



General Assembly

Amendment

January Session, 2015

LCO No. 7827



Offered by:

REP. CARPINO, 32nd Dist.
SEN. KISSEL, 7th Dist.
REP. MUSHINSKY, 85th Dist.
REP. HENNESSY, 127th Dist.

SEN. FLEXER, 29th Dist.
REP. YACCARINO, 87th Dist.
REP. ACKERT, 8th Dist.
REP. ALEXANDER, 58th Dist.

To: Subst. House Bill No. 6855

File No. 287

Cal. No. 183

"AN ACT IMPLEMENTING THE RECOMMENDATIONS OF THE LEGISLATIVE PROGRAM REVIEW AND INVESTIGATIONS COMMITTEE REGARDING RESIDENTIAL SERVICES AT THE VETERANS' HOME."

1 Strike everything after the enacting clause and substitute the
2 following in lieu thereof:

3 "Section 1. Section 27-102~~l~~ of the general statutes is repealed and the
4 following is substituted in lieu thereof (*Effective from passage*):

5 (a) There shall be a Department of Veterans' Affairs. The Veterans'
6 Home shall be within the department and shall be located in Rocky
7 Hill. The department head shall be the Commissioner of Veterans'
8 Affairs, who shall be appointed by the Governor in accordance with
9 the provisions of sections 4-5 to 4-8, inclusive, with the powers and
10 duties prescribed therein.

11 (b) The commissioner may appoint a unit head to administer a
12 veterans' advocacy and assistance unit for the aid and benefit of
13 veterans, their spouses and eligible dependents and family members.
14 Such unit shall conduct an annual training course for any city or town
15 employee designated a veterans' service contact person pursuant to
16 subsection (b) of section 27-135. The unit shall have a staff of not less
17 than eight men and women, including six service officers, and clerical
18 personnel. The unit head and the service officers shall be veterans, as
19 defined in section 27-103, or veterans who were awarded the armed
20 forces expeditionary medal for service by the armed forces. At least
21 one of the service officers shall be a woman having a demonstrated
22 interest in the concerns of women veterans, who shall be responsible
23 for addressing those concerns, and, effective upon the next opening of
24 a service officer position occurring on or after July 1, 2010, at least two
25 of the service officers shall be individuals having bilingual proficiency
26 in English and Spanish, within existing authorized positions. Each
27 service officer shall successfully complete a course in veterans' benefits
28 within one year of commencement of employment and shall be
29 assigned to one of the five congressional districts of the state.

30 (c) In addition to the powers and duties prescribed under section 4-
31 8, the commissioner shall have the following powers and duties:

32 (1) To prepare studies and collect information concerning facilities
33 and services available to members of the armed forces, veterans, their
34 spouses or eligible dependents, including facilities and services for
35 veterans who may have been exposed to a Vietnam herbicide during
36 their periods of military service;

37 (2) To conduct interviews in the nursing homes or hospitals
38 throughout the state to determine the number of veterans admitted
39 and ascertaining which benefits such veterans are currently receiving
40 and are entitled to receive;

41 (3) To cooperate with service agencies and organizations
42 throughout the state in disseminating and furnishing counsel and

43 assistance of benefit to residents of this state who are or have been
44 members of the armed forces, their spouses or eligible dependents,
45 which will indicate the availability of: (A) Educational training and
46 retraining facilities; (B) health, medical, rehabilitation and housing
47 services and facilities; (C) employment and reemployment services; (D)
48 provisions of federal, state and local laws affording financial rights,
49 privileges and benefits; and (E) other matters of similar nature;

50 (4) To assist veterans, their spouses and eligible dependents and
51 family members in the preparation, presentation, proof and
52 establishment of such claims, privileges, rights and other benefits
53 accruing to them under federal, state and local laws;

54 (5) To cooperate with all national, state and local governmental and
55 private agencies securing or offering services or any benefits to
56 veterans, their spouses or dependents;

57 (6) To develop and prepare a long-range plan and mission statement
58 for the Veterans' Home and the veterans' advocacy and assistance unit;
59 [and]

60 (7) To review all appeals made by veterans, their spouses or eligible
61 dependents or family members and render the final decision thereon
62 regarding the denial of admission to any program or the refusal to
63 render any service or benefit which is administered by the Department
64 of Veterans' Affairs, the discharge or transfer from any such program
65 or any disciplinary action taken while participating in any such
66 program; and

67 (8) If the Veterans' Home closes or ceases to provide housing to
68 veterans, to provide or arrange for housing to any veteran residing at
69 the home or the health care facility within the home on the date of such
70 closure or on the date the Veterans' Home ceases to provide housing to
71 veterans.

72 (d) The commissioner shall adopt, in accordance with the provisions
73 of chapter 54, and enforce, such regulations and procedures for the

74 operation, administration and management of the department and all
75 programs and services under the jurisdiction of the department,
76 including, but not limited to, procedures relating to admission and
77 discharge or transfer of veterans in the Veterans' Home, a per diem fee
78 schedule for programs, services and benefits provided by the Veterans'
79 Home, and the participation of eligible family members in programs or
80 services provided by the home.

81 Sec. 2. (*Effective from passage*) Not later than February 1, 2016, the
82 Commissioner of Veterans' Affairs shall submit, to the joint standing
83 committee of the General Assembly having cognizance of matters
84 relating to veterans' affairs and to the Legislative Program Review and
85 Investigations Committee, a report containing (1) a plan for providing
86 transitional housing and permanent supportive housing to veterans at
87 the Veterans' Home or other location as determined by the Department
88 of Veterans' Affairs; (2) a plan regarding on-campus work programs
89 for residents; and (3) an assessment of the feasibility of the
90 recommendations approved by the Legislative Program Review and
91 Investigations Committee, dated December 19, 2014, relating to: (A)
92 Appropriate staffing for such transitional housing and permanent
93 supportive housing; (B) housing needs and preferences assessment of
94 residents of the Veterans' Home and new applicants to the Veterans'
95 Home; (C) admission of persons with psychiatric history; (D) provision
96 of semiprivate or private rooms to residents; (E) residential care fees;
97 (F) provision of life and vocational skills classes for residents; (G)
98 recruitment of volunteers and efforts to encourage residents to
99 volunteer in the community; (H) safety and security rules and
100 procedures for residents; (I) procedures for addressing rule violations
101 by residents; (J) providing transitional housing that facilitates
102 successful discharge to independent living and encourages personal
103 responsibility; (K) providing permanent supportive housing that
104 recognizes long-term stays and encourages independence; (L)
105 improvement of substance use treatment services; and (M) the care of
106 residents of the Veterans' Home who are aging in place.

107 Sec. 3. Section 27-106 of the general statutes is repealed and the
108 following is substituted in lieu thereof (*Effective July 1, 2015*):

109 (a) The commissioner shall adopt and enforce such rules as may be
110 necessary to ensure order, enforce discipline and preserve the health
111 and ensure the comfort of the [patients] residents in the Veterans'
112 Home, and shall discipline or dismiss any officer or [patient] resident
113 of the home who disobeys or infringes upon such rules. The
114 commissioner shall appoint, subject to the provisions of chapter 67,
115 such officers and employees as are necessary for the administration of
116 the affairs of the home, shall prescribe the relative rank, if any, of such
117 officers and employees, and shall commission each such officer, who
118 shall wear such uniform, if any, as is prescribed by the commissioner.

119 (b) The chief fiscal officer shall submit a semiannual plain language
120 report to each resident of the Veterans' Home detailing the manner in
121 which the institutional general welfare fund was used over the
122 previous six months to directly benefit veterans or the Veterans' Home.
123 Such report shall include a prominently displayed statement
124 encouraging residents to submit suggestions for projects to be funded
125 by the institutional general welfare fund and shall include a form for
126 such submissions.

127 [(b)] (c) The chief fiscal officer shall submit an itemized list of
128 expenditures made from the institutional general welfare fund to the
129 commissioner at intervals not greater than two months. Such list shall
130 include all such expenditures made during the two-month period
131 preceding its submission. Notwithstanding the provisions of section 4-
132 56, the commissioner shall prescribe procedures to limit and specify
133 the uses for which expenditures may be made from the institutional
134 general welfare fund so that only expenditures which, in the opinion of
135 the commissioner and the board of trustees for the department
136 appointed pursuant to section 27-102n, as amended by this act, directly
137 benefit veterans or the Veterans' Home are permitted.

138 [(c)] (d) In addition to the estimate of expenditure requirements

139 required under section 4-77, the commissioner shall submit an
140 accounting of all planned expenditures for the next fiscal year from the
141 institutional general welfare fund to the joint standing committee of
142 the General Assembly having cognizance of matters relating to
143 appropriations and the budgets of state agencies at the time such
144 estimate is submitted.

145 Sec. 4. Section 27-102n of the general statutes is repealed and the
146 following is substituted in lieu thereof (*Effective July 1, 2015*):

147 (a) There shall be a Board of Trustees for the Department of
148 Veterans' Affairs. [The] On and after July 1, 2015, the board shall be
149 comprised of [the commissioner and sixteen] eighteen voting members
150 who by education or experience shall be qualified in health care,
151 business management, social services or law and who shall have a
152 demonstrated interest in the concerns of veterans. A majority of the
153 members of the board shall be veterans, including veterans of armed
154 conflicts authorized by the President of the United States. The
155 members shall include (1) two residents of the Veterans' Home, one of
156 whom shall be the president of the home's veterans' council and one of
157 whom shall be the president of the home's health care facility council,
158 and (2) sixteen members appointed in accordance with subsection (b)
159 of this section.

160 (b) [Members] Sixteen members shall be appointed as follows: (1)
161 Ten by the Governor, who shall serve at the pleasure of the Governor,
162 [and one member] and (2) one each by the president pro tempore of
163 the Senate, the speaker of the House of Representatives, the majority
164 leader of the Senate, the majority leader of the House of
165 Representatives, the minority leader of the Senate and the minority
166 leader of the House of Representatives, whose terms shall be
167 coterminous with the term of the appointing authority. Any vacancy
168 on the board shall be filled by the appointing authority in the same
169 manner as the original appointment, for the unexpired portion of the
170 term. Members shall be sworn to the faithful performance of their
171 duties. They shall receive no compensation for their services but shall

172 be reimbursed for their reasonable expenses in the performance of
173 their duties.

174 (c) The Commissioner of Veterans' Affairs, or the commissioner's
175 designee, shall serve as a nonvoting ex-officio member of the board
176 and shall attend the meetings of the board.

177 [(b)] (d) The Governor shall appoint a chairperson from among the
178 membership of the board. The board shall meet at least quarterly and
179 upon the call of the commissioner, the chairperson or a majority of the
180 board members. A majority of the members shall constitute a quorum.
181 On and after January 1, 2016, any board member, except the
182 Commissioner of Veterans' Affairs, absent from (1) three consecutive
183 meetings of the board, or (2) fifty per cent of such meetings during any
184 calendar year shall be deemed to have resigned from the board,
185 effective immediately.

186 [(c)] (e) The board shall advise and assist the commissioner in the
187 operation of the Veterans' Home, the veterans' advocacy and assistance
188 unit, the administration, expansion or modification of existing
189 programs and services of the department and the development of new
190 programs and services.

191 [(d)] (f) The board shall (1) review and approve any regulations
192 prior to adoption by the commissioner concerning: [(1)] (A) Procedures
193 relating to admission and discharge or transfer of veterans in the
194 home; [(2)] (B) a per diem fee schedule for programs, services and
195 benefits provided therein; and [(3)] (C) the participation of eligible
196 family members in programs or services provided by the home, and
197 (2) review and comment on (A) the budget for the Department of
198 Veterans' Affairs; and (B) major policies relating to the Veterans'
199 Home.

200 (g) The Commissioner of Veterans' Affairs shall provide the board
201 with information necessary for the board to monitor the performance
202 of the Department of Veterans' Affairs. Such information shall be

203 provided to the board in a timely manner and shall include, but not be
204 limited to, (1) the department's budget for each fiscal year; (2)
205 quarterly reports on the department's actual revenue and expenditures
206 for the preceding four months; (3) quarterly reports on the staffing
207 levels at the Veterans' Home, including direct care staffing at the
208 health care facility within the Veterans' Home and case manager to
209 resident ratios, for the preceding four months; (4) facilities and fleet
210 management, including current projects and planned projects; (5)
211 quarterly summaries of applications for admission to, departures from
212 and occupancy rates at the home for the preceding four months; (6)
213 program performance, including programs for employment assistance
214 and assistance to veteran residents interested in securing housing
215 outside of the Veterans' Home; (7) results of annual resident
216 satisfaction surveys conducted by the department; (8) quarterly reports
217 summarizing incident rates at the health care facility within the
218 Veterans' Home for the preceding four months; (9) reports on the
219 number of rules violations against residents of the Veterans' Home and
220 penalties issued therefor; (10) performance reports on programs
221 operated by the Office of Advocacy and Assistance within the
222 Department of Veterans' Affairs; (11) annual customer satisfaction
223 reports from veterans who request assistance from such office; (12)
224 caseload figures for veterans' service officers; (13) results of any federal
225 and state inspections; and (14) quarterly reports summarizing by type,
226 frequency and resolution, concerns raised by residents of the Veterans'
227 Home, petitions and complaints filed by residents of the Veterans'
228 Home and relatives or authorized representatives of such residents
229 received by the commissioner under section 27-102l(d)-54 of the
230 regulations of Connecticut state agencies for the four preceding
231 months and copies of any such petitions and complaints.

232 (h) All board meeting notices, minutes and reports bearing a date of
233 January 1, 2012, or later shall be posted in a conspicuous place on the
234 department's Internet web site. Minutes from board meetings held on
235 or after the effective date of this section shall be posted to such Internet
236 web site not later than seven days after each such meeting is held. If

237 applicable, minutes shall contain a statement that such minutes are
238 considered draft minutes until approved by the board.

239 [(e) The] (i) Not later than February fifteenth of each year, the board
240 shall submit an annual report to the Governor [,] and the joint standing
241 [committees] committee of the General Assembly having cognizance of
242 matters relating to [public safety,] veterans' and military affairs, in
243 accordance with the provisions of section 11-4a, on its activities [with
244 its] during the previous calendar year, progress in fulfilling its mission
245 based on programmatic outcomes and recommendations, if any, for
246 improving the delivery of services to veterans and the addition of new
247 programs.

248 Sec. 5. Subsection (d) of section 27-102l of the general statutes is
249 repealed and the following is substituted in lieu thereof (*Effective July*
250 *1, 2015*):

251 (d) The commissioner shall adopt, in accordance with the provisions
252 of chapter 54, and enforce, such regulations and procedures for the
253 operation, administration and management of the department and all
254 programs and services under the jurisdiction of the department,
255 including, but not limited to, procedures relating to admission and
256 discharge or transfer of veterans in the Veterans' Home, a per diem fee
257 schedule for programs, services and benefits provided by the Veterans'
258 Home, and the participation of eligible family members in programs or
259 services provided by the home. The commissioner shall amend such
260 regulations as necessary, in accordance with the provisions of chapter
261 54, to allow residents of the Veterans' Home and relatives or
262 authorized representatives of such residents to file a written complaint
263 regarding policies, procedures and administrative decisions of said
264 home. Such amended regulations shall include a procedure for filing
265 such complaints, including deadlines by which complaints must be
266 received, investigated and acted upon. The commissioner shall submit
267 proposed regulations for public comment pursuant to section 4-168 not
268 later than ninety days after the effective date of this section."

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	27-102l
Sec. 2	<i>from passage</i>	New section
Sec. 3	<i>July 1, 2015</i>	27-106
Sec. 4	<i>July 1, 2015</i>	27-102n
Sec. 5	<i>July 1, 2015</i>	27-102l(d)