Bonding)

[http://www.cga.state.ct.us/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill\\_num=45&which\\_year=2004&SUBMIT.x=9&SUBMIT.y=4](http://www.cga.state.ct.us/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill_num=45&which_year=2004&SUBMIT.x=9&SUBMIT.y=4)

**SB 46 AN ACT CONFORMING STATE FUNDED SENIOR HOUSING FACILITIES WITH FEDERAL STANDARDS FOR ALLOCATION OF SPACE.** To enable housing authorities to designate parts of elderly housing projects for exclusive residency by the elderly. (Died in Commerce)

[http://www.cga.state.ct.us/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill\\_num=46&which\\_year=2004&SUBMIT.x=4&SUBMIT.y=12](http://www.cga.state.ct.us/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill_num=46&which_year=2004&SUBMIT.x=4&SUBMIT.y=12)

**SB 47 AN ACT CONCERNING PERSONS WITH DISABILITIES RESIDING IN STATE FUNDED SENIOR HOUSING FACILITIES.** To limit the percentage of nonelderly disabled persons residing within state funded elderly housing projects. (Died in Commerce)

[http://www.cga.state.ct.us/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill\\_num=47&which\\_year=2004&SUBMIT.x=10&SUBMIT.y=3](http://www.cga.state.ct.us/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill_num=47&which_year=2004&SUBMIT.x=10&SUBMIT.y=3)

**SB 49 AN ACT CONCERNING COLLECTIVE BARGAINING FOR STATE MANAGERS.**

To allow state managers, excluding bureau heads, to bargain collectively. (Died in Appropriations.)

[http://www.cga.state.ct.us/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill\\_num=49&which\\_year=2004](http://www.cga.state.ct.us/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill_num=49&which_year=2004)

**SB 52 AN ACT CONCERNING SOCIAL SECURITY OFFSETS UNDER THE UNEMPLOYMENT COMPENSATION ACT.** To eliminate the unemployment compensation benefit reduction for individuals receiving a Social Security pension. Currently, Connecticut reduces an individual's weekly unemployment benefit by 50% of his pro-rated weekly Social Security pension benefit. The bill eliminates the reduction, thus allowing the individual to receive all of his unemployment benefits and Social Security pension. (Died in Appropriations)

[http://www.cga.state.ct.us/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill\\_num=52&which\\_year=2004](http://www.cga.state.ct.us/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill_num=52&which_year=2004)

**SB 54 AN ACT ALLOWING LIMITED STRESS-RELATED BENEFITS UNDER THE WORKERS' COMPENSATION ACT.** To expand workers' compensation coverage for state and local police to include counseling for mental and emotional impairments in limited situations where no physical injury occurs. The bill also gives Department of Administrative Services (DAS) sole responsibility for establishing procedures for all executive branch agencies that are part of the state's workers' compensation program, except for issues related to modified or alternative duty that are mandatory subjects of collective bargaining. Under current law, state agencies must follow state worker's compensation law, but the larger state agencies develop their own policies and procedures within the law's limits. Senate Amendment "A" gave DAS sole responsibility for establishing workers' compensation procedures for the executive branch. Senate Amendment "B" added a provision covering the Tier II retirement system member who dies after being taken off life support. (Died on House Calendar)

[http://www.cga.state.ct.us/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill\\_num=54&which\\_year=2004&SUBMIT.x=17&SUBMIT.y=10](http://www.cga.state.ct.us/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill_num=54&which_year=2004&SUBMIT.x=17&SUBMIT.y=10)

**SB 55 AN ACT CONCERNING EMPLOYERS' LIABILITY UNDER THE WORKERS'**

**COMPENSATION ACT.** To subject employers to liability for negligence for employee deaths that arise out of and in the course of employment. (Died in Judiciary)

[http://www.cga.state.ct.us/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill\\_num=55&which\\_year=2004&SUBMIT.x=11&SUBMIT.y=5](http://www.cga.state.ct.us/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill_num=55&which_year=2004&SUBMIT.x=11&SUBMIT.y=5)

**SB 59 AN ACT CONCERNING IMPACT STATEMENTS FOR REDUCTIONS IN STATE SERVICES AND ADVANCE LEGISLATIVE APPROVAL FOR SIGNIFICANT PROGRAMMATIC IMPACTS.** To require the submission of impact statements to the General Assembly prior to any major layoff or dismissal of state employees and to require advance legislative approval for significant impacts on or reductions in major state programs. (Senate Recommitted to Labor and Public Employees)

[http://www.cga.state.ct.us/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill\\_num=59&which\\_year=2004](http://www.cga.state.ct.us/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill_num=59&which_year=2004)

**SB 111 AN ACT CONCERNING PHARMACY BENEFIT MANAGEMENT PLANS.** To require the public health and agriculture and consumer protection commissioners to study pharmacy benefit management plans to determine (1) if further regulation of the plans is needed and (2) if such regulation should include a limit on any compensation or benefit the plans receive from customers, suppliers, or drug manufacturers. The commissioners must consult with the Commission on Pharmacy, the attorney general, the managed care ombudsman, and the insurance commissioner in conducting the study. They must report their findings to the Insurance and Real Estate, Public Health, General Law, and Appropriations committees by January 1, 2005. The report must include the type of regulation necessary, if any. (Died on House Calendar)

[http://www.cga.state.ct.us/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill\\_num=111&which\\_year=2004](http://www.cga.state.ct.us/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill_num=111&which_year=2004)

**SB 142 AN ACT CONCERNING HOUSING FOR ELDERLY PERSONS.** To establish priorities for admission to elderly housing. (Died in Aging)

[http://www.cga.state.ct.us/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill\\_num=142&which\\_year=2004](http://www.cga.state.ct.us/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill_num=142&which_year=2004)

**SB 164 AN ACT CONCERNING NECESSARY PARTIES IN CHILD SAFETY AND WELFARE PROCEEDINGS.** To provide that the only state agency or official that can be made a party to child safety and welfare proceedings under section 46b-129 of the general statutes shall be the Commissioner of Children and Families, unless a state agency or official applies for intervenor status in such a proceeding. (Died in Human Services)

[http://www.cga.state.ct.us/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill\\_num=164&which\\_year=2004](http://www.cga.state.ct.us/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill_num=164&which_year=2004)

**SB 295 AN ACT IMPLEMENTING THE RECOMMENDATIONS OF THE LEGISLATIVE PROGRAM REVIEW AND INVESTIGATIONS COMMITTEE RELATIVE TO PHARMACY BENEFITS.** To implement the recommendations of the Legislative Program Review and Investigations Committee's December 2003 study "Pharmacy Benefits and Regulation". (Died on House Calendar)

[http://www.cga.state.ct.us/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill\\_num=295&which\\_year=2004&SUBMIT.x=13&SUBMIT.y=13](http://www.cga.state.ct.us/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill_num=295&which_year=2004&SUBMIT.x=13&SUBMIT.y=13)

**SB 301 AN ACT CONCERNING FORMAL EVALUATION OF THE NEEDS OF CHILDREN PLACED IN RESIDENTIAL FACILITIES.** To ensure that children placed in residential facilities receive regular outside evaluations so they do not remain in residential treatment when their needs may be more appropriately met in less restrictive settings. (Died in Appropriations)

[http://www.cga.state.ct.us/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill\\_num=301&which\\_year=2004](http://www.cga.state.ct.us/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill_num=301&which_year=2004)

**SB 319** *AN ACT REQUIRING A PAIN MANAGEMENT PROTOCOL IN NURSING HOMES.* To require nursing homes to establish and implement a pain management protocol for the benefit of patients. (Died on House Calendar)

[http://www.cga.state.ct.us/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill\\_num=319&which\\_year=2004&SUBMIT.x=14&SUBMIT.y=11](http://www.cga.state.ct.us/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill_num=319&which_year=2004&SUBMIT.x=14&SUBMIT.y=11)

**SB 320** *AN ACT REESTABLISHING THE DEPARTMENT ON AGING.* To reestablish the Department on Aging and make necessary technical changes. (Died in Appropriations)

[http://www.cga.state.ct.us/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill\\_num=320&which\\_year=2004](http://www.cga.state.ct.us/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill_num=320&which_year=2004)

**SB 330** *AN ACT CONCERNING INVESTIGATIONS BY STATE AGENCIES.* The original raised bill would have reinstated the Industries Division of the Board of Education and Services for the Blind and given former employees of the division the opportunity to become reemployed, but the substitute bill out of the Labor Committee prohibited any state agency from permitting or requiring an employee to conduct, or participate in, an agency investigation if the employee has an interest in direct conflict with the investigation. (Senate Recommended to Labor and Public Employees)

[http://www.cga.state.ct.us/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill\\_num=330&which\\_year=2004](http://www.cga.state.ct.us/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill_num=330&which_year=2004)

**SB 333** *AN ACT SETTING PROCEDURES, PERFORMANCE STANDARDS AND WORKPLACE QUALITY STANDARDS FOR PRIVATIZATION OF STATE PROGRAMS AND SERVICES.* To establish procedures and standards for the contracting of out-of-state programs and services. (Died in Judiciary)

[http://www.cga.state.ct.us/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill\\_num=333&which\\_year=2004](http://www.cga.state.ct.us/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill_num=333&which_year=2004)

**SB 341** *AN ACT IMPLEMENTING A DEMONSTRATION PROJECT FOR PLACING CLINICAL SOCIAL WORKERS ON-SITE AT HOUSING AUTHORITIES.* To promote appropriate social service interventions in state-assisted housing for seniors and persons with disabilities. (Senate Recommended to Housing)

[http://www.cga.state.ct.us/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill\\_num=341&which\\_year=2004](http://www.cga.state.ct.us/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill_num=341&which_year=2004)

**SB 354** *AN ACT CONCERNING THE DEPARTMENT OF MENTAL RETARDATION OMBUDSMAN.* To provide for appointment of the Department of Mental Retardation ombudsperson by the Council on Mental Retardation. (Died in Government Administration and Elections, however a different version of this bill passed in PA 04-211)

[http://www.cga.state.ct.us/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill\\_num=354&which\\_year=2004](http://www.cga.state.ct.us/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill_num=354&which_year=2004)

**SB 366** *AN ACT IMPLEMENTING THE RECOMMENDATIONS OF THE PROGRAM REVIEW AND INVESTIGATIONS COMMITTEE CONCERNING THE BUDGET PROCESS IN CONNECTICUT.* To implement the recommendations of the Legislative Program Review and Investigations Committee concerning the budget process. (Died in Legislative Management)

[http://www.cga.state.ct.us/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill\\_num=366&which\\_year=2004](http://www.cga.state.ct.us/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill_num=366&which_year=2004)

**SB 385 AN ACT REQUIRING RECIPIENTS OF STATE FINANCIAL ASSISTANCE TO SIGN NEUTRALITY AGREEMENTS.** To require each nonprofit organization that receives financial assistance from the state to sign a neutrality agreement. (Died in Appropriations)

[http://www.cga.state.ct.us/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill\\_num=385&which\\_year=2004](http://www.cga.state.ct.us/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill_num=385&which_year=2004)

**SB 391 AN ACT CONCERNING THE RETENTION OF SERVICE CONTRACT WORKERS.**

To offer greater protection to workers who are displaced or terminated when service contracts are terminated. (Senate Recommitted to Government Administration and Elections)

[http://www.cga.state.ct.us/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill\\_num=391&which\\_year=2004](http://www.cga.state.ct.us/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill_num=391&which_year=2004)

**SB 392 AN ACT CONCERNING THE STATE CONTRACT REVIEW PROCESS.**

To create a State Contract Review Board for the review of state privatization, construction and large procurement contracts. (Died on the House Calendar)

[http://www.cga.state.ct.us/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill\\_num=392&which\\_year=2004](http://www.cga.state.ct.us/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill_num=392&which_year=2004)

**SB 404 AN ACT CONCERNING MAXIMIZATION OF FEDERAL FUNDS.**

To direct each state agency to (1) maximize the extent to which it accesses federal funds available to states and (2) within available resources, annually assess the federal funds it accesses, federal funds that it could but does not access and the reasons it does not, and which funds it may access in the future. By January 1 annually, the bill would have required each state agency, within available resources, to report on its progress, findings, and recommendations with respect to federal funds to the Office of Policy and Management (OPM), the Appropriations Committee, and the Office of Fiscal Analysis (OFA). The bill required OPM, in consultation with OFA and within available resources, to recommend and develop a plan to increase the amount of federal funds the state accesses, including (1) potential applications for competitive grants; (2) qualifications for bonus awards such as welfare bonuses, child support federal incentive payments, adoption bonuses, and new food stamp performance bonuses; (3) maximizing federal Medicaid funds; and (4) applications for new health, human services, education, and homeland security resources, when available. (Died in Appropriations).

[http://www.cga.state.ct.us/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill\\_num=404&which\\_year=2004](http://www.cga.state.ct.us/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill_num=404&which_year=2004)

**SB 426 AN ACT CONCERNING MAXIMIZATION OF FEDERAL FUNDS.** To require the Commissioners of Social Services and Children and Families to seek additional federal moneys to fund programs administered by said agencies and to require said commissioners to file an annual report with the appropriations and human services committees on the status of such endeavors. (Died on House Calendar)

[http://www.cga.state.ct.us/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill\\_num=426&which\\_year=2004](http://www.cga.state.ct.us/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill_num=426&which_year=2004)

**SB 495 AN ACT CONCERNING PERMANENCY PLANS FOR CHILDREN.**

This bill would have made a number of changes to the laws concerning permanency planning for abused or neglected children in the Department of Children and Families' (DCF) custody. Amendments were drafted for this bill would have clarified that when parties in abuse and neglect proceedings could ask the court to add ("implead") another state agency when the case record shows that this is necessary to assure that the child or parents get unification or other services or for other purposes permitted under

existing abuse and neglect statutes, the services or other purposes must be within the impleaded agency's statutory powers and duties. (Died on the House Calendar)

[http://www.cga.state.ct.us/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill\\_num=495&which\\_year=2004](http://www.cga.state.ct.us/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill_num=495&which_year=2004)

**SB 501 AN ACT CONCERNING THE RETENTION OF JOBS IN CONNECTICUT.**

To ban state agencies from giving preference to Connecticut service companies when awarding contracts if those companies originate or perform services outside the U.S. The bill also requires agencies to include provisions in privatization contracts that limit or restrict the ability of state contractors to transfer jobs or work outside the U.S. The bill further requires that state contractors assure that their work is performed in the U.S. (Died on House Calendar)

[http://www.cga.state.ct.us/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill\\_num=501&which\\_year=2004](http://www.cga.state.ct.us/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill_num=501&which_year=2004)

**SB 521 AN ACT CONCERNING STATE LICENSING FOR CHANGE OF USE OF GROUP HOMES.**

To require that an application be made for a new license upon a change of use for a group home or similar facility licensed by the Department of Mental Retardation or the Department of Children and Families. (Senate Recommended to Government Administration and Elections)

[http://www.cga.state.ct.us/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill\\_num=521&which\\_year=2004](http://www.cga.state.ct.us/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill_num=521&which_year=2004)

**SB 546 AN ACT CONCERNING THE RATES PAID BY THE STATE TO PRIVATE PROVIDERS OF CERTAIN STATE SERVICES.**

To require that on September first of each even numbered year, the Office of Policy and Management in consultation with the various state agencies relating to health and hospitals, human services, education and correction prepare a report which compares, for the previous biennium, the rate increases paid to private providers to the compensation increases paid to state employees providing the same or similar services. The bill requires the Governor's budget document to include funding necessary to provide for a rate increase to private providers equal to the mean average increase paid to state employees for the previous biennium. The bill further requires the state budget as passed by the General Assembly to include such funding (thereby linking future rate increases for private providers to the compensation increases of certain state employees) . (Died on House Calendar, however, a similar version of this bill passed in the budget implementer bill, Section 105 of the May 2004 Special Session Public Act 04-2 (HB 5801).

[http://www.cga.state.ct.us/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill\\_num=546&which\\_year=2004](http://www.cga.state.ct.us/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill_num=546&which_year=2004)

**SB 555 AN ACT CONCERNING INDEXING OF PRIVATE PROVIDER RATES.** 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. (Died in Appropriations)

[http://www.cga.state.ct.us/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill\\_num=555&which\\_year=2004](http://www.cga.state.ct.us/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill_num=555&which_year=2004)

**SB 558 AN ACT ESTABLISHING A BRAIN INJURY PREVENTION AND SERVICES ACCOUNT.** To provide the Brain Injury Association of Connecticut with funding to provide education, information and resources to the brain-injured population and their families in the state. (Senate Recommended to Judiciary)

[http://www.cga.state.ct.us/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill\\_num=558&which\\_year=2004](http://www.cga.state.ct.us/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill_num=558&which_year=2004)

**SB 565 AN ACT CONCERNING A NURSING FACILITY USER FEE.** To initiate a user fee to be paid by nursing facilities. (Died on Senate Calendar)

[http://www.cga.state.ct.us/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill\\_num=565&which\\_year=2004&SUBMIT.x=19&SUBMIT.y=11](http://www.cga.state.ct.us/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill_num=565&which_year=2004&SUBMIT.x=19&SUBMIT.y=11)

**SB 594 AN ACT CONCERNING THE STATE BOND COMMISSION.**

To increase accountability for projects using state bond proceeds. (Died on House Calendar)

[http://www.cga.state.ct.us/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill\\_num=594&which\\_year=2004&SUBMIT.x=12&SUBMIT.y=15](http://www.cga.state.ct.us/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill_num=594&which_year=2004&SUBMIT.x=12&SUBMIT.y=15)

**SB 605 AN ACT CONCERNING PERFORMANCE-BASED BUDGETING AND LEGISLATIVE OVERSIGHT OF FEDERAL FUNDS.** To require performance-based budgeting for certain appropriations and to increase legislative oversight and lead agency responsibilities with respect to federal funds. (Died on House Calendar)

[http://www.cga.state.ct.us/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill\\_num=605&which\\_year=2004](http://www.cga.state.ct.us/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill_num=605&which_year=2004)

**SB 606 AN ACT TO STUDY OPTIONS AND INCENTIVES RELATED TO LONG-TERM CARE FUNDING.** To establish a task force to study options and incentives related to long term care funding and make recommendations to the General Assembly by January 1, 2005. (Died on House Calendar)

[http://www.cga.state.ct.us/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill\\_num=606&which\\_year=2004](http://www.cga.state.ct.us/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill_num=606&which_year=2004)

**SB 608 AN ACT CONCERNING THE USE OF PRIVATE PROVIDERS BY THE DEPARTMENT OF MENTAL RETARDATION AND THE DEPARTMENT OF MENTAL HEALTH AND ADDICTION SERVICES.** To authorize the use of private providers for certain state services if a costs savings results from such use. (Died in Appropriations)

[http://www.cga.state.ct.us/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill\\_num=608&which\\_year=2004](http://www.cga.state.ct.us/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill_num=608&which_year=2004)

**SB 609 AN ACT TO MAXIMIZE FEDERAL FUNDING WITH RESPECT TO CERTAIN HEALTH CARE BENEFITS.** To maximize the amount of federal funding for which the state is eligible under new provisions of federal law related to Medicare, Medicaid, DSH payments and employer-sponsored retirement plans providing prescription benefits and require the Office of Policy and Management (OPM), in consultation with the Department of Social Services, the Comptroller and the Legislative Office of Fiscal Analysis, to evaluate the impact on the state of recent federal policy changes. (Senate Recommitted to Appropriations )

[http://www.cga.state.ct.us/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill\\_num=609&which\\_year=2004](http://www.cga.state.ct.us/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill_num=609&which_year=2004)

**HB 5006 AN ACT INCREASING FUNDING FOR DIAL-A-RIDE SERVICES.** To increase funding for dial-a-ride services. (Died in Appropriations)

[http://www.cga.state.ct.us/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill\\_num=5006&which\\_year=2004](http://www.cga.state.ct.us/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill_num=5006&which_year=2004)

**HB 5007 AN ACT ESTABLISHING A PILOT PROGRAM TO PROVIDE PERSONAL CARE ASSISTANCE UNDER THE HOME-CARE PROGRAM FOR THE ELDERLY.**

To establish a 100 person pilot program to allow personal care assistance (PCA) services as an alternative to home health services under the Connecticut Home Care program. The bill further requires DSS to submit a report on the pilot program to the General Assembly. It further requires DSS to apply for a federal waiver to include this pilot program in the Medicaid home care program. (Potential Disagreeing Action, Tabled for the House Calendar)

[http://www.cga.state.ct.us/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill\\_num=5007&which\\_year=2004](http://www.cga.state.ct.us/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill_num=5007&which_year=2004)

**HB 5185 AN ACT CONCERNING THE ELIGIBILITY OF PERSONS TO RESIDE IN ELDERLY HOUSING PROJECTS.** To continue to make units in elderly housing projects available to senior citizens and nonelderly disabled persons without restriction. (Died in Planning and Development)

[http://www.cga.state.ct.us/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill\\_num=5185&which\\_year=2004](http://www.cga.state.ct.us/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill_num=5185&which_year=2004)

**HB 5193 AN ACT CONCERNING LEGISLATIVE OVERSIGHT OF THE FEDERAL WAIVER APPLICATION PROCESS.** To ensure that any waiver application submitted by the Commissioner of Social Services pursuant to section 17b-8 of the general statutes is in accordance with any recommendations made by the joint standing committee having cognizance of matters relating to appropriations and the budgets of state agencies, and the joint standing committee having cognizance of matters relating to human services. (Died in Appropriations)

[http://www.cga.state.ct.us/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill\\_num=5193&which\\_year=2004](http://www.cga.state.ct.us/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill_num=5193&which_year=2004)

**HB 5194 AN ACT CONCERNING INPATIENT DATA REGARDING CHILDREN AND YOUTH IN NEED OF BEHAVIORAL HEALTH SERVICES.** To permit the Department of Children and Families to obtain statistical information concerning children and youth with behavioral health issues awaiting treatment or discharge from psychiatric and general hospitals on a daily, rather than quarterly, basis. (Died on House Calendar)

[http://www.cga.state.ct.us/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill\\_num=5194&which\\_year=2004](http://www.cga.state.ct.us/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill_num=5194&which_year=2004)

**HB 5214 AN ACT CONCERNING DISCRIMINATION ON THE BASIS OF PHYSICAL OR MENTAL DISABILITY.** To clarify and strengthen state law concerning disability discrimination complaints and provide protection against perceived physical disability discrimination by redefining "physical disability" and adding provisions concerning discrimination on the basis of physical or mental disability. (Died in Judiciary)

[http://www.cga.state.ct.us/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill\\_num=5214&which\\_year=2004](http://www.cga.state.ct.us/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill_num=5214&which_year=2004)

**HB 5307 AN ACT CONCERNING FUNDING FOR DEPARTMENT OF MENTAL RETARDATION SERVICES.** To provide sufficient funding for all persons eligible for services from the Department of Mental Retardation. (Died in Public Health)

[http://www.cga.state.ct.us/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill\\_num=5307&which\\_year=2004](http://www.cga.state.ct.us/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill_num=5307&which_year=2004)

**HB 5310 AN ACT CONCERNING THE SUITABILITY AND FITNESS OF PERSONS CARING FOR CHILDREN, THE ELDERLY AND PERSONS WITH DISABILITIES.** To allow the Commissioner of Public Safety to delegate to the appropriate state agency the responsibility for determining the suitability and fitness of any person subject to a national criminal history records check to care for children, elderly persons and persons with disabilities. (Died in Public Safety)

[http://www.cga.state.ct.us/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill\\_num=5310&which\\_year=2004](http://www.cga.state.ct.us/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill_num=5310&which_year=2004)

**HB 5350 AN ACT IMPROVING HEALTH OUTCOMES FOR CHILDREN FROM BIRTH TO THREE YEARS OF AGE.** To improve outcomes for children from birth to three years of age who are at risk for developmental delays due to environmental factors. (Died in Public Health)

[http://www.cga.state.ct.us/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill\\_num=5350&which\\_year=2004](http://www.cga.state.ct.us/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill_num=5350&which_year=2004)

**HB 5352 AN ACT CONCERNING FEES FOR CRIMINAL HISTORY RECORDS CHECKS FOR VOLUNTEERS OF NONPROFIT ORGANIZATIONS THAT BENEFIT CHILDREN.** To waive fees for conducting criminal history records checks for volunteers of nonprofit organizations that benefit children. (Died in Appropriations)

[http://www.cga.state.ct.us/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill\\_num=5352&which\\_year=2004](http://www.cga.state.ct.us/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill_num=5352&which_year=2004)

**HB 5361 AN ACT IMPLEMENTING THE RECOMMENDATIONS OF THE PROGRAM REVIEW AND INVESTIGATIONS COMMITTEE CONCERNING CONSOLIDATION OF AGENCIES SERVING PERSONS WITH DISABILITIES.** To consolidate state agencies serving persons with disabilities into a new Department of Developmental and Rehabilitative Services. (Died in Government Administration and Elections)

[http://www.cga.state.ct.us/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill\\_num=5361&which\\_year=2004](http://www.cga.state.ct.us/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill_num=5361&which_year=2004)

**HB 5376 AN ACT PROMOTING COLLABORATIVE AGREEMENTS BETWEEN HOUSING AUTHORITIES OPERATING ELDERLY HOUSING PROJECTS AND SERVICE PROVIDERS.** To promote collaborative agreements between service providers and housing authorities with regard to housing for seniors and persons with disabilities. (Died in Appropriations)

[http://www.cga.state.ct.us/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill\\_num=5376&which\\_year=2004](http://www.cga.state.ct.us/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill_num=5376&which_year=2004)

**HB 5377 AN ACT CONCERNING SERVICE ENHANCED RENTAL ASSISTANCE CERTIFICATES TO ALLEVIATE ELDERLY HOUSING WAITING LISTS.**

To provide housing options to low income individuals with disabilities living in, or on the waiting list for, state subsidized elderly housing. (Died on House Calendar)

[http://www.cga.state.ct.us/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill\\_num=5377&which\\_year=2004](http://www.cga.state.ct.us/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill_num=5377&which_year=2004)

**HB 5390 AN ACT CONCERNING AN INCREASE TO THE UNEARNED INCOME DISREGARD FOR STATE SUPPLEMENT RECIPIENTS.** To allow recipients of the state supplement to the federal Supplemental Security Income Program to receive federal cost-of-living increases without incurring a corresponding decrease in state supplement benefits. (Died in Appropriations)

[http://www.cga.state.ct.us/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill\\_num=5390&which\\_year=2004](http://www.cga.state.ct.us/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill_num=5390&which_year=2004)

**HB 5391 AN ACT CONCERNING RESPITE CARE.** To establish a Lifespan Respite Commission to study and make recommendations on the availability and delivery of respite care services to persons of all ages within this state, and to fund the demonstration program established pursuant to section 17b-349e of the general statutes. (Died in Appropriations)

[http://www.cga.state.ct.us/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill\\_num=5391&which\\_year=2004](http://www.cga.state.ct.us/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill_num=5391&which_year=2004)

**HB 5462 AN ACT CONCERNING LONG-TERM CARE.** To improve long-term care for residents of the state by: (1) Providing that the state long-term care plan shall be guided by the principle that individuals with long-term care needs shall have the option to choose and receive long-term care and support in the least restrictive, appropriate setting; (2) providing funds needed to implement the comprehensive needs assessment authorized by the legislature pursuant to special act 02-7; and (3) expanding the state-funded personal care assistance program from fifty to one hundred persons. (Died in Appropriations)

[http://www.cga.state.ct.us/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill\\_num=5462&which\\_year=2004](http://www.cga.state.ct.us/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill_num=5462&which_year=2004)

**HB 5532 AN ACT CONCERNING BEHAVIORAL HEALTH DRUG ADMINISTRATION PROCEDURES BY THE DEPARTMENT OF CHILDREN AND FAMILIES.** To bring drug administration protocols of the Department of Children and Families into accordance with those of the Department of Mental Retardation. (Died in Legislative Management)

[http://www.cga.state.ct.us/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill\\_num=5532&which\\_year=2004](http://www.cga.state.ct.us/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill_num=5532&which_year=2004)

**HB 5551 AN ACT CONCERNING PENALTIES FOR CONCEALING EMPLOYMENT OR OTHER INFORMATION RELATED TO WORKERS' COMPENSATION PREMIUMS.** To add to the penalties for employers who knowingly misrepresent employees as independent contractors or provide an inaccurate number of employees to an insurer in an effort to pay lower workers' compensation insurance premiums. (Died on Senate Calendar)

[http://www.cga.state.ct.us/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill\\_num=5551&which\\_year=2004](http://www.cga.state.ct.us/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill_num=5551&which_year=2004)