
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)