



General Assembly

Amendment

February Session, 2026

LCO No. 4771



Offered by:
REP. GILCHREST, 18th Dist.

To: House Bill No. 5558

File No. 442

Cal. No. 326

**"AN ACT CONCERNING THE DEPARTMENT OF
DEVELOPMENTAL SERVICES' ABUSE AND NEGLECT
INVESTIGATIONS."**

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

3 "Section 1. Subsection (e) of section 46a-11c of the general statutes is
4 repealed and the following is substituted in lieu thereof (*Effective from*
5 *passage*):

6 (e) Neither the original report of alleged abuse or neglect nor the
7 evaluation report of the investigator which includes findings and
8 recommendations shall be deemed a public record for purposes of
9 section 1-210, [. The original report of alleged abuse or neglect or the
10 evaluation report of the investigator shall not be provided to a legal
11 representative who] except such original report or evaluation report
12 shall be provided to the parent, guardian or other legal representative
13 of the alleged victim upon request of such parent, guardian or other
14 legal representative to the applicable regional office of the Department

15 of Developmental Services unless such parent, guardian or other legal
16 representative is the alleged or substantiated perpetrator of abuse or
17 neglect or is residing with the alleged or substantiated perpetrator. The
18 name of the person making the original report shall not be disclosed to
19 any person unless the person making the original report consents to
20 such disclosure or unless a judicial proceeding results therefrom.

21 Sec. 2. Subsection (e) of section 17a-238a of the 2026 supplement to
22 the general statutes is repealed and the following is substituted in lieu
23 thereof (*Effective July 1, 2026*):

24 (e) On or before August 1, 2018, and at least annually thereafter, the
25 commissioner or his or her designee shall, in consultation with (1) each
26 individual with intellectual disability who is eligible to receive
27 residential funding or services from the department and who has an
28 individual plan, and (2) the individual's legal representative, if
29 applicable, assess the individual's need for future residential funding or
30 services from the department. Such assessment shall include an
31 indication of the time period when each support or service would be
32 accepted by such individual based on information collected at the
33 annual individual planning meeting. The department shall provide to
34 the individual or the individual's legal representative, if applicable, the
35 latest version of the department's "Guide for Individuals and Legal
36 Representatives when an Allegation of Abuse or Neglect has Been
37 Made" during such meeting.

38 Sec. 3. Section 17a-247g of the general statutes is repealed and the
39 following is substituted in lieu thereof (*Effective July 1, 2026*):

40 The Department of Developmental Services shall constitute a
41 successor department, in accordance with the provisions of sections 4-
42 38d and 4-39, to the Office of Protection and Advocacy for Persons with
43 Disabilities, with respect to investigations of allegations of abuse or
44 neglect pursuant to sections 46a-11a to 46a-11h, inclusive. The
45 Commissioner of Developmental Services shall ensure all department
46 staff are trained in requirements for confidentiality and sharing of

47 information regarding abuse and neglect complaints under sections 17a-
48 247d and 46a-11c.

49 Sec. 4. Section 17a-247i of the 2026 supplement to the general statutes
50 is repealed and the following is substituted in lieu thereof (*Effective July*
51 *1, 2026*):

52 (a) Not later than January 15, 2026, and annually thereafter, the
53 Commissioner of Developmental Services shall file a report regarding
54 abuse and neglect reports filed and investigations conducted pursuant
55 to sections 17a-247b, 17a-247f and 46a-11c. Such report shall include: (1)
56 The number of abuse and neglect complaints received by the
57 Department of Developmental Services in the previous calendar year,
58 including deaths of persons reported; (2) the number and type of
59 complaints that were investigated by the department and the
60 percentage of such complaints investigated directly by the department
61 or by private providers; (3) the number and percentage of cases that
62 were substantiated; [and] (4) what, if any, administrative action was
63 taken by the department regarding such substantiated complaints,
64 including [distribution of] outcomes and recommendations; and (5) (A)
65 the number of complaint substantiations by role of the perpetrator,
66 including, but not limited to, the roles of (i) family member, (ii) day
67 program provider, (iii) direct care staff, or (iv) other residential care
68 staff, (B) the number of complaint substantiations by the type of settings
69 where the abuse or neglect occurred, including, but not limited to, (i)
70 private homes, (ii) day programs, (iii) state-licensed community living
71 arrangements, (iv) state-run residential programs, and (v) health care
72 facilities, (C) the percentage of investigations that produced
73 recommendations, (D) the percentage of recommendations that were
74 confirmed to be completed by providers not later than ninety days after
75 issuance of such recommendations, (E) the number of regulatory
76 citations that were issued by the department for failure to ensure
77 detection and reporting of abuse and neglect, (F) the number of
78 regulatory citations that were issued by the department for failure to
79 implement a corrective action requirement, (G) the number of abuse or

80 neglect allegations that were reported for individuals who died and
81 what, if any, findings, recommendations or administrative action was
82 taken by the department, and (H) any systemic agency actions and
83 recommendations to ensure the safety of individuals served by the
84 department and prevent and respond to concerns of abuse and neglect.
85 The commissioner shall post the report on the department's Internet
86 web site and file the report, in accordance with the provisions of section
87 11-4a, with the joint standing committees of the General Assembly
88 having cognizance of matters relating to human services and public
89 health. The committees shall conduct an annual hearing and review of
90 the report and compliance by the Departments of Social Services and
91 Developmental Services with federal Medicaid requirements
92 concerning the safety of and quality of care for persons with intellectual
93 or developmental disabilities receiving services funded by Medicaid
94 home and community-based waiver programs, including, but not
95 limited to, how the departments continue to address audit findings and
96 recommendations made by the office of the Inspector General for the
97 United States Department of Health and Human Services and the
98 Auditors of Public Accounts concerning prevention of abuse and
99 neglect of such persons, timely reporting of abuse and neglect concerns
100 and timely implementation of corresponding corrective actions related
101 to abuse and neglect of such persons.

102 (b) Not later than February 1, 2026, and every five years thereafter,
103 the commissioner shall review the policies and procedures of the
104 department as they relate to reports and investigations of abuse and
105 neglect and post any updates to the policies and procedures on the
106 department's Internet web site. Such review shall include: (1) Ensuring
107 the policies and procedures reflect the current process in place for
108 investigating reports of abuse and neglect; (2) reviewing the
109 department's method for sharing information regarding substantiated
110 abuse and neglect complaints and original reports and evaluation
111 reports of abuse and neglect with the person reported to be the victim
112 of such abuse or neglect or such person's legal representative while
113 continuing to maintain confidentiality of the records as prescribed in

114 section 17a-247d and section 46a-11c; [and] (3) an evaluation of systems
115 to screen persons hired to provide services to clients enrolled in
116 programs administered by the department and recommendations, as
117 necessary, to improve background checks of such persons; and (4)
118 obtaining feedback on the policies and procedures from qualified
119 providers as determined by the commissioner.

120 (c) The Commissioner of Developmental Services shall ensure that all
121 materials related to the prevention, occurrence of, and response to abuse
122 and neglect of individuals served by the department are disseminated
123 through a consumer-friendly and easily accessible Internet web site that
124 ensures the widest possible access to services for families and persons
125 with disabilities."

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	46a-11c(e)
Sec. 2	<i>July 1, 2026</i>	17a-238a(e)
Sec. 3	<i>July 1, 2026</i>	17a-247g
Sec. 4	<i>July 1, 2026</i>	17a-247i