



State of Connecticut
Department of Developmental Services

DDS

Ned Lamont
Governor

Jordan A. Scheff
Commissioner

Peter Mason
Deputy Commissioner

**DEPARTMENT OF DEVELOPMENTAL SERVICES TESTIMONY
BEFORE THE PUBLIC HEALTH COMMITTEE
March 14, 2022**

Senators Anwar, Somers and Hwang, Representatives Steinberg and Petit and members of the Public Health Committee. I am Peter Mason, Deputy Commissioner of the Department of Developmental Services (DDS). Thank you for the opportunity to testify on **S.B. No. 330 AN ACT PROHIBITING DISCRIMINATION AGAINST PERSONS WITH A DISABILITY WHO ARE CANDIDATES TO RECEIVE AN ANATOMICAL GIFT.**

DDS wishes to express its strong support of this bill that would allow persons with disabilities, including those persons with intellectual disability and other developmental disabilities, to be candidates to receive an anatomical gift (i.e., an organ or tissue transplant) in the same manner as persons who do not have physical or mental disabilities. Not only is this an important step towards equal treatment for persons with disabilities, but it brings focus to an area where it can be easy for decisions to be made based on assumptions of a person's capacity to understand health protocols, a person's relative worth to society, or whether the person is "healthy" enough to benefit from a transplant.

Because organs and tissue for transplant are not available to the extent that they are needed, decisions on who receives donated organs or tissue are made based not just on best medical practice but also on who is perceived to be able to benefit most from the transplant. Age, overall health, even the vaccination status of a person, are considered when decisions are made as to which person receives a donated organ or tissue. While many of these considerations are appropriate when there is a shortage of donated organs and tissue, perceptions that a person with disabilities would not benefit from an organ or tissue transplant to the same degree as a person who does not have disabilities or that a person with a disability, because of their disability, would not be healthy enough to receive an organ or tissue transplant remain embedded in our culture. The reality is that any person, with or without disabilities, would benefit from an organ or tissue transplant if they required one and that decisions on who should receive a transplant should not take into account whether a person has a disability but be based on best medical practices that avoid presumptions or prejudice towards persons with disabilities.

DDS, as part of its mission, promotes the integration of all persons with intellectual disability into the community having all the rights and responsibilities of any citizen. Being part of the community means that a person with intellectual disability can expect to have the same opportunities for quality services that include quality medical care. Receiving a necessary organ or tissue transplant should never be determined on the basis of a person having a disability because that would mean that the person with the disability was receiving less than optimal medical care. As a community member a person with intellectual disability or other developmental disabilities should expect that their medical care offers all appropriate options for them to live long and healthy lives.

To ensure the purpose and intent of this bill extends to individuals with intellectual disability, DDS kindly suggests including a reference to C.G.S. 1-1g which formally defines intellectual disability. This reference in the bill as written, would specify the inclusion of individuals with intellectual disability within the general terminology utilized in the bill as “person's physical or mental disability”.

[S.B. No. 330](#) would put into statute that a person with physical or mental disabilities would not be made ineligible for an organ or tissue transplant based solely on the person’s disability. This goes a long way to assuring that persons with disabilities are treated equitably and fairly when it involves lifesaving medical decisions.

Thank you again for the opportunity to testify on [S.B. No. 330](#) **AN ACT PROHIBITING DISCRIMINATION AGAINST PERSONS WITH A DISABILITY WHO ARE CANDIDATES TO RECEIVE AN ANATOMICAL GIFT.** Please contact Kevin Bronson, DDS Director of Communications, Legislation and Regulations at 860-550-3497 with any questions.