

# OFFICE OF FISCAL ANALYSIS

Legislative Office Building, Room 5200  
Hartford, CT 06106 ◊ (860) 240-0200  
<http://www.cga.ct.gov/ofa>

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HB-5557

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

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## ***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.<sup>1</sup>

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.

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<sup>1</sup> 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.

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