



Agency Legislative Proposal

2026 Session

General Information

Agency	Dept. of Developmental Services
Proposal Name	DDS Recommendations for Various Revisions to Developmental Services Statutes
Legislative Liaison	Jill Kennedy
Division Requesting Proposal	N/A
Drafter	Jill Kennedy

Overview

Brief Summary of Proposal

Section 1 makes a technical revision to allow the commissioner to provide rent subsidy payments directly to a landlord. Sections 2, 3, 4 and 5 revise Sections 17a-220, 17a-222, 17a-223 and 17a-224 to update the types of loans administered by the Department which include mortgage/construction, 1983 debt, rehabilitation and repair loans.

What problem is this proposal looking to solve?

Section 1. Under current statute, rent subsidies are required to be paid to the individual with intellectual disability. Sections 2, 3, 4 and 5. The amounts outlined in statute were last set in between 1987 and 1996 and no longer reflect today's construction and material costs. As a result, Providers cannot access sufficient financing through this program to cover actual costs of construction or rehabilitation.

How does the proposal solve the problem?

Section 1. This change ensures that individuals are not penalized through the loss of other benefits, while also simplifying the payment process and strengthening housing stability. Sections 2, 3, 4 and 5. Modernizes outdated loan caps, aligns terms with current economic conditions, and ensures providers can realistically access this revolving loan program to develop or improve residential options. By modernizing the comps to reflect current market realities, providers can realistically finance projects through this program and DDS can more effectively support the development and

improvement of safe, appropriate community housing for individuals with intellectual disability.

Section by section summary: *press tab after last field to add rows*

Section #(s)	Section Summary
1	<p>The proposed language makes a technical revision to subsection (c) of section 17a-218 which allows the commissioner to provide (within available appropriations) subsidies to persons with ID who receive rent subsidy payments in an apartment etc. to change from "to persons with intellectual disability" to "for persons with intellectual disability". Current law requires payments to be made directly to the individual. While the intent of the law is to support independent community living, this requirement can have unintended consequences. Payments made to the individual may be counted as income, which in turn can reduce or eliminate eligibility for other important benefits such as SNAP. In addition, this approach places the burden of transferring rent payments on the individual, which can create unnecessary administrative challenges, and in some cases, risk of late or missed payments. By making the technical revision to the statutory language from "to" to "for" persons with intellectual disability, the department would have the flexibility to make payments directly to landlords on behalf of individuals. The adjustment maintains the original legislative intent of supporting individuals with intellectual disability living independently, while modernizing the statute to better meet current needs. Additionally, it will protect the integrity of the funding by paying rent directly to the landlord instead of to the individual who may not use funding appropriately. This revision mirrors the process that is used by Section 8, RAP housing vouchers</p>
2	<p>Revises the definitions that govern the loan program to bring them up to current language. Specifically, it removes outdated language referring to loans from 1985, removes the definition of "rehabilitation" which can be confused with the term renovation. Any entity that is applying for a "rehabilitation loan" can apply for a "Capital lease for repairs and improvements loan". The definitions seem to mean the same thing.</p>

- 3** Adds different subsections for each loan type, to ensure the funding amounts and requirements mirror the process for obtaining the loan.
- 4** Makes technical revisions to ensure the needed documentation is submitted, along with mirroring the processes and loan types outlined in 17a-222.
- 5** Repeals section 17a-224. The Department is currently the entity that administers the loans. The Department's responsibility to administer the loans has been in place for over 50 years.

Statutory Reference (if any): Section 1. 17a-218
Section 2. 17a-220
Section 3. 17a-222
Section 4. 17a-223
Section 5. 17a-224

Background

New Proposal

Resubmission

If resubmission, please provide details below. Please also note any changes made since the last submission:

Bill #(s)	Reason bill(s) did not move forward

Have there been any changes in federal laws or regulations that make this legislation necessary?

No

Have there been any changes in state laws or regulations that make this legislation necessary?

No

Has this proposal or a similar proposal been implemented in other states?

No

Have certain constituencies called for this proposal?

No

Interagency Impact

Check here if this proposal does NOT impact other agencies

Agency	N/A
Contact	N/A
Date Contacted	N/A
Status	N/A
Open Issues	N/A

Fiscal Impact

No Fiscal Impact

Budget Option Submitted

Include the section number(s) which have a fiscal impact and the anticipated impact:

State

No

Municipal

No

Federal

No

Other Information

If there is any additional information we should know, please detail below: N/A

Legislative Language

Insert fully drafted bill below. Please use standard legislative drafting considerations, as published by LCO [here](#).

Section 1. Subsection (c) of section 17a-218 of the Connecticut General Statutes is repealed and the following is substituted in lieu thereof (effective upon passage):

(c) The commissioner may provide, within available appropriations, subsidies **[to]** **for** persons with intellectual disability who are placed in supervised apartments, condominiums or homes which do not receive housing payments under section [17b-244](#), in order to assist such persons to meet housing costs.

Section 2. Section 17a-220 of the general statutes is repealed and the following is substituted in lieu thereof:

Definitions. As used in this section and sections [17a-221](#) to [17a-225](#), inclusive:

- (1) "Borrower" means an organization which has received a loan pursuant to this section and sections [17a-221](#) to [17a-225](#), inclusive;
- (2) "Capital loan agreement" means an agreement, in the form of a written contract, between the department and the organization which sets forth the terms and conditions applicable to the awarding of a community residential facility loan;
- (3) "Certification" or "certified" means certification by the Department of Public Health as an intermediate care facility for individuals with intellectual disabilities pursuant to standards set forth in the rules and regulations published in Title 42, Part 442, Subpart G of the Code of Federal Regulations;
- (4) "Community-based" means those programs or facilities which are not located on the grounds of, or operated by, the department;
- (5) "Community residential facility" means a community-based residential facility which houses up to six persons with intellectual disability or autism spectrum disorder and which provides food, shelter, personal guidance and, to the extent necessary, continuing health-related services and care for persons requiring assistance to live in the community[, provided any such facilities in operation on July 1, 1985, which house more than six persons with intellectual disability or autism spectrum disorder shall be eligible

for loans for rehabilitation under this section and sections 17a-221 to 17a-225, inclusive]. Such facility shall be licensed and may be certified;

(6) "Community Residential Facility Revolving Loan Fund" means the loan fund established pursuant to section 17a-221;

(7) "Default" means the failure of the borrower to observe or perform any covenant or condition under the capital loan agreement and includes the failure to meet any of the conditions specified in section 17a-223;

(8) "Department" means the Department of Developmental Services;

(9) "[Loan] Community residential facility loan" means a [community residential facilities] loan to a community residential facility which shall bear an interest rate to be determined in accordance with subsection (t) of section 3-20, but in no event in excess of six per cent per annum, and is made pursuant to the provisions of this section and sections 17a-221 to 17a-225, inclusive;

(10) "Licensed" or "licensure" means licensure by the department pursuant to section 17a-227;

(11) "Organization" means a private nonprofit corporation which is (A) tax-exempt under Section 501(c)(3) of the Internal Revenue Code of 1986, or any subsequent corresponding internal revenue code of the United States, as from time to time amended, (B) qualified to do business in this state, and (C) applying for a loan under the community residential facility revolving loan program;

[(12) "Rehabilitate" or "rehabilitation" means rehabilitation of a previously existing and operating community residential facility to meet physical plant requirements for licensure, certification or Fire Safety Code compliance or to make energy conservation improvements;]

[(13)] (12) "Renovate" or "renovation" means renovation of a newly acquired residential facility to meet physical plant requirements for licensure, certification or Fire Safety Code compliance or to make energy conservation improvements;

[(14)] (13) "Total property development cost" means the cost of property acquisition, construction, or renovation [or rehabilitation] and related development costs which may

be capitalized under generally accepted accounting principles, including furnishings and equipment, provided in no case may the total property development cost of a residential facility financed pursuant to this section and sections 17a-221 to 17a-225, inclusive, exceed the total residential development amount approved by the Department of Social Services in accordance with sections 17a-228 and 17b-244, and the regulations adopted thereunder; and

[(15)] (14) "Capital repairs and improvements" means major repairs and improvements to an existing community residential facility to maintain the physical plant and property of such facility, which repairs and improvements are reimbursable under the room and board rates established by the Department of Social Services in accordance with section 17b-244 and may be capitalized in accordance with generally accepted accounting principles.

Section 3. Section 17a-222 of the general statutes is repealed and the following is substituted in lieu thereof (effective upon passage):

(a) The department may make community residential facility loans to organizations for [(1)] construction [or purchase and renovation] of a community[-based] residential [facilities] facility in principal amounts up to one hundred per cent of the total property development cost of the project [or (2) the refinancing of an indebtedness created in December, 1983, which indebtedness is secured by a mortgage on such residential facility in principal amounts up to one hundred per cent of the total indebtedness provided in no case may the total amount of the loan exceed three hundred fifty thousand dollars].

(b) The department may make community residential facility loans to organizations for the purchase and renovation of a community residential facility in principal amounts up to one hundred percent of the total property development cost of the project provided in no case the total amount of renovation costs above the property acquisition shall exceed one hundred thousand dollars.

[(b) The department may make community residential facility loans to organizations for rehabilitation of community-based residential facilities in principal amounts up to one hundred per cent of the total property development cost of the project provided in no case may the total amount of the loan exceed sixty thousand dollars.]

(c) The portion, if any, of the total property development cost outlined in subsections (a) and (b) which is to be paid by the organization may come from one or both of the following sources: (1) Actual cash under the control of the organization; or (2) a loan secured by a mortgage on the property, which mortgage may include both the land and the building.

(d) The department may make community residential facility loans to organizations which own or have capital leases for existing community[-based] residential facilities for [rehabilitation and] capital repairs and improvements in amounts not less than three thousand dollars and not greater than [forty] one hundred thousand dollars.

Notwithstanding the provisions of section 17a-225, the department may make loans pursuant to this subsection upon execution of a promissory note equal to the amount of the loan which shall provide for repayment of the loan principal and interest. The term of such loans shall be consistent with the reimbursement through the rates established by the Department of Social Services in accordance with section 17b-224.

(e) An organization who has received a community residential facility loan shall be a licensed or certified provider who owns and operates the community residential facility for the period of the loan.

Section 4. Section 17a-223 of the general statutes is repealed and the following is substituted in lieu thereof (effective upon passage):

(a) If the organization is seeking to [purchase and renovate a new community residential facility or to rehabilitate an existing community residential facility, it] obtain a community residential facility loan pursuant to section 17a-222, it shall provide documentation to the department which shall include, but not be limited to the following: (1) An independent appraisal by a state certified real estate appraiser; and (2) a structural survey of the home by a state licensed engineer. The department shall not provide community residential facility loan funds for the purchase of a residential facility in principal amounts which are in excess of its appraised value and shall not provide such loan funds for renovation [or rehabilitation] in principal amounts which are in excess of actual and reasonable cost as defined in department standards.

(b) The borrower shall sign a capital loan agreement in which it agrees to meet all existing department guidelines for use of community residential facility loan funds and to

use such loan funds exclusively for the purchase and renovation of property, construction, [renovation or rehabilitation of a community residential facility] or capital repairs and improvement of a community residential facility as approved by the department.

(c) The borrower shall agree to maintain the facility as a licensed or certified community residential facility for a period equal to the amortization period of the loan. The minimum such obligation shall be five years and the maximum such obligation shall be thirty years.

(d) If the borrower receives a loan equal to one hundred per cent of the total property development cost of a new community residential facility, it shall agree to reserve one hundred per cent of the maximum number of beds in the funded community residential facility for department referrals from state institutions and waiting lists until such time as the department determines this no longer to be necessary. If the borrower receives a loan which provides less than one hundred per cent of the total property development cost of a new community residential facility, it shall agree to reserve not less than two-thirds of the maximum number of beds in the funded community residential facility for department referrals from state institutions and waiting lists until such time as the department determines this no longer to be necessary. The department may establish priorities for the development of new community residential facilities serving persons with specialized needs and may give preference in funding to applications addressing such needs.

(e) The borrower shall provide the department with a promissory note equal to the amount of the loan which shall provide for repayment of the loan principal and interest within a period not to exceed thirty years and a mortgage deed as security for the loan. Such mortgage may be subordinate to a first mortgage interest in the property given by the organization for the purpose of developing such property, provided that the total of both mortgage interests shall not exceed the limit of total property development cost as set forth in section 17a-220. The department shall file a lien against the title of the property for which community residential facility loan funds are expended.

(f) The capital loan agreement shall require the borrower to make periodic payments of principal and interest to the department which payments shall be deposited in the Community Residential Facility Revolving Loan Fund.

(g) In the event of a default or if the capital loan agreement is terminated prior to the borrower's having satisfied its obligations under said agreement, the department shall require the return to the Community Residential Facility Revolving Loan Fund of the outstanding amount of the loan and may foreclose on its mortgage in accordance with the provisions of chapter 49.

(h) In the event that the borrower's license to operate the community residential facility is terminated by the department for cause, the department may bring an action to place the facility into receivership pursuant to sections [17a-231](#) to [17a-237](#), inclusive, may contract with a private nonprofit corporation to operate the facility or may operate the facility with department staff until such license is restored. If such license is not restored within one year, this shall constitute a default and the department may pursue the remedies provided in this subsection.

Section 5. Section 17a-224 of the general statutes is repealed



Agency Legislative Proposal

2026 Session

General Information

Agency	Dept. of Developmental Services
Proposal Name	DDS recommendations regarding revisions to the Department's Independent Mortality Review Board and Fatality Review Board
Legislative Liaison	Jill Kennedy
Division Requesting Proposal	N/A
Drafter	Jill Kennedy

Overview

Brief Summary of Proposal

The Independent Mortality Review Board and the Fatality Review Board were established by Executive Order No. 57 by Gov. Malloy in 2014. The Executive Order prescribes the structure of the two committees as well as their purview. DDS has had a hand in assisting each of these boards in completing their responsibilities, in various forms. Currently, there is no statutory reference to the Fatality Review Board, and it exists purely under Executive Order No. 57. This proposal would revise statutes governing the Independent Mortality Review Board (IMRB) and the Fatality Review Board (FRB) from the Executive Order to streamline their process, reduce duplication, and remove reliance on Governor Malloy's Executive Order #57. By incorporating relevant provisions of the EO directly into statute, the proposal ensures that the roles and responsibilities of each committee are clearly defined and not overlapping.

What problem is this proposal looking to solve?

The current statute is somewhat unclear and should be updated in accordance with current practice. The Executive Order that put the IMRB in place should not be where the authority lies. Currently, the operation of the IMRB and FRB is governed in part by outdated statutory provisions and in part by Governor Malloy's Executive Order #57. This split framework causes confusion about which requirements apply to which committee, and in some cases the work of the IMRB and FRB overlaps or duplicates efforts. Staff and

committee members report that this ambiguity makes it harder to meet timelines, and creates administrative inefficiencies.

How does the proposal solve the problem?

This proposal would remove reliance on Governor Malloy's EO #57 and revise the underlying statutes to incorporate the necessary provisions from the EO. This would establish clear statutory guidance for the responsibilities, processes, and scope of the IMRB and remove the FRB requirement. Clarifying and codifying these roles will streamline the review process, eliminate duplication of work, and ensure that the IMRB can focus on their distinct mandate. The result will be a more efficient system that maintains accountability and strengthens oversight without the current unnecessary overlap.

Section by section summary:

Section #(s)	Section Summary
1	Makes revisions to the current statute related to the Department's independent mortality review board by removing Governor Malloy's EO #57 and referring the process to a new section that is dedicated to the independent mortality review board.
2	This is a new section that outlines the make up and responsibilities of the independent mortality review board.

Statutory Reference (if any): 17a-210

Background

New Proposal

Resubmission

If resubmission, please provide details below. Please also note any changes made since the last submission:

Bill #(s)	Reason bill(s) did not move forward

Have there been any changes in federal laws or regulations that make this legislation necessary?

No

Have there been any changes in state laws or regulations that make this legislation necessary?

No

Has this proposal or a similar proposal been implemented in other states?

No

Have certain constituencies called for this proposal?

No

Interagency Impact

Check here if this proposal does NOT impact other agencies

Agency	N/A
Contact	N/A
Date Contacted	N/A
Status	N/A
Open Issues	N/A

Fiscal Impact

No Fiscal Impact

Budget Option Submitted

Include the section number(s) which have a fiscal impact and the anticipated impact:

State

No

Municipal

No

Federal

No

Other Information

If there is any additional information we should know, please detail below: N/A

Legislative Language

Insert fully drafted bill below. Please use standard legislative drafting considerations, as published by LCO [here](#).

Section 1. Subsection (b) of Section 17a-210 of the General Statutes is repealed and the following is substituted in lieu thereof (effective upon passage):

(b) In the event of the death of a person with intellectual disability for whom the department has direct or oversight responsibility for medical care, the commissioner shall ensure that a comprehensive and timely review of the events, overall care, quality of life issues and medical care preceding such death is conducted by the department. The commissioner or the commissioner's designees [and] shall conduct the review and, if required, refer the case [, as requested, provide information and assistance] to the Independent Mortality Review Board established pursuant to section 2 of this act. [by Executive Order No. 57 of Governor Dannel P. Malloy. The commissioner shall report to the board and the board shall review any death: (1) Involving an allegation of abuse or neglect; (2) for which the Office of the Chief Medical Examiner or local medical examiner has accepted jurisdiction; (3) [in which an autopsy was performed; (4) which was sudden and unexpected; or (5) in which the commissioner's review raises questions about the appropriateness of care. The department's mortality review process and the Independent Mortality Review Board shall operate in accordance with the peer review provisions established under section 19a-17b for medical review teams and confidentiality of records provisions established under section 19a-25 for the Department of Public Health.]

Section 2. (NEW) (effective upon passage)

(a) There is established within the Department of Developmental Services an Independent Mortality Review Board. The commissioner or the commissioner's designee shall report to the board and the board shall review any death: (1) Involving an allegation of abuse or neglect; (2) for which the Office of the Chief Medical Examiner or local medical examiner has accepted jurisdiction; (3) which was sudden and unexpected and the commissioner or the commissioner's designee determines that an independent investigation by the Independent Mortality Review Board is necessary; or (4) in which the comprehensive and timely review conducted pursuant to section 17a-210 raises questions about the appropriateness of care.

(b) The chairperson of the Independent Mortality Review Board shall be the Commissioner of Developmental Services or the commissioner's designee. The chairperson shall convene a meeting of the Independent Mortality Review Board upon the request of the Commissioner of Developmental Services or the commissioner's designee.

(c) The Independent Mortality Review Board may include, but not be limited to any of the following members depending on the death of the individual being reviewed:

(1) Two appointed by the commissioner, one of whom is the Director of Quality and Systems Improvement, and one of whom is the Director of Investigations, or their designees;

(2) The State Medical Examiner, or the medical examiner's designee;

(3) A medical doctor appointed by the Commissioner of Developmental Services;

(4) The Commissioner of Public Health or the commissioner's designee;

(5) The executive director of the nonprofit entity designated by the Governor in accordance with section 46a-10b to serve as the Connecticut protection and advocacy system, or the director's designee;

(6) A private provider representative appointed by the Commissioner; and

(7) Any additional members the chairperson determines would be beneficial to serve as members of the committee, provided that a majority of members on the Independent Mortality Review Board are not employees of the Department.

(d) The Independent Mortality Review Board may request documentation and information as may be necessary for their review pursuant to section 17a-210. The department's mortality review process and the Independent Mortality Review Board shall operate in accordance with the peer review provisions established under section 19a-17b for medical review teams and with the confidentiality of records provisions established under section 19a-25 for the Department of Public Health.