



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 28, 2022**

Senators Anwar, Somers and Hwang, Representatives Steinberg and Petit and members of the Public Health Committee. I am Jordan Scheff, Commissioner of the Department of Developmental Services (DDS). Thank you for the opportunity to submit testimony on **S.B. No. 450 AN ACT CONCERNING CONNECTICUT VALLEY AND WHITING FORENSIC HOSPITALS**.

While this bill mainly concerns the Department of Mental Health and Addiction Services (DMHAS), the Connecticut Valley Hospital and the Whiting Forensic Hospital, DDS has questions and concerns in sections 3, 4, and 5 on the revision of the court's primary concerns in the decision to confine and place an acquittee with DDS expanding from "the protection of society" from the acquittee, to include "the safety and well-being of the acquittee." DDS is unsure what this change in the court's concerns would mean for the type of placement, program, and services that would be required for an acquittee's "safety and well-being." The requirements necessary to make an acquittee safe and what funding or services would be required for an acquittee's well-being, are unknown. The vagueness of the term "well-being" is a concern in that it has no statutory definition.

While DDS always strives to provide appropriate programs and services that protect an individual's health and safety and lead to a better life experience, the expansion of the standard from "the protection of society" to include "the safety and well-being of the acquittee" leaves the department not knowing what types of funding and services would be required for an acquittee or whether DDS and its provider network would have the expertise and appropriate services to implement the expanded standard of care.

If the court were to place an acquittee with the understanding that the person's safety and well-being were important factors, then it would be expected that DDS would provide such a safe and nurturing environment through residential programs and services, including medical and psychiatric care and, depending on what an acquittee may need for his or her well-being, might include various community activities. The liability for DDS, qualified providers, and employees, if the acquittee was not kept safe or if the acquittee did not receive appropriate services for his or her well-being, is unknown. It is also undetermined what rights the acquttees would have if they did not feel that DDS or its providers were keeping them safe or providing for their well-being. DDS is uncertain how large an impact this change would have on its established system of services and provider network.

Thank you again for the opportunity to testify on **S.B. No. 450 AN ACT CONCERNING CONNECTICUT VALLEY AND WHITING FORENSIC HOSPITALS**. Please contact Kevin Bronson, DDS Director of Communications, Legislation and Regulations at 860-550-3497 with any questions

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