



House of Representatives

General Assembly

File No. 441

February Session, 2026

House Bill No. 5557

House of Representatives, April 7, 2026

The Committee on Human Services reported through REP. GILCHREST of the 18th Dist., Chairperson of the Committee on the part of the House, that the bill ought to pass.

AN ACT CONCERNING ELIGIBILITY DETERMINATIONS BY THE DEPARTMENT OF DEVELOPMENTAL SERVICES.

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

1 Section 1. Section 1-1g of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective July 1, 2026*):

3 (a) Except as otherwise provided by statute, "intellectual disability"
4 [means a significant limitation in intellectual functioning existing
5 concurrently with deficits in adaptive behavior that originated during
6 the developmental period before eighteen years of age] has the same
7 meaning as provided in the fifth edition of the American Psychiatric
8 Association's "Diagnostic and Statistical Manual of Mental Disorders".

9 (b) [As used in subsection (a) of this section, "significant limitation in
10 intellectual functioning" means an intelligence quotient more than two
11 standard deviations below the mean as measured by tests of general
12 intellectual functioning that are individualized, standardized and
13 clinically and culturally appropriate to the individual; and "adaptive
14 behavior" means the effectiveness or degree with which an individual
15 meets the standards of personal independence and social responsibility
16 expected for the individual's age and cultural group as measured by

17 tests that are individualized, standardized and clinically and culturally
18 appropriate to the individual.] No person eligible for or receiving
19 services on and after July 1, 2026, under this section or any other
20 provision of the general statutes that adopts the definition of intellectual
21 disability in this section shall be deprived of services or experience a
22 reduction in benefits as a result of any change in eligibility criteria and
23 accompanying agency guidelines and protocols relating to such
24 definition.

25 Sec. 2. Subsection (a) of section 19a-290 of the general statutes is
26 repealed and the following is substituted in lieu thereof (*Effective July 1,*
27 *2026*):

28 (a) As used in this section:

29 (1) "Anatomical gift" means a donation of all or part of a human body
30 to take effect after the donor's death for the purpose of transplantation;

31 (2) "Intellectual disability" [means a significant limitation in
32 intellectual functioning existing concurrently with deficits in adaptive
33 behavior that originated during the developmental period before
34 eighteen years of age] has the same meaning as provided in section 1-
35 1g, as amended by this act;

36 (3) "Mental disability" means one or more mental disorders, as
37 defined in the most recent edition of the American Psychiatric
38 Association's "Diagnostic and Statistical Manual of Mental Disorders";

39 (4) "Organ" means all or part of a human liver, pancreas, kidney,
40 intestine or lung; and

41 (5) "Physical disability" means any chronic physical handicap,
42 infirmity or impairment, whether congenital or resulting from bodily
43 injury, organic processes or changes or from illness, including, but not
44 limited to, blindness, epilepsy, deafness or being hard of hearing or
45 reliance on a wheelchair or other remedial appliance or device.

46 Sec. 3. (*Effective July 1, 2026*) (a) The Commissioner of Developmental

47 Services, in collaboration with the Council on Developmental Services,
48 shall review and amend, if necessary, eligibility criteria for persons with
49 an intellectual disability, as defined in section 1-1g of the general
50 statutes, as amended by this act, to receive state-administered services.

51 (b) In conducting such review, the Commissioner of Developmental
52 Services shall solicit input from stakeholders, including, but not limited
53 to, persons with intellectual disability, their parents or other advocates.
54 The commissioner shall also study service models in other states for best
55 practices.

56 (c) Not later than December 1, 2026, the commissioner shall file a
57 report, in accordance with the provisions of section 11-4a of the general
58 statutes, with the joint standing committees of the General Assembly
59 having cognizance of matters relating to appropriations and the budgets
60 of state agencies, human services and public health. The report shall
61 include, but need not be limited to:

- 62 (1) Recommendations for changes in eligibility criteria;
- 63 (2) Expected impact on the number of persons eligible for state-
64 administered services resulting from any changes in eligibility criteria;
- 65 (3) State costs associated with changes in eligibility criteria; and
- 66 (4) Best practices in other states to serve persons with intellectual
67 disability or developmental disabilities, or both.

This act shall take effect as follows and shall amend the following sections:		
Section 1	July 1, 2026	1-1g
Sec. 2	July 1, 2026	19a-290(a)
Sec. 3	July 1, 2026	New section

HS Joint Favorable

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact: See Below

Municipal Impact: None

Explanation

Section 1 results in an indeterminate, but potentially significant, cost to the state related to changing the statutory definition of "intellectual disability" from an IQ-based definition to one from the Diagnostic and Statistical Manual of Mental Disorders (DSM). The extent of the fiscal impact will depend upon the scope of changes to various agencies' guidelines and protocols related to the change in the "intellectual disability" definition.¹

This section could result in significant costs for the Department of Developmental Services (DDS), contingent upon the interpretation and implementation of the revised "intellectual disability" definition. For example, the new definition may allow DDS to include an extension of IQ scores based on the standard error of measurement in testing. This may allow DDS to identify eligible individuals with IQ scores up to 75, which would represent an additional 2.5% of the population, or a 132% increase in individuals eligible for DDS services and programs.

Section 2 replaces a separate "intellectual disability" definition with the new definition that prohibits deeming someone ineligible for an

¹ Potential agencies and branches of government impacted include but are not limited to the: Department of Administrative Services, Office of Policy and Management, Probate, Department of Developmental Services, Psychiatric Security Review Board, Department of Economic and Community Development, Judicial, and Commission on Human Rights and Opportunities.

anatomical gift or organ transplant based on a disability, which results in no fiscal impact to the state.

Section 3 results in a cost to the Department of Developmental Services of at least \$500,000 in FY 27 to hire a consultant to study and report on potential changes to eligibility criteria, including the expected impact on caseload size and state expenditures. Additionally, the report will identify best practices from other states for serving the intellectually and developmentally disabled population.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation.

OLR Bill Analysis**HB 5557*****AN ACT CONCERNING ELIGIBILITY DETERMINATIONS BY THE DEPARTMENT OF DEVELOPMENTAL SERVICES.*****SUMMARY**

This bill changes the statutory definition of “intellectual disability” from an IQ-based definition to one from the Diagnostic and Statistical Manual of Mental Disorders (DSM) for purposes of various statutory programs and policies related to people with intellectual disabilities.

For people eligible for or receiving services on and after July 1, 2026, under any state law that uses the bill’s definition of intellectual disability, it prohibits them from being deprived of services or having their benefits reduced due to changes in eligibility criteria and accompanying agency guidelines and protocols related to the intellectual disability definition.

The bill also replaces a separate intellectual disability definition with its new definition described above in a law that prohibits deeming someone ineligible for an anatomical gift or organ transplant based on a disability (§ 2).

Lastly, the bill requires the Department of Developmental Services (DDS) commissioner to report to the Appropriations, Human Services, and Public Health committees by December 1, 2026, on recommendations for changes in eligibility criteria, among other things.

EFFECTIVE DATE: July 1, 2026

§ 1 — DEFINITIONS AND RELATED LAWS

Under current law, “intellectual disability” generally means a significant limitation in intellectual functioning that exists alongside deficits in adaptive behavior that started during a person’s developmental period before age 18. A “significant limitation in intellectual functioning” means an IQ more than two standard

deviations below the mean as measured by tests of general intellectual functioning that are individualized, standardized, and clinically and culturally appropriate to the person.

Under the bill, intellectual disability is defined in the same way as in the fifth edition of the American Psychiatric Association's DSM (DSM-5).

The definition is referenced in various laws, and we provide examples of these provisions in the table below.

Table: Examples of Laws Referencing Intellectual Disability

<i>Law</i>	<i>Description or Topic</i>
CGS § 4a-59	Allows price preferences in certain state contract awards to businesses that employ people with intellectual disabilities
CGS § 17a-210b	Prevents an absence of a diagnosis in school and medical records from preventing DDS from determining a person has intellectual disability
CGS § 17a-274	Allows probate courts to place a person with intellectual disability with DDS for placement in an appropriate setting, if the person meets certain criteria
CGS § 17a-580	References to intellectual disability in Psychiatric Security Review Board processes
CGS § 32-7t	Incentives under JobsCT Tax Rebate program
CGS § 32-7v	Department of Economic and Community Development (DECD) workforce development program
CGS § 32-7w	Funding for DECD grants to nonprofit organizations that employ people with intellectual disability
CGS § 45a-650	Allows psychologists to provide psychological evidence at a hearing on a petition for involuntary representation
CGS § 45a-660	Allows psychologists to submit a report for petitions to terminate a conservatorship
CGS §§ 45a-669 to -683	Probate court procedures and requirements for guardians of people with intellectual disabilities
CGS §§ 46a-11a to -11g	Protection and advocacy system for people with disabilities
Chapter 814c	Human rights laws, including the Commission on Human Rights and Opportunities investigations of discriminatory practices
CGS § 46b-84	Child support orders for children with intellectual disabilities

<i>Law</i>	<i>Description or Topic</i>
CGS §§ 53a-59 to -61a	Crimes committed against or involving a person with intellectual disability (for example, assault in the first degree)
CGS §§ 53a-181i to -181l	Crime of intimidation based on bigotry or bias
CGS §§ 53a-320 to -323	Crimes involving abuse of a person with intellectual disability

§ 3 — DDS REVIEW AND REPORT

The bill requires the DDS commissioner, in collaboration with the Council on Developmental Services, to review and amend, if necessary, eligibility criteria for people with intellectual disability to receive state-administered services. As part of the review, he must (1) solicit input from stakeholders, including people with intellectual disabilities, their parents, or other advocates and (2) study other states’ service models for best practices.

The bill requires the DDS commissioner to report to the Appropriations, Human Services, and Public Health committees by December 1, 2026, on:

1. recommendations for changes in eligibility criteria;
2. the expected impact on the number of people eligible for state-administered services resulting from any changes in eligibility criteria;
3. state costs associated with changing eligibility criteria; and
4. other states’ best practices for serving people with intellectual or developmental disabilities, or both.

COMMITTEE ACTION

Human Services Committee

Joint Favorable
 Yea 23 Nay 0 (03/19/2026)