



## Agency Legislative Proposal – 2017 Session

**Document Name** (e.g. OPM1015Budget.doc; OTG1015Policy.doc): [Click here to enter text.](#)  
**110116\_SDA\_DeptName**

(If submitting electronically, please label with date, agency, and title of proposal – 092611\_SDE\_TechRevisions)

State Agency: State Department on Aging
<b>Liaison:</b> <a href="#">Pam Toohey</a> <b>Phone:</b> <a href="#">860-424-5993</a> <b>E-mail:</b> <a href="mailto:pamela.toohey@ct.gov">pamela.toohey@ct.gov</a>
Lead agency division requesting this proposal: <a href="#">State Unit on Aging</a>
Agency Analyst/Drafter of Proposal: <a href="#">Pam Toohey</a>

<b>Title of Proposal:</b> <a href="#">Statutory reference to State Department on Aging</a>
<b>Statutory Reference:</b> <a href="#">Click here to enter text.</a>
<b>Proposal Summary:</b> <a href="#">Amend statutes to reference State Department on Aging as such, rather than Department on Aging</a>

### PROPOSAL BACKGROUND

#### ◇ Reason for Proposal

<i>Please consider the following, if applicable:</i> <ol style="list-style-type: none"> <li>(1) Have there been changes in federal/state/local laws and regulations that make this legislation necessary?</li> <li>(2) Has this proposal or something similar been implemented in other states? If yes, what is the outcome(s)?</li> <li>(3) Have certain constituencies called for this action?</li> <li>(4) What would happen if this was not enacted in law this session?</li> </ol> <p><b>Use specific wording in reference to the State Department on Aging, as this maintains consistency throughout statutes and aligns with widely used spoken terminology.</b></p>
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◇ **Origin of Proposal**       **New Proposal**       **Resubmission**

<i>If this is a resubmission, please share:</i> <ol style="list-style-type: none"> <li>(1) What was the reason this proposal did not pass, or if applicable, was not included in the Administration’s package?</li> <li>(2) Have there been negotiations/discussions during or after the previous legislative session to improve this proposal?</li> <li>(3) Who were the major stakeholders/advocates/legislators involved in the previous work on this legislation?</li> <li>(4) What was the last action taken during the past legislative session?</li> </ol> <p><a href="#">Click here to enter text.</a></p>
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### PROPOSAL IMPACT

◇ **AGENCIES AFFECTED** (please list for each affected agency)



<p><b>Agency Name:</b> Department of Social Services  <b>Agency Contact (name, title, phone):</b> Krista Ostaszewski, Legislative Analyst, 860-424-5612  <b>Date Contacted:</b> 10/28/16  Approve of Proposal    <input checked="" type="checkbox"/> YES    <input type="checkbox"/> NO    <input type="checkbox"/> Talks Ongoing  <b>Summary of Affected Agency's Comments:</b>  no concerns regarding technical changes  Will there need to be further negotiation?    <input type="checkbox"/> YES    <input checked="" type="checkbox"/> NO</p>
<p><b>Agency Name:</b> Department of Insurance  <b>Agency Contact (name, title, phone):</b> Eric Weinstein, Director Leg Affairs, 860-297-3864  <b>Date Contacted:</b> 10/28/16  Approve of Proposal    <input checked="" type="checkbox"/> YES    <input type="checkbox"/> NO    <input type="checkbox"/> Talks Ongoing  <b>Summary of Affected Agency's Comments:</b>  agency is in agreement with technical changes  Will there need to be further negotiation?    <input type="checkbox"/> YES    <input checked="" type="checkbox"/> NO</p>
<p><b>Agency Name:</b> Department of Consumer Protection  <b>Agency Contact (name, title, phone):</b> Leslie O'Brien, Legislative Program Mgr, 860-713-6208  <b>Date Contacted:</b> 11/2/16  Approve of Proposal    <input checked="" type="checkbox"/> YES    <input type="checkbox"/> NO    <input type="checkbox"/> Talks Ongoing  no concerns regarding technical changes  <b>Summary of Affected Agency's Comments:</b>  Will there need to be further negotiation?    <input type="checkbox"/> YES    <input checked="" type="checkbox"/> NO</p>

◇ **FISCAL IMPACT** (please include the proposal section that causes the fiscal impact and the anticipated impact)

<p><b>Municipal</b> (please include any municipal mandate that can be found within legislation)  none</p>
<p><b>State</b>  none</p>
<p><b>Federal</b>  none</p>
<p><b>Additional notes on fiscal impact</b>  Click here to enter text.</p>

◇ **POLICY and PROGRAMMATIC IMPACTS** (Please specify the proposal section associated with the impact)



Click here to enter text.

**Insert fully drafted bill here**

**AN ACT CHANGING STATUTE DEPARTMENT ON AGING REFERENCES TO STATE DEPARTMENT ON AGING**

The following sections are amended as follows: *(Effective October 1, 2017):*

**Sec. 4-38c.** Departments within the executive branch. There shall be within the executive branch of state government the following departments: Office of Policy and Management, Department of Administrative Services, **State Department on Aging**, Department of Revenue Services, Department of Banking, Department of Agriculture, Department of Children and Families, Department of Consumer Protection, Department of Correction, Department of Economic and Community Development, State Board of Education, Department of Emergency Services and Public Protection, Department of Energy and Environmental Protection, Department of Public Health, Board of Regents for Higher Education, Insurance Department, Labor Department, Department of Mental Health and Addiction Services, Department of Developmental Services, Department of Social Services, Department of Transportation, Department of Motor Vehicles and Department of Veterans' Affairs.

**Sec. 4-274.** Definitions. As used in this section and section 4-275:(7) "State-administered health or human services program" means programs administered by any of the following: The **State Department on Aging**, the Department of Children and Families, the Department of Developmental Services, the Department of Mental Health and Addiction Services, the Department of Public Health, the Department of Rehabilitation Services, the Department of Social Services, the Office of Early Childhood, and the Office of the State Comptroller, for the State Employee and Retiree Health programs, as well as other health care programs administered by the Office of the State Comptroller, and the Department of Administrative Services, for Workers' Compensation medical claims, including such programs reimbursed in whole or in part by the federal government.

**Sec. 7-127b.** Municipal agents for elderly persons. Responsibilities of **State Department on Aging**. (a) The chief elected official or the chief executive officer if by ordinance of each municipality shall appoint a municipal agent for elderly persons. Such agent shall be a member of an agency that serves elderly persons in the municipality or a responsible resident of the municipality who has demonstrated an interest in the elderly or has been involved in programs in the field of aging. (b) The duties of the municipal agent may include, but shall not be limited to, (1) disseminating information to elderly persons, assisting such persons in learning about the community resources available to them and publicizing such resources and benefits; (2) assisting elderly persons to apply for federal and other benefits available to such persons; (3) reporting to the chief elected official or chief



executive officer of the municipality and the **State Department on Aging** any needs and problems of the elderly and any recommendations for action to improve services to the elderly.

(c) Each municipal agent shall serve for a term of two or four years, at the discretion of the appointing authority of each municipality, and may be reappointed. If more than one agent is necessary to carry out the purposes of this section, the appointing authority, in its discretion, may appoint one or more assistant agents. The town clerk in each municipality shall notify the **State Department on Aging** immediately of the appointment of a new municipal agent. Each municipality may provide to its municipal agent resources sufficient for such agent to perform the duties of the office.

(d) The **State Department on Aging** shall adopt and disseminate to municipalities guidelines as to the role and duties of municipal agents and such informational and technical materials as may assist such agents in performance of their duties. The department, in cooperation with the area agencies on aging, may provide training for municipal agents within the available resources of the department and of the agencies on aging.

**Sec. 17a-301a.** (Formerly Sec. 17a-317). **State Department on Aging** Duties of commissioner and department. State Unit on Aging. (a) Effective January 1, 2013, there shall be established a **State Department on Aging** that shall be under the direction and supervision of the Commissioner on Aging who shall be appointed by the Governor in accordance with the provisions of sections 4-5 to 4-8, inclusive, with the powers and duties prescribed in said sections. The commissioner shall be knowledgeable and experienced with respect to the conditions and needs of elderly persons and shall serve on a full-time basis.

(b) The Commissioner on Aging shall administer all laws under the jurisdiction of the **State Department on Aging** and shall employ the most efficient and practical means for the provision of care and protection of elderly persons. The commissioner shall have the power and duty to do the following: (1) Administer, coordinate and direct the operation of the department; (2) adopt and enforce regulations, in accordance with chapter 54, as necessary to implement the purposes of the department as established by statute; (3) establish rules for the internal operation and administration of the department; (4) establish and develop programs and administer services to achieve the purposes of the department; (5) contract for facilities, services and programs to implement the purposes of the department; (6) act as advocate for necessary additional comprehensive and coordinated programs for elderly persons; (7) assist and advise all appropriate state, federal, local and area planning agencies for elderly persons in the performance of their functions and duties pursuant to federal law and regulation; (8) plan services and programs for elderly persons; (9) coordinate outreach activities by public and private agencies serving elderly persons; and (10) consult and cooperate with area and private planning agencies.



(c) The **State Department on Aging** is designated as the State Unit on Aging to administer, manage, design and advocate for benefits, programs and services for the elderly and their families pursuant to the Older Americans Act. The department shall study continuously the conditions and needs of elderly persons in this state in relation to nutrition, transportation, home care, housing, income, employment, health, recreation and other matters. The department shall be responsible, in cooperation with federal, state, local and area planning agencies on aging, for the overall planning, development and administration of a comprehensive and integrated social service delivery system for elderly persons. The department shall: (1) Measure the need for services; (2) survey methods of administration of programs for service delivery; (3) provide for periodic evaluations of social services; (4) maintain technical, information, consultation and referral services in cooperation with other state agencies to local and area public and private agencies to the fullest extent possible; (5) develop and coordinate educational outreach programs for the purposes of informing the public and elderly persons of available programs; (6) cooperate in the development of performance standards for licensing of residential and medical facilities with appropriate state agencies; (7) supervise the establishment, in selected areas and local communities of the state, of pilot programs for elderly persons; (8) coordinate with the Department of Transportation to provide adequate transportation services related to the needs of elderly persons; and (9) cooperate with other state agencies to provide adequate and alternate housing for elderly persons, including congregate housing, as defined in section 8-119e.

(d) The functions, powers, duties and personnel of the Division of Aging Services of the Department of Social Services, or any subsequent division or portion of a division with similar functions, powers, personnel and duties, shall be transferred to the **State Department on Aging** pursuant to the provisions of sections 4-38d, 4-38e and 4-39.

**Sec. 17a-302.** (Formerly Sec. 17b-792). Nutrition programs for elderly persons. (a) The **State Department on Aging** shall be responsible for the administration of programs which provide nutritionally sound diets to needy elderly persons and for the expansion of such programs when possible. Such programs shall be continued in such a manner as to fully utilize congregate feeding and nutrition education of elderly citizens who qualify for such program.

(b) Each program continued in accordance with subsection (a) of this section shall provide one meal per day, five days per week, to recipients of the program. Each program shall utilize all available municipal, state or local agencies for the purchase of food and equipment and the finding of appropriate locations for such programs.

**Sec. 17a-302a.** Meetings with nutrition service stakeholders. Alternative funding sources. (a) The **State Department on Aging** and the Department of Social Services shall hold quarterly meetings with nutrition service stakeholders to (1) develop recommendations to address complexities in the administrative processes of nutrition services programs, (2) establish quality control benchmarks in



such programs, and (3) help move toward greater quality, efficiency and transparency in the elderly nutrition program. Stakeholders shall include, but not be limited to, (A) one representative of each of the following: (i) Area agencies on aging, (ii) access agencies, (iii) the Commission on Aging, and (iv) nutrition providers, and (B) one or more representatives of food security programs, contractors, nutrition host sites and consumers.

**Sec. 17a-303a.** (Formerly Sec. 17b-33). Fall prevention program. The **State Department on Aging** shall establish, within available appropriations, a fall prevention program. Within such program, the department shall:

**Sec. 17a-304.** (Formerly Sec. 17b-421). Area agencies on aging. The state shall be divided into five elderly planning and service areas, in accordance with federal law and regulations, each having an area agency on aging to carry out the mandates of the federal Older Americans Act of 1965, as amended. The area agencies shall (1) represent elderly persons within their geographic areas, (2) develop an area plan for approval by the **State Department on Aging** and upon such approval administer the plan, (3) coordinate and assist local public and nonprofit, private agencies in the development of programs, (4) receive and distribute federal and state funds for such purposes, in accordance with applicable law, (5) carry out any additional duties and functions required by federal law and regulations.

**Sec. 17a-305.** (Formerly Sec. 17b-422). Allocation of funds. Review. Voluntary fee for meals. (a) The **State Department on Aging** shall equitably allocate, in accordance with federal law, federal funds received under Title IIIB and IIIC of the Older Americans Act to the five area agencies on aging established pursuant to section 17a-304. The department, before seeking federal approval to spend any amount above that allotted for administrative expenses under said act, shall inform the joint standing committees of the General Assembly having cognizance of matters relating to aging and human services that it is seeking such approval.

(b) Sixty per cent of the state funds appropriated to the five area agencies on aging for elderly nutrition and social services shall be allocated in the same proportion as allocations made pursuant to subsection (a) of this section. Forty per cent of all state funds appropriated to the five area agencies on aging for elderly nutrition and social services used for purposes other than the required nonfederal matching funds shall be allocated at the discretion of the Commissioner on Aging, in consultation with the five area agencies on aging, based on their need for such funds. Any state funds appropriated to the five area agencies on aging for administrative expenses shall be allocated equally.

(c) **State Department on Aging** in consultation with the five area agencies on aging, shall review the method of allocation set forth in subsection (a) of this section and shall report any findings or recommendations to the joint standing committees of the General Assembly having cognizance of matters relating to appropriations and the budgets of state agencies and human services.



**Sec. 17a-306.** (Formerly Sec. 17b-423). Regulations re Older Americans Act of 1965. Policies. Posting on eRegulations System. The **State Department on Aging** shall adopt regulations, in accordance with the provisions of chapter 54, to carry out the purposes, programs and services authorized pursuant to the Older Americans Act of 1965, as amended from time to time. The department may operate under any new policy necessary to conform to a requirement of a federal or joint state and federal program while it is in the process of adopting the policy in regulation form, provided the department posts such policy on the eRegulations System not later than twenty days after adopting the policy. Such policy shall be valid until the time final regulations are effective.

**Sec. 17a-310.** (Formerly Sec. 17b-425). State grants for community services and programs for the elderly. The **State Department on Aging** may make a grant to any city, town or borough or public or private agency, organization or institution for the following purposes: (a) For community planning and coordination of programs carrying out the purposes of the Older Americans Act of 1965, as amended; (b) for demonstration programs or activities particularly valuable in carrying out such purposes; (c) for training of special personnel needed to carry out such programs and activities; (d) for establishment of new or expansion of existing programs to carry out such purposes, including establishment of new or expansion of existing centers of service for elderly persons, providing recreational, cultural and other leisure time activities, and informational, transportation, referral and preretirement and postretirement counseling services for elderly persons and assisting such persons in providing volunteer community or civic services, except that no costs of construction, other than for minor alterations and repairs, shall be included in such establishment or expansion; (e) for programs to develop or demonstrate approaches, methods and techniques for achieving or improving coordination of community services for elderly or aging persons and such other programs and services as may be allowed under Title III of the Older Americans Act of 1965, as amended, or to evaluate these approaches, techniques and methods, as well as others which may assist elderly or aging persons to enjoy wholesome and meaningful living and to continue to contribute to the strength and welfare of the state and nation.

**Sec. 17a-313.** (Formerly Sec. 17b-426). Payment of administrative expenses. The **State Department on Aging** may use moneys appropriated for the purposes of section 17a-310 for the expenses of administering the grant program under said section, provided the total of such moneys so used shall not exceed five per cent of the moneys so appropriated.

**Sec. 17a-314.** (Formerly Sec. 17b-427). CHOICES health insurance assistance program. Definitions. Requirements. Reports. Responsibilities of hospitals re Medicare patients. Regulations. (a) As used in this section:

(1) "CHOICES" means Connecticut's programs for health insurance assistance, outreach, information and referral, counseling and eligibility screening;



(2) "CHOICES health insurance assistance program" means the federally recognized state health insurance assistance program funded pursuant to P.L. 101-508 and administered by the **State Department on Aging**, in conjunction with the area agencies on aging and the Center for Medicare Advocacy, that provides free information and assistance related to health insurance issues and concerns of older persons and other Medicare beneficiaries in Connecticut; and

(b) The **State Department on Aging** shall administer the CHOICES health insurance assistance program, which shall be a comprehensive Medicare advocacy program that provides assistance to Connecticut residents who are Medicare beneficiaries.

**Sec. 17a-316a.** (Formerly Sec. 17b-367a). State Aging and Disability Resource Center Program. (a) The Commissioner on Aging shall develop and administer a program to provide a single, coordinated system of information and access for individuals seeking long-term support, including in-home, community-based and institutional services. The program shall be the state Aging and Disability Resource Center Program in accordance with the federal Older Americans Act Amendments of 2006, P.L. 109-365 and shall be administered as part of the **State Department on Aging's** CHOICES program in accordance with subdivision (1) of subsection (a) of section 17a-314. Consumers served by the program shall include, but not be limited to, those sixty years of age or older and those eighteen years of age or older with disabilities and caregivers.

**Sec. 17a-405.** (Formerly Sec. 17b-400). Office of the Long-Term Care Ombudsman. Regional ombudsmen. Appointments. Inclusion in classified service. Definitions. (a) As used in this chapter:

(1) "State agency" means the **State Department on Aging**.

(9) "Applicant" means an older individual who has applied for admission to a long-term care facility.

(b) There is established an independent Office of the Long-Term Care Ombudsman within the **State Department on Aging**. The Commissioner on Aging shall appoint a State Ombudsman who shall be selected from among individuals with expertise and experience in the fields of long-term care and advocacy to head the office and the State Ombudsman shall appoint assistant regional ombudsmen. In the event the State Ombudsman or an assistant regional ombudsman is unable to fulfill the duties of the office, the commissioner shall appoint an acting State Ombudsman and the State Ombudsman shall appoint an acting assistant regional ombudsman.

**Sec. 17b-1.** Department of Social Services. Commissioner. Successor department to Departments of Income Maintenance and Human Resources.

(d) Subject to the provisions of section 17a-301a, any order or regulation of the Department of Income Maintenance, the Department of Human Resources or the **State Department on Aging** which is in force on July 1, 1993, shall continue in force and effect as an order or regulation of the





Department of Social Services until amended, repealed or superseded pursuant to law. Where any order or regulation of said departments conflict, the Commissioner of Social Services may implement policies and procedures consistent with the provisions of public act 93-262\* while in the process of adopting the policy or procedure in regulation form, provided notice of intention to adopt the regulations is printed in the Connecticut Law Journal within twenty days of implementation. The policy or procedure shall be valid until the time final regulations are effective.

**Sec. 17b-4.** Department of Social Services: Duties and services provided. Reports by nursing homes; regulations.

(b) The Department of Social Services, in conjunction with the Department of Public Health and the **State Department on Aging**, may adopt regulations in accordance with the provisions of chapter 54 to establish requirements with respect to the submission of reports concerning financial solvency and quality of care by nursing homes for the purpose of determining the financial viability of such homes, identifying homes that appear to be experiencing financial distress and examining the underlying reasons for such distress. Such reports shall be submitted to the Nursing Home Financial Advisory Committee established under section 17b-339.

**Sec. 17b-251.** (Formerly Sec. 17a-307). Connecticut Partnership for Long-Term Care: Outreach program established. The **State Department on Aging** shall establish an outreach program to educate consumers as to: (1) The need for long-term care; (2) mechanisms for financing such care; (3) the availability of long-term care insurance; and (4) the asset protection provided under sections 17b-252 to 17b-254, inclusive, and 38a-475. The **State Department on Aging** shall provide public information to assist individuals in choosing appropriate insurance coverage.

**Sec. 17b-337.** Long-Term Care Planning Committee. Long-term care plan.

(c) The Long-Term Care Planning Committee shall consist of: (1) The chairpersons and ranking members of the joint standing committees of the General Assembly having cognizance of matters relating to human services, public health, elderly services and long-term care; (2) the Commissioner of Social Services, or the commissioner's designee; (3) one member of the Office of Policy and Management appointed by the Secretary of the Office of Policy and Management; (4) one member from the **State Department on Aging** appointed by the Commissioner on Aging; (5) two members from the Department of Public Health appointed by the Commissioner of Public Health, one of whom is from the Office of Health Care Access division of the department; (6) one member from the Department of Housing appointed by the Commissioner of Housing; (7) one member from the Department of Developmental Services appointed by the Commissioner of Developmental Services; (8) one member from the Department of Mental Health and Addiction Services appointed by the Commissioner of Mental Health and Addiction Services; (9) one member from the Department of Transportation appointed by the Commissioner of Transportation; (10) one member from the



Department of Children and Families appointed by the Commissioner of Children and Families; and (11) the executive director of the Office of Protection and Advocacy for Persons with Disabilities or the executive director's designee. The committee shall convene no later than ninety days after June 4, 1998. Any vacancy shall be filled by the appointing authority. The chairperson shall be elected from among the members of the committee. The committee shall seek the advice and participation of any person, organization or state or federal agency it deems necessary to carry out the provisions of this section.

**Sec. 17b-349e.** Respite care services for caretakers of Alzheimer's patients. Definitions. Requirements. Regulations.

(b) The Commissioner on Aging shall operate a program, within available appropriations, to provide respite care services for caretakers of individuals with Alzheimer's disease, provided such individuals with Alzheimer's disease meet the requirements set forth in subsection (c) of this section. Such respite care services may include, but need not be limited to (1) homemaker services; (2) adult day care; (3) temporary care in a licensed medical facility; (4) home-health care; (5) companion services; or (6) personal care assistant services. Such respite care services may be administered directly by the **State Department on Aging**, or through contracts for services with providers of such services, or by means of direct subsidy to caretakers of individuals with Alzheimer's disease to purchase such services.

**Sec. 17b-463a.** Study on best practices for reporting and identification of abuse, neglect, exploitation and abandonment of elderly persons. Portal for training resources and materials. (a) The Commission on Aging, in consultation with the Connecticut Elder Justice Coalition Coordinating Council, the Department of Social Services, the **State Department on Aging**, the Office of the Long-Term Care Ombudsman and the Chief State's Attorney, shall conduct a study concerning best practices for reporting and identification of the abuse, neglect, exploitation and abandonment of elderly persons. The study shall review: (1) Models nation-wide for reporting of such abuse, neglect, exploitation or abandonment, (2) standardized definitions, measurements and uniform reporting mechanisms to accurately capture the nature and scope of such abuse, neglect, exploitation or abandonment in the state, and (3) methods to promote and coordinate communication about such reporting among local and state governmental entities, including law enforcement.

**Sec. 21a-3a.** Public awareness campaign for elderly consumers re resistance to marketing tactics and scams. The Department of Consumer Protection, in collaboration with the Department of Social Services and the **State Department on Aging**, shall conduct a public awareness campaign, within available funding, to educate elderly consumers and caregivers on ways to resist aggressive marketing tactics and scams.



**Sec. 38a-47.** (Formerly Sec. 38-53a). Payments by domestic insurance companies for expenditures of Insurance Department. All domestic insurance companies and other domestic entities subject to taxation under chapter 207 shall, in accordance with section 38a-48, annually pay to the Insurance Commissioner, for deposit in the Insurance Fund established under section 38a-52a, an amount equal to the actual expenditures made by the Insurance Department during each fiscal year, and the actual expenditures made by the Office of the Healthcare Advocate, including the cost of fringe benefits for department and office personnel as estimated by the Comptroller, plus (1) the expenditures made on behalf of the department and the office from the Capital Equipment Purchase Fund pursuant to section 4a-9 for such year, and (2) the amount appropriated to the **State Department on Aging** for the fall prevention program established in section 17a-303a from the Insurance Fund for the fiscal year, but excluding expenditures paid for by fraternal benefit societies, foreign and alien insurance companies and other foreign and alien entities under sections 38a-49 and 38a-50. Payments shall be made by assessment of all such domestic insurance companies and other domestic entities calculated and collected in accordance with the provisions of section 38a-48. Any such domestic insurance company or other domestic entity aggrieved because of any assessment levied under this section may appeal therefrom in accordance with the provisions of section 38a-52.

**Sec. 38a-48.** (Formerly Sec. 38-53b). Assessment of payments by domestic insurance companies. Adjustments. Penalty. Interest. Payments credited to Insurance Fund. Allocation of assessments..

(b) On or before July thirty-first, annually, the Insurance Commissioner and the Office of the Healthcare Advocate shall render to each domestic insurance company or other domestic entity liable for payment under section 38a-47, (1) a statement which includes (A) the amount appropriated to the Insurance Department and the Office of the Healthcare Advocate for the fiscal year beginning July first of the same year, (B) the cost of fringe benefits for department and office personnel for such year, as estimated by the Comptroller, (C) the estimated expenditures on behalf of the department and the office from the Capital Equipment Purchase Fund pursuant to section 4a-9 for such year, and (D) the amount appropriated to the **State Department on Aging** for the fall prevention program established in section 17a-303a from the Insurance Fund for the fiscal year, (2) a statement of the total taxes imposed on all domestic insurance companies and domestic insurance entities under chapter 207 on business done in this state during the preceding calendar year, and (3) the proposed assessment against that company or entity, calculated in accordance with the provisions of subsection (c) of this section, provided that for the purposes of this calculation the amount appropriated to the Insurance Department and the Office of the Healthcare Advocate plus the cost of fringe benefits for department and office personnel and the estimated expenditures on behalf of the department and the office from the Capital Equipment Purchase Fund pursuant to section 4a-9 shall be deemed to be the actual expenditures of the department and the office, and the amount appropriated to the **State Department on Aging** from the Insurance Fund for the fiscal year for the fall



prevention program established in section 17a-303a shall be deemed to be the actual expenditures for the program.

**Sec. 38a-475.** Precertification of long-term care policies under the Connecticut Partnership for Long-Term Care. Regulations. The Insurance Department shall only pre certify long-term care insurance policies which (1) alert the purchaser to the availability of consumer information and public education provided by the **State Department on Aging** pursuant to section 17b-251; (2) offer the option of home and community-based services in addition to nursing home care; (3) in all home care plans, include case management services delivered by an access agency approved by the Office of Policy and Management and the Department of Social Services as meeting the requirements for such agency as defined in regulations adopted pursuant to subsection (e) of section 17b-342, which services shall include, but need not be limited to, the development of a comprehensive individualized assessment and care plan and, as needed, the coordination of appropriate services and the monitoring of the delivery of such services; (4) provide inflation protection; (5) provide for the keeping of records and an explanation of benefit reports on insurance payments which count toward Medicaid resource exclusion; and (6) provide the management information and reports necessary to document the extent of Medicaid resource protection offered and to evaluate the Connecticut Partnership for Long-Term Care. No policy shall be pre certified if it requires prior hospitalization or a prior stay in a nursing home as a condition of providing benefits. The commissioner may adopt regulations, in accordance with chapter 54, to carry out the precertification provisions of this section.



## Agency Legislative Proposal – 2017 Session

**Document Name** (e.g. OPM1015Budget.doc; OTG1015Policy.doc): [Click here to enter text.](#)  
**110116\_SDA\_eld-old-statute-rev**

(If submitting electronically, please label with date, agency, and title of proposal – 092611\_SDE\_TechRevisions)

State Agency: State Department on Aging
<b>Liaison:</b> <a href="#">Pam Toohey</a> <b>Phone:</b> <a href="#">860-424-5993</a> <b>E-mail:</b> <a href="mailto:pamela.toohey@ct.gov">pamela.toohey@ct.gov</a>
Lead agency division requesting this proposal: <a href="#">State Unit on Aging</a>
Agency Analyst/Drafter of Proposal: <a href="#">Pam Toohey</a>

<b>Title of Proposal:</b> <a href="#">Replace specific statutory wording within Department on Aging Statutes</a>
<b>Statutory Reference:</b> <a href="#">17a-301a,302,303a,304,310</a>
<b>Proposal Summary:</b> <a href="#">This proposal replaces the term “elderly” with “older”.</a>

### PROPOSAL BACKGROUND

#### ◇ Reason for Proposal

<i>Please consider the following, if applicable:</i> <i>(1) Have there been changes in federal/state/local laws and regulations that make this legislation necessary?</i> <i>(2) Has this proposal or something similar been implemented in other states? If yes, what is the outcome(s)?</i> <i>(3) Have certain constituencies called for this action?</i> <i>(4) What would happen if this was not enacted in law this session?</i>
<a href="#">Replacing the word “elderly” with “older” maintains consistent terminology throughout the Department on Aging statutes as well as with the Older Americans Act.</a>

◇ **Origin of Proposal**       **New Proposal**       **Resubmission**

<i>If this is a resubmission, please share:</i> <i>(1) What was the reason this proposal did not pass, or if applicable, was not included in the Administration’s package?</i> <i>(2) Have there been negotiations/discussions during or after the previous legislative session to improve this proposal?</i> <i>(3) Who were the major stakeholders/advocates/legislators involved in the previous work on this legislation?</i> <i>(4) What was the last action taken during the past legislative session?</i>
<a href="#">Click here to enter text.</a>

### PROPOSAL IMPACT

◇ **AGENCIES AFFECTED** (please list for each affected agency)



**Agency Name:** no agencies affected  
**Agency Contact (name, title, phone):** Click here to enter text.  
**Date Contacted:** Click here to enter text.  
 Approve of Proposal     YES     NO     Talks Ongoing

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**Summary of Affected Agency's Comments**  
 Click here to enter text.

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Will there need to be further negotiation?     YES     NO

◇ **FISCAL IMPACT** *(please include the proposal section that causes the fiscal impact and the anticipated impact)*

**Municipal** *(please include any municipal mandate that can be found within legislation)*  
 none

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**State**  
 none

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**Federal**  
 none

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**Additional notes on fiscal impact**  
 Click here to enter text.

◇ **POLICY and PROGRAMMATIC IMPACTS** *(Please specify the proposal section associated with the impact)*

Click here to enter text.

**AN ACT CONCERNING SPECIFIC TERMINOLOGY WITHIN THE STATE DEPARTMENT ON AGING STATUTES**

Sections 17a-301a, 302, 303a, 304, and 310 of the general statutes shall be amended as follows *(Effective October 1, 2017)*:

**Sec. 17a-301a. (Formerly Sec. 17a-317). Department on Aging. Duties of commissioner and department. State Unit on Aging.** (a) Effective January 1, 2013, there shall be established a Department on Aging that shall be under the direction and supervision of the Commissioner on Aging who shall be appointed by the Governor in accordance with



the provisions of sections 4-5 to 4-8, inclusive, with the powers and duties prescribed in said sections. The commissioner shall be knowledgeable and experienced with respect to the conditions and needs of [elderly] older persons and shall serve on a full-time basis.

(b) The Commissioner on Aging shall administer all laws under the jurisdiction of the Department on Aging and shall employ the most efficient and practical means for the provision of care and protection of [elderly] older persons. The commissioner shall have the power and duty to do the following: (1) Administer, coordinate and direct the operation of the department; (2) adopt and enforce regulations, in accordance with chapter 54, as necessary to implement the purposes of the department as established by statute; (3) establish rules for the internal operation and administration of the department; (4) establish and develop programs and administer services to achieve the purposes of the department; (5) contract for facilities, services and programs to implement the purposes of the department; (6) act as advocate for necessary additional comprehensive and coordinated programs for [elderly] older persons; (7) assist and advise all appropriate state, federal, local and area planning agencies for [elderly] older persons in the performance of their functions and duties pursuant to federal law and regulation; (8) plan services and programs for [elderly] older persons; (9) coordinate outreach activities by public and private agencies serving [elderly] older persons; and (10) consult and cooperate with area and private planning agencies.

(c) The Department on Aging is designated as the State Unit on Aging to administer, manage, design and advocate for benefits, programs and services for the [elderly] older person and their families pursuant to the Older Americans Act. The department shall study continuously the conditions and needs of [elderly] older persons in this state in relation to nutrition, transportation, home care, housing, income, employment, health, recreation and other matters. The department shall be responsible, in cooperation with federal, state, local and area planning agencies on aging, for the overall planning, development and administration of a comprehensive and integrated social service delivery system for [elderly] older persons. The department shall: (1) Measure the need for services; (2) survey methods of administration of programs for service delivery; (3) provide for periodic evaluations of social services; (4) maintain technical, information, consultation and referral services in cooperation with other state agencies to local and area public and private agencies to the fullest extent possible; (5) develop and coordinate educational outreach programs for the purposes of informing the public and [elderly] older



persons of available programs; (6) cooperate in the development of performance standards for licensing of residential and medical facilities with appropriate state agencies; (7) supervise the establishment, in selected areas and local communities of the state, of pilot programs for [elderly] older persons; (8) coordinate with the Department of Transportation to provide adequate transportation services related to the needs of [elderly] older persons; and (9) cooperate with other state agencies to provide adequate and alternate housing for [elderly] older persons, including congregate housing, as defined in section 8-119e.

(d) The functions, powers, duties and personnel of the Division of Aging Services of the Department of Social Services, or any subsequent division or portion of a division with similar functions, powers, personnel and duties, shall be transferred to the Department on Aging pursuant to the provisions of sections 4-38d, 4-38e and 4-39.

(e) The Department of Social Services shall administer programs under the jurisdiction of the Department on Aging until the Commissioner on Aging is appointed and administrative staff are hired.

(f) The Governor may, with the approval of the Finance Advisory Committee, transfer funds between the Department of Social Services and the Department on Aging pursuant to subsection (b) of section 4-87 during the fiscal year ending June 30, 2013.

(g) Any order or regulation of the Department of Social Services or the Commission on Aging that is in force on January 1, 2013, shall continue in force and effect as an order or regulation until amended, repealed or superseded pursuant to law.

**Sec. 17a-302. (Formerly Sec. 17b-792). Nutrition programs for [elderly] older persons.**

(a) The Department on Aging shall be responsible for the administration of programs which provide nutritionally sound diets to needy [elderly] older persons and for the expansion of such programs when possible. Such programs shall be continued in such a manner as to fully utilize congregate feeding and nutrition education of [elderly] older citizens who qualify for such program.

(b) Each program continued in accordance with subsection (a) of this section shall provide one meal per day, five days per week, to recipients of the program. Each program





shall utilize all available municipal, state or local agencies for the purchase of food and equipment and the finding of appropriate locations for such programs.

**Sec. 17a-303a. (Formerly Sec. 17b-33). Fall prevention program.** The Department on Aging shall establish, within available appropriations, a fall prevention program. Within such program, the department shall:

(1) Promote and support research to: (A) Improve the identification, diagnosis, treatment and rehabilitation of older adults and others who have a high risk of falling; (B) improve data collection and analysis to identify risk factors for falls and factors that reduce the likelihood of falls; (C) design, implement and evaluate the most effective fall prevention interventions; (D) improve intervention strategies that have been proven effective in reducing falls by tailoring such strategies to specific populations of older adults; (E) maximize the dissemination of proven, effective fall prevention interventions; (F) assess the risk of falls occurring in various settings; (G) identify barriers to the adoption of proven interventions with respect to the prevention of falls among older adults; (H) develop, implement and evaluate the most effective approaches to reducing falls among high-risk older adults living in communities and long-term care and assisted living facilities; and (I) evaluate the effectiveness of community programs designed to prevent falls among older adults;

(2) Establish, in consultation with the Commissioner of Public Health, a professional education program in fall prevention, evaluation and management for physicians, allied health professionals and other health care providers who provide services for the [elderly] older adults in this state. The Commissioner on Aging may contract for the establishment of such program through (A) a request for proposal process, (B) a competitive grant program, or (C) cooperative agreements with qualified organizations, institutions or consortia of qualified organizations and institutions;

(3) Oversee and support demonstration and research projects to be carried out by organizations, institutions or consortia of organizations and institutions deemed qualified by the Commissioner on Aging. Such demonstration and research projects may be in the following areas:

(A) Targeted fall risk screening and referral programs;



(B) Programs designed for community-dwelling older adults that use fall intervention approaches, including physical activity, medication assessment and reduction of medication when possible, vision enhancement and home-modification strategies;

(C) Programs that target new fall victims who are at a high risk for second falls and that are designed to maximize independence and quality of life for older adults, particularly those older adults with functional limitations;

(D) Private sector and public-private partnerships to develop technologies to prevent falls among older adults and prevent or reduce injuries when falls occur; and

(4) Award grants to, or enter into contracts or cooperative agreements with, organizations, institutions or consortia of organizations and institutions deemed qualified by the Commissioner on Aging to design, implement and evaluate fall prevention programs using proven intervention strategies in residential and institutional settings.

**Sec. 17a-304. (Formerly Sec. 17b-421). Area agencies on aging.** The state shall be divided into five elderly planning and service areas, in accordance with federal law and regulations, each having an area agency on aging to carry out the mandates of the federal Older Americans Act of 1965, as amended. The area agencies shall (1) represent **[elderly]** older persons within their geographic areas, (2) develop an area plan for approval by the Department on Aging and upon such approval administer the plan, (3) coordinate and assist local public and nonprofit, private agencies in the development of programs, (4) receive and distribute federal and state funds for such purposes, in accordance with applicable law, (5) carry out any additional duties and functions required by federal law and regulations.

**Sec. 17a-310. (Formerly Sec. 17b-425). State grants for community services and programs for the **[elderly]** older person.** The Department on Aging may make a grant to any city, town or borough or public or private agency, organization or institution for the following purposes: (a) For community planning and coordination of programs carrying out the purposes of the Older Americans Act of 1965, as amended; (b) for demonstration programs or activities particularly valuable in carrying out such purposes; (c) for training of



special personnel needed to carry out such programs and activities; (d) for establishment of new or expansion of existing programs to carry out such purposes, including establishment of new or expansion of existing centers of service for [elderly] older persons, providing recreational, cultural and other leisure time activities, and informational, transportation, referral and preretirement and postretirement counseling services for [elderly] older persons and assisting such persons in providing volunteer community or civic services, except that no costs of construction, other than for minor alterations and repairs, shall be included in such establishment or expansion; (e) for programs to develop or demonstrate approaches, methods and techniques for achieving or improving coordination of community services for [elderly] older or aging persons and such other programs and services as may be allowed under Title III of the Older Americans Act of 1965, as amended, or to evaluate these approaches, techniques and methods, as well as others which may assist [elderly] older or aging persons to enjoy wholesome and meaningful living and to continue to contribute to the strength and welfare of the state and nation.



## Agency Legislative Proposal - 2017 Session

**Document Name** (e.g. OPM1015Budget.doc; OTG1015Policy.doc): [Click here to enter text.](#)  
**110116\_SDA\_ob-statute**  
 (If submitting electronically, please label with date, agency, and title of proposal – 092611\_SDE\_TechRevisions)

State Agency: **State Department on Aging**

**Liaison:** **Pam Toohey**  
**Phone:** **860-424-5993**  
**E-mail:** **pamela.toohey@ct.gov**

Lead agency division requesting this proposal: **State Unit on Aging**

Agency Analyst/Drafter of Proposal: **Pam Toohey**

**Title of Proposal:** **Elimination of specific sections in Department on Aging Statutes**

**Statutory Reference:** **17a-301a(e), 17a-301a(f), 17a-302a(b)**

**Proposal Summary:**  
**This proposal will eliminate obsolete sections from the Department on Aging statutes**

### PROPOSAL BACKGROUND

#### ◇ Reason for Proposal

*Please consider the following, if applicable:*

- (1) Have there been changes in federal/state/local laws and regulations that make this legislation necessary?
- (2) Has this proposal or something similar been implemented in other states? If yes, what is the outcome(s)?
- (3) Have certain constituencies called for this action?
- (4) What would happen if this was not enacted in law this session?

**The referenced sections are currently obsolete:**

**17a-301a(e) A Commissioner has been appointed and administrative staff have been hired in the Department on Aging**

**17a-301a(f) The 2013 fiscal year in which funds could be transferred between the Department of Social Services and the Department on Aging has ended.**

**17a-302a(b) The Nutrition study has been completed and distributed to the General Assembly, July 2016.**

#### ◇ Origin of Proposal      New Proposal      Resubmission

*If this is a resubmission, please share:*

- (1) What was the reason this proposal did not pass, or if applicable, was not included in the Administration’s package?
- (2) Have there been negotiations/discussions during or after the previous legislative session to improve this proposal?
- (3) Who were the major stakeholders/advocates/legislators involved in the previous work on this legislation?
- (4) What was the last action taken during the past legislative session?

[Click here to enter text.](#)



**PROPOSAL IMPACT**

◇ **AGENCIES AFFECTED** *(please list for each affected agency)*

<p><b>Agency Name:</b> <b>No agencies affected.</b></p> <p><b>Agency Contact (name, title, phone):</b> Click here to enter text.</p> <p><b>Date Contacted:</b> Click here to enter text.</p> <p>Approve of Proposal    <input type="checkbox"/> YES    <input type="checkbox"/> NO    <input type="checkbox"/> Talks Ongoing</p>
<p><b>Summary of Affected Agency's Comments</b></p> <p>Click here to enter text.</p>
<p>Will there need to be further negotiation?    <input type="checkbox"/> YES    <input type="checkbox"/> NO</p>

◇ **FISCAL IMPACT** *(please include the proposal section that causes the fiscal impact and the anticipated impact)*

<p><b>Municipal</b> <i>(please include any municipal mandate that can be found within legislation)</i></p> <p>none</p>
<p><b>State</b></p> <p>none</p>
<p><b>Federal</b></p> <p>none</p>
<p><b>Additional notes on fiscal impact</b></p> <p>Click here to enter text.</p>

◇ **POLICY and PROGRAMMATIC IMPACTS** *(Please specify the proposal section associated with the impact)*

<p>Click here to enter text.</p>
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**AN ACT CONCERNING ELIMINATION OF OBSOLETE SECTIONS OF THE DEPARTMENT ON AGING STATUTES.**

Sections 17a-301a(e),(f) and Section 17a-302a(b) of the general statutes are repealed (*Effective October 1, 2017*):



**Sec. 17a-301a. (Formerly Sec. 17a-317). Department on Aging. Duties of commissioner and department. State Unit on Aging.** (a) Effective January 1, 2013, there shall be established a Department on Aging that shall be under the direction and supervision of the Commissioner on Aging who shall be appointed by the Governor in accordance with the provisions of sections 4-5 to 4-8, inclusive, with the powers and duties prescribed in said sections. The commissioner shall be knowledgeable and experienced with respect to the conditions and needs of elderly persons and shall serve on a full-time basis.

(b) The Commissioner on Aging shall administer all laws under the jurisdiction of the Department on Aging and shall employ the most efficient and practical means for the provision of care and protection of elderly persons. The commissioner shall have the power and duty to do the following: (1) Administer, coordinate and direct the operation of the department; (2) adopt and enforce regulations, in accordance with chapter 54, as necessary to implement the purposes of the department as established by statute; (3) establish rules for the internal operation and administration of the department; (4) establish and develop programs and administer services to achieve the purposes of the department; (5) contract for facilities, services and programs to implement the purposes of the department; (6) act as advocate for necessary additional comprehensive and coordinated programs for elderly persons; (7) assist and advise all appropriate state, federal, local and area planning agencies for elderly persons in the performance of their functions and duties pursuant to federal law and regulation; (8) plan services and programs for elderly persons; (9) coordinate outreach activities by public and private agencies serving elderly persons; and (10) consult and cooperate with area and private planning agencies.

(c) The Department on Aging is designated as the State Unit on Aging to administer, manage, design and advocate for benefits, programs and services for the elderly and their families pursuant to the Older Americans Act. The department shall study continuously the conditions and needs of elderly persons in this state in relation to nutrition, transportation, home care, housing, income, employment, health, recreation and other matters. The department shall be responsible, in cooperation with federal, state, local and area planning agencies on aging, for the overall planning, development and administration of a comprehensive and integrated social service delivery system for elderly persons. The department shall: (1) Measure the need for services; (2) survey methods of administration of programs for service delivery; (3) provide for periodic evaluations of social services; (4) maintain technical, information, consultation and referral services in cooperation with other state agencies to local and area public and private agencies to the fullest extent possible; (5) develop and coordinate educational outreach programs for the purposes of informing the public and elderly persons of available programs; (6) cooperate in the development of performance standards for licensing of residential and medical facilities with appropriate state agencies; (7) supervise the establishment, in selected areas and local communities of



the state, of pilot programs for elderly persons; (8) coordinate with the Department of Transportation to provide adequate transportation services related to the needs of elderly persons; and (9) cooperate with other state agencies to provide adequate and alternate housing for elderly persons, including congregate housing, as defined in section 8-119e.

(d) The functions, powers, duties and personnel of the Division of Aging Services of the Department of Social Services, or any subsequent division or portion of a division with similar functions, powers, personnel and duties, shall be transferred to the Department on Aging pursuant to the provisions of sections 4-38d, 4-38e and 4-39.

[(e) The Department of Social Services shall administer programs under the jurisdiction of the Department on Aging until the Commissioner on Aging is appointed and administrative staff are hired.]

[(f) The Governor may, with the approval of the Finance Advisory Committee, transfer funds between the Department of Social Services and the Department on Aging pursuant to subsection (b) of section 4-87 during the fiscal year ending June 30, 2013.]

(g) Any order or regulation of the Department of Social Services or the Commission on Aging that is in force on January 1, 2013, shall continue in force and effect as an order or regulation until amended, repealed or superseded pursuant to law.

**Sec. 17a-302a. Meetings with nutrition service stakeholders. Alternative funding sources.** (a) The Department on Aging and the Department of Social Services shall hold quarterly meetings with nutrition service stakeholders to (1) develop recommendations to address complexities in the administrative processes of nutrition services programs, (2) establish quality control benchmarks in such programs, and (3) help move toward greater quality, efficiency and transparency in the elderly nutrition program. Stakeholders shall include, but not be limited to, (A) one representative of each of the following: (i) Area agencies on aging, (ii) access agencies, (iii) the Commission on Aging, and (iv) nutrition providers, and (B) one or more representatives of food security programs, contractors, nutrition host sites and consumers.

[(b) The departments and stakeholders shall study alternative sources of funding for nutrition services programs. The departments and the nutrition service stakeholders shall, in accordance with the provisions of section 11-4a, submit a summary report on their findings and recommendations concerning any such alternative sources of funding, along with a report on any other recommendations they may have regarding nutrition services programs, to the joint standing committee of the General Assembly having cognizance of matters relating to aging not later than July 1, 2016.]







## Agency Legislative Proposal - 2017 Session

**Document Name** (e.g. OPM1015Budget.doc; OTG1015Policy.doc): Click here to enter text.

**2017SDA-LTCOP-techstatute**

(If submitting electronically, please label with date, agency, and title of proposal – 092611\_SDE\_TechRevisions)

State Agency: **State Department on Aging**

**Liaison:** Pam Toohey

**Phone:** 860-424-5993

**E-mail:** [pamela.toohey@ct.gov](mailto:pamela.toohey@ct.gov)

Lead agency division requesting this proposal: **Long-Term Care Ombudsman Program**

Agency Analyst/Drafter of Proposal **Nancy Shaffer**

**Title of Proposal:** Technical Changes to Office of Long-Term Ombudsman statute

**Statutory Reference:** 17b-451

**Proposal Summary:**

**Statutory change complies with Ombudsman New Federal Rule**

### PROPOSAL BACKGROUND

#### ◇ Reason for Proposal

*Please consider the following, if applicable:*

- (1) Have there been changes in federal/state/local laws and regulations that make this legislation necessary?
- (2) Has this proposal or something similar been implemented in other states? If yes, what is the outcome(s)?
- (3) Have certain constituencies called for this action?
- (4) What would happen if this was not enacted in law this session?

#### ◇ Per the Administration on Aging, Administration on Community Living new federal rule for Ombudsman Programs:

**§1324.11 (e)(3)(iv) Establishment of the Office of the State Long-Term Care Ombudsman**  
**§ 1324.11(e)(3)(iv) States that policies regarding disclosure of information must include: "(iv) Exclusion of the Ombudsman and representatives of the Office from abuse reporting requirements, including when such reporting would disclose identifying information of a complainant or resident without appropriate consent or court order..."** A mandatory reporter under the State's mandatory reporting law (§17b-451) includes a "patients' advocate," and that same statute refers to nursing home occupants as "patients." The Ombudsman is an advocate for nursing home residents. Accordingly, under Section §17b-451 it appears that the ombudsman is a mandatory reporter.



◇ **Origin of Proposal**       **New Proposal**       **Resubmission**

If this is a resubmission, please share:  
(1) What was the reason this proposal did not pass, or if applicable, was not included in the Administration’s package?  
(2) Have there been negotiations/discussions during or after the previous legislative session to improve this proposal?  
(3) Who were the major stakeholders/advocates/legislators involved in the previous work on this legislation?  
(4) What was the last action taken during the past legislative session?

[Click here to enter text.](#)

**PROPOSAL IMPACT**

◇ **AGENCIES AFFECTED** (please list for each affected agency)

**Agency Name:** Department of Social Services  
**Agency Contact (name, title, phone):** Krista Ostaszewski, Legislative Analyst, 860-424-5612  
**Date Contacted:** 11/8/16

Approve of Proposal     **YES**     **NO**     **Talks Ongoing**

**Summary of Affected Agency’s Comments**

[Click here to enter text.](#)

Will there need to be further negotiation?     **YES**     **NO**

◇ **FISCAL IMPACT** (please include the proposal section that causes the fiscal impact and the anticipated impact)

**Municipal** (please include any municipal mandate that can be found within legislation)  
**none**

**State**  
**none**

**Federal**  
**none**

**Additional notes on fiscal impact**

[Click here to enter text.](#)



◇ **POLICY and PROGRAMMATIC IMPACTS** *(Please specify the proposal section associated with the impact)*

Click here to enter text.

**Insert fully drafted bill here**

Be it enacted by the Senate and House of Representatives in the General Assembly convened:

Section 1. Section 17b-451 of the General Statutes is repealed and the following is substituted in lieu thereof:

Sec. 17b-451. (Formerly Sec. 17a-431). Report of suspected abuse, neglect, exploitation, abandonment or need for protective services. Penalty for failure to report. Immunity for report or testimony.

(a) Any physician or surgeon licensed under the provisions of chapter 370, any resident physician or intern in any hospital in this state, whether or not so licensed, any registered nurse, any nursing home administrator, nurse's aide or orderly in a nursing home facility, any person paid for caring for a **[patient]** resident in a nursing home facility, any staff person employed by a nursing home facility, any **[patients']** residents' advocate (excepting the Connecticut Long-Term Care Ombudsman and any representative of the Office of the Connecticut Long-Term Care Ombudsman) and any licensed practical nurse, medical examiner, dentist, optometrist, chiropractor, podiatrist, social worker, clergyman, police officer, pharmacist, psychologist or physical therapist, who has reasonable cause to suspect or believe that any elderly person has been abused, neglected, exploited or abandoned, or is in a condition which is the result of such abuse, neglect, exploitation or abandonment, or who is in need of protective services, shall within five calendar days report such information or cause a report to be made in any reasonable manner to the Commissioner of Social Services or to the person or persons designated by the commissioner to receive such reports. Any person required to report under the provisions of this section who fails to make such report shall be fined not more than five hundred dollars.

(b) Such report shall contain the name and address of the involved elderly person, information regarding the nature and extent of the abuse, neglect, exploitation or abandonment, and any other information which the reporter believes might be helpful in an investigation of the case and the protection of such elderly person.

(c) Any other person having reasonable cause to believe that an elderly person is being, or has been,



abused, neglected, exploited or abandoned, or who is in need of protective services may report such information in any reasonable manner to the commissioner or his designee.

(d) Any person who makes any report pursuant to sections 17b-450 to 17b-461, inclusive, or who testifies in any administrative or judicial proceeding arising from such report shall be immune from any civil or criminal liability on account of such report or testimony, except for liability for perjury, unless such person acted in bad faith or with malicious purpose.

(e) For the purposes of sections 17b-450 to 17b-461, inclusive, the treatment of any elderly person by a Christian Science practitioner, in lieu of treatment by a licensed practitioner of the healing arts, shall not of itself constitute grounds for the implementation of protective services.