



General Assembly

**Substitute Bill No. 5239**

February Session, 2026



**AN ACT CONCERNING THE DEPARTMENT OF DEVELOPMENTAL SERVICES' RECOMMENDATIONS REGARDING THE INDEPENDENT MORTALITY REVIEW BOARD AND FATALITY REVIEW BOARD.**

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

1 Section 1. Subsection (b) of section 17a-210 of the 2026 supplement to  
2 the general statutes is repealed and the following is substituted in lieu  
3 thereof (*Effective from passage*):

4 (b) In the event of the death of a person with intellectual disability for  
5 whom the department has direct or oversight responsibility for medical  
6 care, the commissioner, or the commissioner's designee, shall [ensure  
7 that] conduct a comprehensive and timely review of the events, overall  
8 care, quality of life issues and medical care preceding such death. [is  
9 conducted by the department and shall, as requested, provide  
10 information and assistance] The commissioner, or the commissioner's  
11 designee, shall, if required by section 2 of this act, refer the case to the  
12 Independent Mortality Review Board established [by Executive Order  
13 No. 57 of Governor Dannel P. Malloy. The commissioner shall report to  
14 the board and the board shall review any death: (1) Involving an  
15 allegation of abuse or neglect; (2) for which the Office of the Chief  
16 Medical Examiner or local medical examiner has accepted jurisdiction;  
17 (3) in which an autopsy was performed; (4) which was sudden and  
18 unexpected; or (5) in which the commissioner's review raises questions

19 about the appropriateness of care. The department's mortality review  
20 process and the Independent Mortality Review Board shall operate in  
21 accordance with the peer review provisions established under section  
22 19a-17b for medical review teams and confidentiality of records  
23 provisions established under section 19a-25 for the Department of  
24 Public Health] pursuant to section 2 of this act. Each health care  
25 provider, as defined in section 19a-17b, shall, at the request of the  
26 commissioner, and to the extent permissible under the Health Insurance  
27 Portability and Accountability Act of 1996, P.L. 104-191, as amended  
28 from time to time, and any other federal law, provide any information  
29 deemed necessary by the commissioner to complete a review pursuant  
30 to the provisions of this subsection, provided the commissioner, when  
31 making such a request, identifies any provision of said act that allows a  
32 health care provider to provide such information to the commissioner.

33       Sec. 2. (NEW) (*Effective from passage*) (a) There is established, within  
34 the Department of Developmental Services, an Independent Mortality  
35 Review Board. The Commissioner of Developmental Services, or the  
36 commissioner's designee, shall report to the board and the board shall  
37 review any death of a person with intellectual disability for whom the  
38 department has direct or oversight responsibility for medical care: (1)  
39 Involving an allegation of abuse or neglect; (2) for which the Office of  
40 the Chief Medical Examiner or local medical examiner has accepted  
41 jurisdiction; (3) that was sudden and unexpected and for which the  
42 commissioner, or the commissioner's designee, determines that an  
43 independent investigation by the board is necessary; or (4) for which the  
44 comprehensive and timely review conducted pursuant to section 17a-  
45 210 of the general statutes, as amended by this act, raises questions  
46 about the appropriateness of care.

47       (b) The Commissioner of Developmental Services, or the  
48 commissioner's designee, shall serve as chairperson of the Independent  
49 Mortality Review Board.

50       (c) The Independent Mortality Review Board shall be constituted by  
51 the Commissioner of Developmental Services and may include, but

52 need not be limited to, any of the following members depending on the  
53 death of the person being reviewed:

54 (1) The Department of Developmental Services' director of quality  
55 and systems improvement, or the director's designee;

56 (2) The Department of Developmental Services' director of  
57 investigations, or the director's designee;

58 (3) The Chief Medical Examiner, or the Chief Medical Examiner's  
59 designee;

60 (4) A medical doctor appointed by the Commissioner of  
61 Developmental Services;

62 (5) The Commissioner of Public Health, or the commissioner's  
63 designee;

64 (6) The executive director of the nonprofit entity designated by the  
65 Governor in accordance with section 46a-10b of the general statutes to  
66 serve as the Connecticut protection and advocacy system, or the  
67 executive director's designee;

68 (7) A private provider representative appointed by the Commissioner  
69 of Developmental Services; and

70 (8) Any additional members the chairperson deems beneficial to  
71 serve as a member of the board, provided that a majority of members on  
72 the board are not employees of the Department of Developmental  
73 Services.

74 (d) The Independent Mortality Review Board may request  
75 documentation and information as may be necessary for their review  
76 pursuant to section 17a-210 of the general statutes, as amended by this  
77 act. The department's mortality review process and the Independent  
78 Mortality Review Board shall operate in accordance with the peer  
79 review provisions for medical review teams established under section  
80 19a-17b of the general statutes and confidentiality of records provisions

81 established under section 19a-25 of the general statutes.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	17a-210(b)
Sec. 2	<i>from passage</i>	New section

**Statement of Legislative Commissioners:**

In the second sentence of Section 2(a), "of a person with intellectual disability for whom the department has direct or oversight responsibility for medical care" was added for clarity and consistency with Section 1, in Section 2(a)(3), "for which" was added before "the commissioner" for clarity, in Section 2(a)(4) "in which" was changed to "for which" for consistency, and in Section 2(c), " shall be constituted by the Commissioner of Developmental Services and" was added for clarity, and "individual" was changed to "person" for consistency.

**PH**      *Joint Favorable Subst.*