

STATE OF CONNECTICUT

CONNECTICUT  
SECRETARY OF THE STATE  
CAPITOL OFFICE

BY HIS EXCELLENCY

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DANNEL P. MALLOY

EXECUTIVE ORDER NO. 63

**WHEREAS**, the Department of Mental Health and Addiction Services (hereinafter DMHAS) operates Connecticut Valley Hospital (hereinafter CVH) in accordance with section 17a-450 and the Whiting Forensic Division of CVH as specified in sections 17a-560a and 17a-562; and

**WHEREAS**, the CVH is a facility certified by the Centers for Medicare and Medicaid Services (hereinafter CMS); and

**WHEREAS**, the DMHAS voluntarily decertified the Whiting Maximum Security beds of the , Whiting Forensic Division as defined in section 17a-560 with notice to CMS effective April 1, 2017; and

**WHEREAS**, federal law requires that all units or divisions of a certified hospital meet all the statutory criteria for certification in accordance with CMS rules and regulations; and

**WHEREAS**, DMHAS voluntarily decertified the Whiting Maximum Security beds of the Whiting Forensic Division where its programs under the statutory jurisdiction of the state Psychiatric Security Review Board do not meet the current discharge planning requirements of federal law and the rules and regulations of CMS; and

**WHEREAS**, CMS requires that a decertified division of a facility have operations that are independent of the operations of a CMS certified facility;

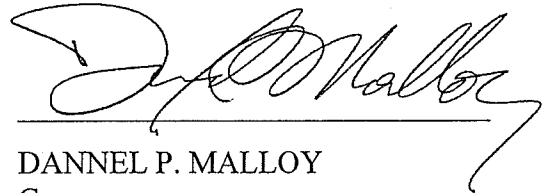
**NOW, THEREFORE, I, DANNEL P. MALLOY**, Governor of the State of Connecticut, by virtue of the power and authority vested in me by the Connecticut Constitution and by the Statutes of the State of Connecticut do hereby **ORDER AND DIRECT**:

1. In accordance with section 17a-560 and effective on December 31, 2017, the Commissioner of the Department of Mental Health and Addiction Services is instructed to designate the Whiting Forensic Hospital to include the Whiting Maximum Security Building and the Dutcher Enhanced Security Building, which shall henceforth be referred to as the Whiting Forensic Hospital within the Whiting Forensic Division of the Department of Mental Health and Addiction Services;

2. The Whiting Forensic Division shall be operated by DMHAS as an independent division and the Commissioner shall, in so far as practicable by January 31, 2018, ensure the creation of the following:
  - a. establish an independent governing body and policies and procedures specific to the Whiting Forensic Hospital. The governing body will conduct meetings and make decisions and approve all policies and procedures for the Whiting Forensic Hospital separate and apart from meetings and decisions with respect to CVH;
  - b. establish separate budget, accounting and fiscal controls within the State of Connecticut budget and accounts payable system known as CORE-CT for the maintenance of the Whiting Forensic Hospital, such accounts to be separated from the Connecticut Valley Hospital financial accounts;
  - c. maintain direct care personnel that are assigned to the Whiting Forensic Hospital, and solely perform duties within such Hospital;
  - d. hire a chief executive officer of the Whiting Forensic Hospital who shall be within the general administrative control and supervision of the Department of Mental Health and Addiction Services, in accordance with sections 17a-472 and 17a-562, and who shall be appointed by the Commissioner and be a direct report;
  - e. in accordance with section 17a-450, perform such other acts as may be necessary or convenient to execute the authority granted to such commissioner; and
3. The Commissioner shall take steps necessary to provide for the delivery of dedicated pharmacy services to the Whiting Forensic Hospital; and
4. The Commissioner shall work with the Office of Policy and Management and the Governor's Office to introduce legislation to establish the Whiting Forensic Hospital as a stand-alone facility within DMHAS.
5. Said legislation and any other recommendations to be provided to my office no later than January 31, 2018.

This Order shall take effect immediately.

Dated at Hartford, Connecticut this 29<sup>th</sup> day of December, 2017.



DANNEL P. MALLOY  
Governor

By His Excellency's Order

*Denise W. Merrill*

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Denise W. Merrill  
Secretary of the State

