

<b>Act Number:</b>	09-109	
<b>Bill Number:</b>	451	
<b>Senate Pages:</b>	1768-1779, 1819, 2806, 2811-2813	<b>17</b>
<b>House Pages:</b>	4186-4191	<b>6</b>
<b>Committee:</b>	Aging: 9-11, 15, 17-18, 22-23, 35-42, 45-46, 53-60, 65, 69, 122-125, 138-145, 198, 201, 217-221, 225-238, 273, 275	<b>64</b>

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move the bill.

THE CHAIR:

Thank you, Senator. Will you remark further?  
Will you remark further? Senator Colapietro.

SENATOR COLAPIETRO:

Thank you, Mr. President. Mr. President, if  
there's no further discussion, I would move this  
item to the consent calendar.

THE CHAIR:

The question is -- the motion is to place this  
item on the consent calendar. Is there objection?  
Is there objection? Seeing none, so ordered.  
Mr. Clerk.

THE CLERK:

Calendar page 20, Calendar Number 155, File  
Number 118, substitute for Senate bill 451, AN ACT  
ESTABLISHING A SILVER ALERT SYSTEM, favorable  
report of the Committee on Aging, Public Safety,  
Transportation. Clerk is in possession of an  
amendment.

THE CHAIR:

Senator Prague.

SENATOR PRAGUE:

Thank you, Mr. President. Mr. President I

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move the joint committee's favorable report and passage of the bill.

THE CHAIR:

The question before the chamber is acceptance and passage. Do you care to remark further?

SENATOR PRAGUE:

I do, Mr. President. Thank you.

What this piece of legislation does is to establish a silver alert system so that if a person 65 years of age or older is missing or anybody 18 years or older who has a mental impairment, if either member of that group is missing, then people can notify the local police department, who then notify all the appropriate people like the broadcasters, like the state police and a search will begin.

This is not a new system. The current clearinghouse for kids who are missing will be used for this silver alert system. It's something we need to do with the growing elderly population and more people being afflicted with Alzheimer's, people frequently wander and a system in place like this will help to prevent any kind of tragedies.

So I hope that this chamber will look favorably upon this legislation.

THE CHAIR:

Will you remark further? Senator Kissel.

SENATOR KISSEL:

Thank you very much, Mr. President. And a couple of questions, through you to the proponent, and that the outset I would state, I was happy to work with Senator Prague on this. I think it's a great idea. I think it's common sense to build upon an infrastructure that we already have in the State of Connecticut. We wrestled a little bit with the notion of mental disability and making sure that, not only would this expanded alert system apply to those 65 years or older, but also those that might have early onset of Alzheimer's or some other form of dementia.

But that was concerned in reading the file copy, and I was just wondering, through you, Mr. President, regarding the fiscal. Because when we crafted this together, we felt that there would be de minimus additional cost and I'm just wondering what the fiscal note reveals. Through you, Mr. President.

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THE CHAIR:

Senator Prague.

SENATOR PRAGUE:

Thank you, Mr. President. And through you to Senator Kissel, Senator Kissel, I want to thank you for bringing the fiscal note to my attention yesterday. Anne Foley from the Governor's office came over and addressed the issue that the state police had. She met with them and worked it out. So the original fiscal that's on the bill, a minimum of \$50,000 is the fiscal note, not what the state police had mistakenly assumed would be their responsibility. So thank you very much.

THE CHAIR:

Senator Kissel.

SENATOR KISSEL:

And thank you Senator Prague. I appreciate the clarification. That's what my gut told me yesterday. I was sort of surprised at what I was hearing and I'm -- I think that is a really small amount of dollars for a tremendous amount of piece of mind.

You know, one of the reasons why I sought out to serve on the Select Committee on Aging was, as

we all do, probably in one way or another, is trying to turn lemon into lemonade that occurred, either to us or those we love. And you know, the experience that our family went through after I married my lovely wife Cindy was that shortly thereafter her grandmother, Rose Verdina came down with -- I guess you could put it like that, came down with -- but developed Alzheimer's.

And it was a long protracted, I guess, I call it the long goodbye, but an awful lot of folks and families have been through that. And it probably spanned, I don't know three, four, maybe even five years. And a family that I was lucky enough and blessed enough to marry into, the Polladas and the Verdinas, very close-knit, very caring folks in Enfield and so when Rose developed this, we went through every passage. And I saw the love and dedication that my mother-in-law, Serafina and father-in-law, Ben, and uncle Jimmy and others felt towards Rose.

So that processes is one where you speak to somebody and they're lucid and then maybe a few weeks go by, and all of the sudden they forget something like something on the stove or something

else like that, but it's fairly innocuous and we'll do that. But then a pattern develops and, at least in our case we wanted to try to, or my in-laws and everyone, wanted to make sure that Rose could stay at home as long as possible and you have to deal with that. But because an individual, as this Alzheimer's develops, develops blank spots, there has to be more attention -- there has to be folks there physically watching, making sure everything works out. And Senator Prague knows, one of the things that I've always championed is adult day centers, adult day cares, because to have loved ones take on this responsibility, and they need a little bit of latitude. But one thing I would state from my life experience in knowing a family that's gone through Alzheimer's, my own wife's family, and Rose. And then later on, in the later stages seeing facilities that had to be locked to some degree to make sure that folks that weren't capable of monitoring their own behavior wouldn't inadvertently leave the facility and occasionally that happens in any event.

It is unfortunate that with the lengthening of



the age of the population in Connecticut and it's my understanding that the fastest-growing age group per capita in Connecticut is those 80 and older, because we're all doing what the doctor said. Take care of your heart, take care of your blood pressure, take care. Get some exercise. Eat right. We are all, as a state, living longer and by that fact, we're more susceptible to late-term diseases such as dementia and Alzheimer's. And with that we develop certain other risks and one of those risks is to have a loved one stumble out into the greater neighborhoods and towns where we live, not really able to keep track of where they are, and maybe get lost.

And so with a loved one is very much concerned about their dad or their mom or their grandparent or someone that is suffering through some kind of mental disability or Alzheimer's or dementia, we can utilize that Amber Alert System for our seniors, in particular, and sent out a quick notice. And the faster that that notice is given out the more likely we are to find that person and more likely than not, safe and sound, but just

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lost. Just lost.

So the equation is not that much of a leap between our children who are developing their brainpower and some of our oldest seniors who are unfortunately, until we find a cure, losing some of that brainpower. It makes an awful lot of sense. I commend Senator Prague and Attorney General Blumenthal and Representative Serra and all those that were supportive of this initiative and it's also my understanding that this initiative is passed in the State of Florida and is being considered in other states of the country, as well.

And so, tremendous about of thanks to Senator Prague for moving forward with this and I can only hope that it does become law and that the greater times that it's utilized there's a happy ending at the end of the story. Thank you very much, Mr. President.

THE CHAIR:

Thank you, Senator.

Senator Dolye.

SENATOR DOYLE:

Thank you, Mr. President. I'd just like to

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make a brief comment on this important bill.

THE CHAIR:

Please do.

SENATOR DOYLE:

Thank you. I want to first congratulate and thank Senator Prague and Representative Serra for working hard on this bill in the Aging Committee and giving it to us today. I was proud to introduce a proposed bill on this topic if it went to the aging committee with Representative Serra. And the idea came to us through, as often happens, through a constituent. And this constituent, many of you in the chamber here know her very well, C.C. Woods recommended the idea to us in December.

After the election, we thought it was a great idea so we're happy to introduce it and I'm just very thankful that the Aging Committee's leadership, you know, took the issue in, embraced it and brought it to us today, because I think its a great topic and it's going to really going to help all of us.

Similar to what Senator Kissel said, I had a similar incident in my family and fortunately it didn't get to the extreme. And you do, at certain

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points, the -- many of our seniors with different issues have problems and, you know, get lost. And I had the incident in my family. Fortunately, nothing happened to mine, but this is going to -- could benefit someone else's family that has a much more severe and tragic incident.

So again, I just want to thank Senator Prague for her leadership on this issue and Representative Serra. Thank you, Mr. President.

THE CHAIR:

Thank you, Senator.

Will you remark further? Senator Boucher.

SENATOR BOUCHER:

Thank you, Mr. President. I do also rise to support this bill as it's an important direction for the State to go in, but I, in light of the budgetary times that we're living in, I just, through you, a clarification on the fiscal issues that were mentioned, given, also, the comments on the demographic changes in our state as we're aging. Through you, a question to the proponent that there's a \$50,000 possible cost to this. Previously, I had heard that may entail, maybe, three staff people possibly, or there might be

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perceived an increase in costs over time. Just a little clarification on what that \$50,000 represents, through you, Mr. President.

THE CHAIR:

Senator Prague.

SENATOR PRAGUE:

Yes. Thank you. Through you, Mr. President to Senator Boucher, that was created by the state police being mistakenly informed that this would be a separate system completely. We're using the same clearinghouse that they currently use for children. This morning, Anne Foley came in and said, forget it. We've got it all straightened out. It was a misunderstanding. So our fiscal notes say a minimal -- minimal fiscal note. And certainly, for such an important system, a minimal fiscal note even makes it an easier bill to support. Thank you.

THE CHAIR:

Thank you, Senator. Senator Harris.

SENATOR HARRIS:

Thank you, Mr. President. I rise in strong support of this bill and I just want to also comment on what Senator Boucher said, which is I

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think a valid concern in particular in this climate. But if you think about it, the ability to be able to find people sooner rather than later also will save us, not only on the human toll, but on the overtime for police officers. If you could get people back to a safe place sooner, we save on medical costs.

So I believe there's a whole host of intangible, but really soon to be identifiable, if we need to, savings that are out there. Thank you, Mr. President.

THE CHAIR:

Thank you, Senator.

Will you remark further? Will you remark further? Senator Prague.

SENATOR PRAGUE:

Thank you, Mr. President. If there's no objection, I'd like to put this on consent.

THE CHAIR:

Is there objection to placing this item on the consent calendar? Is there objection? Seeing none, so ordered.

THE CLERK: Calendar page 21, Calendar Number 175, File Number 142, Senate bill number 28, AN ACT

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Senator Looney.

SENATOR LOONEY:

Yes. Mr. President, that item might be marked passed, retaining its place on the calendar.

THE CHAIR:

Without objection, so ordered, sir. Senator Looney.

SENATOR LOONEY:

Yes. Mr. President, if the remaining items that we had marked earlier, Calendar page 28, Calendar 367; Calendar page 29, Calendar 415; might also be marked passed, retaining their place on the calendar. And if the Clerk might proceed to vote on the consent calendar.

THE CHAIR:

Mr. Clerk, please call consent calendar.

THE CLERK:

Roll call has been ordered in the Senate on the consent calendar. Will all senators please return to the chamber. Roll call has been ordered in the Senate on the consent calendar. Will all senators please return to the chamber.

Mr. President, before voting on the consent calendar, those items placed on the consent

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voted, all votes are properly recorded, the machine will be locked. Would the Clerk please take a tally.

THE CLERK:

Motion is on passage of Senate Bill 365.

Total Number Voting 35

Necessary for Adoption 18

Those voting Yea 23

Those voting Nay 12

Those absent not voting 1

THE CHAIR:

The bill has passed.

SENATOR LOONEY:

Mr. President?

THE CHAIR:

Senator Looney.

SENATOR LOONEY:

Yes, thank you, Mr. President. For a couple of additional markings on Calendar page 38, Calendar 155, Senate Bill 451, Mr. President, would move to place that item on the Consent Calendar.

THE CHAIR:

Without objection, so ordered.

SENATOR LOONEY:

And, Mr. President, Calendar page 39, Calendar

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SENATOR LOONEY:

Thank you, Mr. President. Mr. President, I would yield the floor to any members who would be seeking recognition for purposes of announcements or points of personal privilege before making motion to adjourn for today.

THE CHAIR:

Are there announcements or points of personal privilege? Are there any announcements or points of personal privilege?

Senator Looney, do you wish -- Senator Looney, the Clerk confirms that there is a second agenda as well as a Consent Calendar on his desk.

SENATOR LOONEY:

Yes, that's right, Mr. President. Would ask for the Clerk to call the Consent Calendar at this time.

THE CHAIR:

Would the Clerk please call the Consent Calendar.

THE CLERK:

Mr. President, the items that have placed on the first Consent Calendar, there are three items beginning on Calendar page 8, Calendar 537, Substitute for House Bill 6186; Calendar page 38, Calendar Number 155, Substitute for Senate Bill 451; and Calendar page

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39, Calendar 371, Substitute for Senate Bill 243. Mr. President, that concludes those items placed on the Consent Calendar.

THE CHAIR:

Would the Clerk please announce that the Senate is voting on the Consent Calendar.

THE CLERK:

A roll call has been ordered in the Senate on the Consent Calendar. Will all Senators please return to the Chamber. The Senate is now voting by roll call on the Consent Calendar. Will all Senators please return to the Chamber.

THE CHAIR:

Would all Senators please check the board to make certain that your vote is properly recorded. If all members have voted, the machine will be locked, and the Clerk will take a tally.

THE CLERK:

Motion is on adoption Consent Calendar Number 1.

Total Number Voting 34

Necessary for Adoption 18

Those voting Yea 34

Those voting Nay 0

Those absent not voting 2

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THE CHAIR:

The Senate Calendar is adopted.

Is there further business on the Clerk's desk?

THE CLERK:

Mr. President, the Clerk is in possession of Senate Agenda Number 2, dated Wednesday, May 20, 2009. Copies have been distributed.

THE CHAIR:

Senator Looney.

SENATOR LOONEY:

Mr. President, yes, thank you, Mr. President. Mr. President, I move all items on Senate Agenda Number 2, dated Wednesday, May 20, 2009, to be acted upon as indicated and that the Agenda be incorporated by reference into the Senate Journal and the Senate Transcript.

THE CHAIR:

Without objection, so ordered.

SENATOR LOONEY:

Yes, thank you, Mr. President. For a Journal notation. Mr. President, Senator Prague after the lengthy debate of a bill earlier today missed the call on the Consent Calendar because of an illness in her family. She had to leave to visit her daughter in the

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Thank you.

SPEAKER DONOVAN:

Chamber will stand at ease.

DEPUTY SPEAKER GODFREY:

Ready, gentlemen and ladies. House will come back to order. We will return to the call of the calendar.

Mr. Clerk, will you please call Calendar 590.

THE CLERK:

On page 22, Calendar 590, Substitute for Senate Bill Number 451, an Act Establishing a Silver Alert System, favorable report of the Committee on Transportation.

DEPUTY SPEAKER GODFREY:

The distinguished chair of the Committee on Aging, Representative Serra.

REP. SERRA (33<sup>rd</sup>):

Thank you, Mr. Speaker. Mr. Speaker, I move for acceptance of the Joint Committee's favorable report and passage of the bill in concurrence with the Senate.

DEPUTY SPEAKER GODFREY:

Question's on acceptance and passage in concurrence.

REP. SERRA (33rd):

Thank you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative Serra, just a second.

Those of you who need to have conversations, may I respectfully ask you to take them outside.

Staff will clear the aisles.

We're going to continue with our work today.

Representative Serra, please proceed.

REP. SERRA (33rd):

Thank you, Mr. Speaker.

The bill before us, ladies and gentlemen, is a bill that parallels the Amber Alert System. This called the Silver Alert System. What this does it takes into consideration anybody who has a mental or physical problem over the age of 65, dementia, Alzheimer's, et al, and anybody over 18 who has a mental impairment of any sort, provides a notification in a regional basis locally to the police.

Mr. Speaker, the Clerk has an amendment LCO 6980, will it please be called and I be allowed to summarize?

DEPUTY SPEAKER GODFREY:

The Clerk is in possession of LCO Number 6980, which will be designated as House Amendment Schedule A. Will the Clerk please call --

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THE CLERK:

LCO Number 6980, House A offered by  
Representative Serra and Senator Prague.

DEPUTY SPEAKER GODFREY:

Gentleman's asking the chamber to summarize, is there any objection?

Hearing none, please proceed, Representative Serra.

REP. SERRA (33rd):

Thank you, Mr. Speaker.

What this amendment does, Mr. Speaker, it just clarifies the legalities of allowing a nursing home administrator or an attorney in fact to be able to act on behalf of a person who is missing with any kind of mental impairment and I move for its adoption.

DEPUTY SPEAKER GODFREY:

Question's on adoption.

Will you remark on House Amendment Schedule A?  
Will you remark on House Amendment Schedule A? If not, let me try your minds.

All those in favor, signify by saying aye.  
Opposed, nay. The ayes have it. The amendment is adopted.

Will you remark further on the bill as amended?  
Will you remark further on the bill as amended?



Representative from Southbury, Representative  
O'Neill.

REP. O'NEILL (69th):

Just to say a couple of words in favor of the  
bill. It's very similar to some legislation that I  
proposed earlier this year and has broad support in my  
area of the state and I think it's a good bill that we  
should pass soon.

DEPUTY SPEAKER GODFREY:

Thank you, sir.

Gentleman from Ridgfield, Representative Frey.

REP. FREY (111th):

Thank you, Mr. Speaker.

I, too, would urge adoption of this bill. It  
makes perfect sense to expand what we have seen the  
Amber Alert in its success across the state and across  
the country. We had, actually, had a Ridgfield  
resident who about two years ago - elderly gentleman,  
who was missing and thankfully, he was found in short  
order. But a system like this would be helpful in  
situations where an elderly or we broadened it to  
someone who's over 18 who has some difficulties and is  
lost can be found. So I would urge adoption. Thank  
you.

DEPUTY SPEAKER GODFREY:

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Thank you, sir.

Will you remark further on the bill as amended?

Will you remark further on the bill as amended?

If not, staff and guests please come to the well of the House. Members take your seats. The machine will be open.

THE CLERK:

The House of Representatives is voting by roll call, members to the chamber. The House is voting by roll call, members to the chamber.

DEPUTY SPEAKER GODFREY:

Have all the members voted? Have all the members voted? Members please check the board to make sure your votes were properly cast. All the members voted, the machine will be locked, and the Clerk will please take a tally.

Will the Clerk please announce the tally?

THE CLERK:

Senate Bill Number 451 as amended by -- I'm sorry  
-- House Amendment Schedule A

Total number voting	143
Necessary for passage	72
Those voting Yea	143
Those voting Nay	0
Those absent and not voting	8

DEPUTY SPEAKER GODFREY:

Bill, as amended, is passed.

SPEAKER DONOVAN:

Are there any announcements or introductions?

Any announcements or introductions?

Representative Piscopo.

REP. PISCOPO (76th):

Thank you, Mr. Speaker. For a journal notation.

SPEAKER DONOVAN:

Go right ahead, Representative.

REP. PISCOPO (76th):

Thank you, Mr. Speaker.

Will the journal please note that Representatives D'Amelio and Hamzy missed votes due to family business.

Representative Floren missed votes due to illness.

Will the transcript please note that Representative Aman missed votes. He was out of the chamber on legislative business.

SPEAKER DONOVAN:

Thank you, Representative.

Representative McCluskey.

Representative Boukus.

REP. BOUKUS (22nd):

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planning and paying for their local property taxes while on a fixed income. The specifics of the legislation are included in the bill. The only distinction I would make is that what's different about this bill from other bills that may have been passed in the past is that it does allow for -- it does provide for due compensation to be given to local municipalities for any loss in local tax revenue which is part of the original program. And what this bill basically does is reinstitute the freeze program that has been in existence for many years and that has been put on hold for many years.

Anything we can do to lessen the tax burden on our seniors is a plus. And I appreciate, again, the committee for their efforts in bringing this attention to this.

It is a form of property tax reform, and I believe it targets those who benefit the most, which is those on fixed incomes. And I do appreciate your support. Given the economic times, I know that it is a money bill, but I do applaud you for raising it and bringing attention to it, and hope for the best, and appreciate your support.

REP. SERRA: Thank you, Representative.

Any questions from the committee members?

Thank you.

REP. JANOWSKI: Thank you.

REP. SERRA: Next up is Representative Arthur O'Neill. Good morning.

REP. O'NEILL: Good morning. Chairman Serra, Chairman Prague.

SB 451

I'm here this morning to testify in favor of your raised bill, Number 451, the Silver Alert. This is a bill that is similar, at least in its intent, to a piece of legislation that I have proposed. I don't know if it's going to get raised, but it was referred over to the Public Safety Committee. And the reason I'm testifying on behalf of this is that I think that something should be done in this area.

This was -- I have to give credit where credit is due -- a suggestion that came to me from someone well known to you, a constituent of mine named Joe Stango, realizing that we're going to have more folks coming out of nursing homes whose condition will be particularly fragile and vulnerable, that if we're successful in getting 5,000 people out the nursing homes under the Money Follows the Person Program, which was a suggestion, again, that came from Joe Stango, that we need to be concerned about the welfare of those folks, especially because they will be particularly vulnerable and in need of extra attention, and the Silver Alert would be one of, perhaps, several things that we need to do to safeguard the well-being of the folks that we're bringing home from the nursing homes.

And of course, as a Representative of Southbury, which is the town in the state of Connecticut with the highest percentage of senior citizens of any town in the state, the welfare of seniors is something that's always important to me, and I think this is an important step. I realize that we can't copy the Amber Alert because of the differences between federal law on this, and I'm not sure that that's necessarily where we need to go. And I'd be happy to work with the committee, especially if this ever has to go to the

Judiciary Committee on its way through the process here, and that we can hopefully get something done.

And I look forward to working on this legislation in whatever form we're able to finally get it out, but I think it is an important thing that we start recognizing the need for making sure that seniors are protected as well as the children are.

REP. SERRA: Thank you. Any questions from the committee?

Senator Prague?

SENATOR PRAGUE: Thank you for coming today, Representative O'Neill. Your support is important.

There's a press conference at eleven o'clock that the Attorney General is holding on this issue, and I just want to remind you of that in case you want to come. It's in 2D.

REP. O'NEILL: Well, thank you very much. I think I will be able to attend. And I think it's important, and as much attention as we can get to this issue, and certainly, having the Attorney General supportive of it is a great step in the right direction.

SENATOR PRAGUE: Thank you.

REP. O'NEILL: Thank you.

REP. SERRA: Thank you, Representative.

Is Senator Debicella here? Then we'll -- followed by Commissioner Starkowski.

eligibility. So I'll check that out, and I'll share that information with Senator Debicella.

PEGGY DESCHENES: I'm sure he'll appreciate that.  
Thank you.

SENATOR PRAGUE: So, thank you.

REP. SERRA: Any other questions? Thank you.

Commissioner Starkowski, please. Thank you.  
Good morning, Commissioner. You're the man of the hour, they tell me.

MICHAEL STARKOWSKI: I hope it's not an hour.

REP. SERRA: I do, too.

MICHAEL STARKOWSKI: Good morning, Senator Prague and Representative Serra, and members of the Select Committee on Aging. My name is Michael Starkowski. I'm the Commissioner of the Department of Social Services.

I'm here to testify on a number of bills before you. Some of those bills are -- my testimony is just going to be the written testimony, and some of them, I'll actually comment on the written testimony.

SB 450, An Act Concerning the Nursing Home Oversight, this bill would reestablish and revise the membership of the Nursing Home Financial Advisory Committee. The bill adds the comptroller or designee and a state ombudsman to the committee comprised of representation from DSS, the Office of Policy and Management, the Department of Public Health, CHFA, the Office of Fiscal Analysis and two representatives of nursing homes appointed by the governor. The bill makes the comptroller the chairperson of the committee.

Under the current statute, the committee is cochaired by representatives of the Department

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program. Unfortunately, that's -- legislation was not adopted in 2008. I recommend that the oversight legislation drafted in 2008 session be revisited and those negotiations resume.

Senate Bill 451, An Act Establishing a Silver Alert system, the bill seeks to establish a Silver Alert system similar to the amber Alert system presently used for children. The Silver Alert system is directed at alerting the state of a missing older person aged -- over age 65, so that the public can assist law enforcement in finding an individual before harm can come to them.

While I applaud the good intentions behind this legislation, I have concerns with the creation of such a system. Since dementia and Alzheimer's disease can affect individuals as young as 45, why would this be only for those people over 65? The National Association of the State Units on Aging surveyed its membership on this topic, and the following items were highlighted. The top concern raised by states was that the alerts would be overused. One state reported that the police in their state feel as though the families and the caregivers repeatedly allow individuals to wander because that they know that the law enforce -- enforcement officials will find them.

The former governor -- state governor -- the governor of the state of New York vetoed proposed Silver Alert system legislation with a veto message that indicated that the Silver Alert system would weaken the AMBER Alert system by making the alerts too common. Another concern expressed by states was the cost of the program would be high. Of the states responding to the survey, though, most of the states indicated that the costs for the

program were minimal.

I would recommend that more research be done on the implementation of the program, and the ultimate cost of this program, with a focus on -- focus on local resources and the impact financially on the existing State resources.

Senate Bill 452, An Act Concerning the Funding for Adult Daycare Centers, this bill requests an increase for a specific type of service, adult day care, that is included in the Connecticut Home Care Program, the Alzheimer's Respite Care Program, Protective Services for the Elderly, and the Community Based Services Program. Any increase to the fees paid to any one type of service under these programs will cause an overall increase to the budgets for the programs as mentioned above.

The increase could also either reduce the overall services available to the client under their present care plan, or push these programs to even higher in costs, which is -- would not be acceptable in these economic times.

The bill would increase the adult day care rate under the home care program to \$70 per day. The current rate is \$63.55 per day. It's estimated that an increase of such, about 10.2 percent, would increase the 2010 budget requirements by approximately \$1.5 million. Based upon the additional cost and the potential ripple effect on the other types of community-based services, I cannot support this increase without a concurrent increase in the appropriations.

Senate Bill 453, An Act Concerning Financial Assistance to the State-Assisted Living Projects. Currently, of the 75 clients

discussions for sure.

SENATOR PRAGUE: Good. Thank you.

REP. SERRA: Senator Kissel.

SENATOR KISSEL: Thank you very much, Mr. Chairman.

Commissioner, welcome. Good morning.

MICHAEL STARKOWSKI: Good morning.

SENATOR KISSEL: A couple of things. I was concerned regarding the Silver Alert system that, I know you want us to study it further. I actually agree with your recommendations regarding individuals lowering the age, because there are individuals at a younger age that suffer from dementia and Alzheimer's. And it's also my understanding that a similar proposal passed in the state of Florida and was signed by their governor.

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I don't agree, and it didn't come from you as passed along by you, that the top concern raised by states pushing back against this is that they reported that the police in their state, quote, feel as though families and caregivers repeatedly allow individuals to wander because they know that law-enforcement officials will find them.

I've got to be honest, I can't imagine anybody who is a caregiver or a family member -- family member ever allowing anyone to wander away, relying on the fact that law enforcement will eventually pick them up. So I have to discount that statement a little bit.

To my mind and experience, especially if one is dealing with someone that's suffering from early-stage dementia or Alzheimer's, you're constantly fretting about them and worrying

about them, and the last thing in the world you want to see happen is for them to get out of your sight, because you feel a real human connection and a responsibility.

So the money issue is always going to be there this year, next year, but there might be a way that we can actually make that come to pass, especially when -- in your testimony it indicates that while people thought there would be a big price tag to it, that at the end of the day the program costs were minimal. So maybe we can get a halfway point on that program somehow, somehow.

MICHAEL STARKOWSKI: Senator Kissel, we'll work with you on that.

SENATOR KISSEL: Okay. Great.

The adult day care centers was something I want to thank the cochairs for raising because I have strong concerns regarding that. I know they perform such a valuable function. We have some great ones up in north-central Connecticut. Enfield has an adult day center run by the town. We also have the Felician Sisters, with Sister Patricia and the adult day center.

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And my concern is that they provide such a critical part of the care factor. And what I mean by that is, you know, unfortunately, my wife's family had to go through the process of my wife's grandmother suffering from Alzheimer's. It was, what I like to call the long goodbye. It took about five years, and it goes definitely through recognizable stages. And when you're trying to take care of your loved one in their own home or not in a setting where it's run by some other health care provider, those folks that are healthy,

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rgd/gbr SELECT COMMITTEE ON AGING 10:00 A.M.

SENATOR PRAGUE: Okay.

MICHAEL STARKOWSKI: -- anybody who wants to work with me on it. We'll dust off the bill that was just about ready to be called last year that we think all parties had agreed to. We'll see if it needs any tweaking, and we'll support the bill.

SENATOR PRAGUE: Okay. Thank you.

REP. SERRA: Any other questions from the committee?

Thank you, Commissioner.

MICHAEL STARKOWSKI: Thank you.

REP. SERRA: That was an easy morning for you.

MICHAEL STARKOWSKI: Thanks.

REP. SERRA: Now I'd like to call Attorney General Richard Blumenthal. Good morning.

ATTY. GEN. RICHARD BLUMENTHAL: Good morning, Representative Serra.

I'm very pleased to be with you this morning on two bills that are very important. First, on the nursing home oversight measure, Senate Bill 450, we are, I think, very much in agreement as to the basic elements of what needs to be done, and those measures, the critical changes are incorporated in an amendment that I've submitted to the committee. Really, they are the result of very extensive discussions that took place last year and include, for example, strengthened state oversight of the nursing home industry, restricting the use of nursing home assets to fund other business ventures,

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the nursing home operator requiring independent audits and increased financial reporting to the state, increasing civil penalties and administrative investigatory powers. And those measures are set forth in some detail in my testimony, and in greater detail in the amendment that we have submitted.

They essentially flow from the experience we had with Haven Healthcare. And that experience which involved draining critical nursing home financial resources, including taxpayer funds, for allegedly improper private purposes culminated in a bankruptcy proceeding and eventually the disposition of those assets to other owners. And that very unfortunate experience, I think, led to the measures that we have proposed. And certainly, my office is committed to continue working with the committee, as well as with DSS, which has been very helpful in the discussions.

I also want to mention, briefly, a measure that others have already discussed in their testimony. The Silver Alert system, which I think is an idea whose time has come, probably came some time ago. We're very pleased to be joined in support of these measures by the Alzheimer's Association, by other advocates of senior interests, and by the Chief of Guilford, by his assistant chief, by members of the Rotary Club of Guilford, others from the citizens community concerned about our seniors.

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And to be very simple and blunt, a Silver Alert system saves lives. Senior citizens with Alzheimer's disease or forms of dementia can wander from their homes provoking frantic, frenetic searches, and the Silver Alert system is a way to rescue them, locate and bring them

back before they encounter serious harm. Its cost would be minimal, if any, because what we've proposed, and again, in an amendment I have specifically suggested, this amendment --

(Gap in tape.)

ATTY. GEN. RICHARD BLUMENTHAL: -- repository of information and a means of alerting the radio, TV, Internet, electronic billboards that are used in the AMBER Alert system.

So this -- this proposal is undeniably needed, as you've heard from the Alzheimer's Association. There are more than 600,000 Connecticut residents over 60 years old. 70,000 of them have some form of dementia. And 60 percent of them at some point wander away from their homes. And when a senior is missing, obviously it triggers the same nightmarish reactions that when a child is missing, and we should do no less for our seniors than we do for our children and provide this Silver Alert system.

Thank you.

REP. SERRA: Any questions from -- Senator Kissel.

SENATOR KISSEL: Thank you very much, Mr. Chairman.

Attorney General Blumenthal, thank you for coming this morning.

ATTY. GEN. RICHARD BLUMENTHAL: Thank you.

SENATOR KISSEL: Would you agree with me, and, again, it's not a criticism of Commissioner Starkowski, but as part of the testimony that they had offered up, they said that some folks in law -- in other states said that the loved ones and caregivers of seniors and folks

suffering from Alzheimer's or dementia perhaps overly rely on law enforcement and are thereby somehow lax in overseeing these seniors, and I can think of nothing more preposterous. And would that be your take on that proposal as well or that statement?

ATTY. GEN. RICHARD BLUMENTHAL: I think there needs to be greater oversight and attention. I can't really compare Connecticut to other states in terms of how well they do in the private sector, in nursing homes, but clearly, some 13 states have Silver Alert systems, and they may have better means of scrutinizing or taking care of this problem.

SENATOR KISSEL: And second question on that, I know that Commissioner Starkowski -- and I actually agree with this that there are folks suffering from dementia and Alzheimer's as young as 40, 45. Perhaps we could include folks that are suffering from those kind of illnesses as part of the Silver Alert system.

Do you think that we could work that out?

ATTY. GEN. RICHARD BLUMENTHAL: I think they ought to be, certainly. And it's perfectly doable to include them. Anybody who is missing, suffering from dementia, which can take many different forms at different ages, ought to be included.

SENATOR KISSEL: Okay. And regarding the nursing home oversight, I know that Commissioner Starkowski has pledged to work with this select committee on crafting legislation. And indeed, apparently there was a bill that had almost come to fruition last year.

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In looking at your testimony, quickly, it appears to encompass suggested changes to the



bill before us today, but I don't know if we use last year's bill as a basis for -- as a springboard to create it -- new legislation, if you would be happy to be a part of that process, and maybe use that rather than this one to build off of.

ATTY. GEN. RICHARD BLUMENTHAL: The amendment that I've offered or suggested to you incorporates last year's consensus, which should have passed last year, but didn't. And, so, the amendment to the bill really takes that consensus, which was a result of very lengthy discussions involving the Legislature, DSS and my office.

SENATOR KISSEL: I appreciate all your service to the state of Connecticut, and I think what happened with Haven Healthcare was quite a shame and that we should be able to learn from that experience and do better here in Connecticut.

Thank you.

ATTY. GEN. RICHARD BLUMENTHAL: Thank you.

REP. SERRA: Senator Prague.

SENATOR PRAGUE: In just a few minutes you have your press conference, and several of us are coming to support you in this effort to get Connecticut involved with the Silver Alert system.

I want to thank you for all you do and particularly, your interest in promoting a better environment for the seniors in this state. We'll take your amendment to the nursing home oversight bill. And with the consent of the Commissioner, we'll probably submit the amendment as the bill. It's from

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-- I gather from what you have testified, that this is the format that you think would be the best for us to work with, so --

ATTY. GEN. RICHARD BLUMENTHAL: I think it's a good beginning, Senator Prague. I want to emphasize, although it was the result of the process last year, I'm not wedded, you know, to this as the final version.

SENATOR PRAGUE: Okay.

ATTY. GEN. RICHARD BLUMENTHAL: We welcome your comments, your suggestions. Obviously, the committee is the one, and the Legislature that will have the last word. But this incorporates the framework that we reached last year.

SENATOR PRAGUE: Okay. So we'll start with that as a beginning, anyways. And I know the department is going to work with us. And we'll run anything by you.

We need a good oversight bill. There is no doubt about it. And I noticed in your amendment that you're suggesting that nursing homes apply for a certificate of need?

ATTY. GEN. RICHARD BLUMENTHAL: Correct. That's right.

SENATOR PRAGUE: That would be a big step in the right direction.

ATTY. GEN. RICHARD BLUMENTHAL: I agree.

SENATOR PRAGUE: Okay. Thank you very much.

REP. SERRA: Any other questions from the committee?

Attorney General, we're going to recess now. You're going to go off at eleven o'clock in, I think it's room 2D.

ATTY. GEN. RICHARD BLUMENTHAL: I think that's right.

SENATOR PRAGUE: Yeah. It is. 2D.

REP. SERRA: So, at this point, the committee stands recessed till, I think 20 -- you've got 20 minutes. You don't have a 20 minute speech, do you?

ATTY. GEN. RICHARD BLUMENTHAL: Twenty minutes will probably do it.

REP. SERRA: Okay. We'll reconvene at 11:20. We stand recessed.

(Committee in recess.)

REP. SERRA: What we're going to do -- I'm going to call a public official, and then we're going to alternate between the public officials and the public. But the first public official will be Deb, Deb Polun, please.

DEBRA POLUN: Good morning, Representative Serra. I hope you're not lonely up there.

REP. SERRA: Good morning. No, they're on their way in, so...

DEBRA POLUN: Good morning. My name is Deb Polun, for the record, I'm the legislative director of the Connecticut Commission on Aging. And as you know, the Connecticut Commission on Aging is a legislative branch agency that is dedicated to enhancing the lives of older adults of today and tomorrow.

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We have a 33 member board. Seventeen members are appointed by the governor and legislative leaders. Sixteen ex-officios include executive branch agency officials and eight Legislators, including the chairs and ranking members of this committee.

In these difficult budget times, research-based initiatives, statewide planning efforts, vision and creative thinking are all needed to ensure a continued commitment to those in need. I'd like to testify today on a number of bills before you. We have only chosen to testify on bills that we feel are low or no-cost in keeping with the spirit of the session.

The first bill is Senate Bill 451, An Act Establishing a Silver Alert system. The commission supports the concept of this bill, but would like to join the growing chorus of individuals who are calling for its expansion. In addition to individuals who are under 65 with dementia-related illnesses, we'd actually like to see this bill brought in to include all individuals who are missing under suspicious or involuntary circumstances and may be in danger.

We think that having one system that works for children and adults of all ages will be an easier system for people to use. And ease of use by residents is certainly critical to the success of this and all initiatives. So if it could be incorporated into AMBER Alert and just have one integrated, broad system, we think that would probably be best. Missouri has a model similar to that, and we don't need to reinvent the wheel. We can just go ahead and take our lead from them.

The second bill I'd like to lend our support

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Appropriations, as well.

I want to thank you for your support of these bills, and I'm available for questions.

REP. SERRA: Any questions from the committee?  
Thank you.

I'd like to call up now Chief Hutchinson from the Guilford police, then followed by Brian Ellsworth. Good morning, Chief.

JEFFREY HUTCHINSON: Good morning. First, I'd like to thank you for the opportunity to speak this morning. And in addition, having been sitting here this morning, I -- it's obvious that there's significant support from the committee as well as the Attorney General on this, and I appreciate and thank you for that support. The Act to which I'm referring is the 451, An Act Establishing a Silver Alert system. I'm here, obviously, to speak in support of that.

As other people have spoken previously, and I believe others will speak after me, I'll limit my comments to just a couple areas.

In Guilford, we've established a TRIAD program which is. I believe the 55th in the state. The TRIAD is a collaboration between the police, the business community and the seniors. And the goal is to educate the seniors on strategies for preventing them from becoming victims of crime. And in addition, we wanted to extend that out to keeping them safer.

The Silver Alert system is an idea that we had been discussing in our TRIAD meetings, and we're happy to see that this is moving forward. And I can tell you from the perspective of the TRIAD, that we certainly

support this, and again, would hope that it gets the full support of anybody that needs to, to make it move forward.

Secondly, just as a practical application, obviously, as the assistant chief in the police department, my concerns are the safety of the public. And it's my belief that this system will make it far more effective for us to recover people that are missing more safely, more quickly. Obviously, when we have somebody missing there's a limited number of police officers on the street. The more people that have photos out of the person that's missing, the more eyes we have looking for them, the more effective we're going to be. We are only as effective as the support -- as we are from the support we get from the public. And this will only serve to help us do our job that much better.

Obviously, as was commented in the -- in the briefing previously by the Attorney General, today is a perfect example of when you don't want somebody out wandering in the snow, in the cold weather. The quicker we can get this done, the more effective it will be. And again, I support this completely.

And I thank you for your time on this.

REP. SERRA: Thank you, Chief. Any members of the committee -- any questions? Senator Prague.

SENATOR PRAGUE: Thank you very much for taking the time to come in here today, and lending your support to this issue.

I just -- I want to ask you about elderly abuse in your community. Are you aware, and sometimes I wonder, we in state government do things and don't get the information out into

REP. SERRA: Are there any other members of the committee?

Representative Bye.

REP. BYE: Thank you.

I just want to, as Senator Prague did, just make sure that as we work on this legislation, that we make sure we keep the broad definition of background check, so I appreciate you bringing that up.

BRIAN ELLSWORTH: Thank you.

REP. SERRA: Any other questions?

Thank you.

BRIAN ELLSWORTH: Thank you.

REP. SERRA: Next up is Tom Terriblinka -- I don't know if I'm pronouncing it right. You can correct me.

TOM TERRIBILE: Good morning. I'm Chief Tom Terribile from the Guilford Police Department. I'm here to testify on the bill before you -- is 451, the Silver Alert Program.

Well, in law -- Deputy Chief Hutchinson came before you, was talking to you about the TRIAD program, how we were trying to get involved with the TRIAD program. We'll use my dual hat. I'm also the Rotary president for the town of Guilford. And as you know, the Rotary Clubs, our primary -- one of our primary jobs is we also do the AMBER Alert Program. So, as we were going forward with the TRIAD program trying to protect the elderly, the thought was well, maybe we could use the existing equipment that the Rotary Clubs have provided,

especially the town of Guilford, to do the AMBER Alert program, and to use that to help our elderly.

The problem we have out there is, as you know, is somebody gets missing today, they leave their house or whatever -- time is of the essence, especially in this weather. Two years we had -- two years ago we had an incident with an elderly gentleman, went for a walk. His wife normally said, Yeah he took a walk up -- down the streets, and went walking and went missing.

We used every available resource we had to try to find the gentleman. We had the Connecticut State Police there with helicopters. We had dogs. We had officers trying to surround the area, trying to locate the gentleman. We did have -- luckily we had a reverse 911 system. We utilized the reverse 911 system, which probably took us an hour and a half to get that up and going, and get the messages out there.

Luckily, somebody had seen the gentleman two hours prior, pointed us in the right direction. With that, the help of the helicopter, we were able to hone in on the gentleman and find him. This was at 9 o'clock at night when we finally found him. If we didn't find him that day, we would have probably found him later on in a state we probably didn't want to find that gentleman in.

It certainly would have been a lot easier for us if we had the capability of going to a database, being able to download the picture. All the cars have laptop computers in them, to then download those pictures into the laptops in front of the officer as they're working the



street. Again, time is of the essence. This can be done within microseconds with the computer aides that we have today.

So, it kind of fits in with our TRIAD program and with the AMBER Alert program. There are members of other Rotary Clubs that are going to testify today regarding the cost. We're all concerned about what the costs are.

I think you'll find out listening to those gentlemen, that the Rotary Clubs now have purchased equipment for the AMBER Alert. It's a matter of using the same equipment and using our same Rotary personnel to come out and take those pictures. It's just going to be one more task that the Rotary clubs will be asked to do. And I'm certain that my club, in Guilford, will be certainly honored to be able to take those pictures.

There's been some testimony before well, 65 should be the age. I don't know if there should be any age. As far as I'm concerned in the town of Guilford, the more people I can get in that database, everybody comes up missing once in a while. There's kids on bikes and stuff like that. So I don't know how far we can go with it, but I envision that we have SARAH clients and Vista clients in Guilford who also become missing. It would be nice to have their pictures on some kind of a database to be able to pull it down, to be able to show the community, to be able to find these people quicker.

With that, somebody made the comment today that police departments think that -- that the people of Alzheimer's, people just let them go out, hoping that we'll find them. I find that to be totally ridiculous; that I find nobody ever saying that they let their elderly parent

out wandering so the police department can find them. I can speak for Guilford. I know that does not happen in Guilford. And speaking for my colleagues, I can't imagine that is what's happening and that's what's thought of in the state of Connecticut.

With that, I'll be willing to answer any questions you have about either the police portion or the Rotary portion of this bill.

REP. SERRA: Thank you. Any questions from the committee?

Senator Prague.

SENATOR PRAGUE: I just want to thank you for coming today, taking time off from your busy work day to come in and lend your support to this.

TOM TERRIBILE: Well, I appreciate it, Senator. We all have elderly parents. My parents are that age. We all have relatives that, you know, that need our help, and it's just one -- it seems like it's just a good thing to do to help everybody.

SENATOR PRAGUE: Thank you.

TOM TERRIBILE: You're welcome.

REP. SERRA: Yes. Senator Kissel.

SENATOR KISSEL: Chief, thank you. And I want to chime in with Senator Prague. Thank you for taking the time out of your busy day. The good people of Guilford are well served by your dedication.

I don't know if you know my chief up in Enfield, Chief Carl Sferrazza.

TOM TERRIBILE: Yes.

SENATOR KISSEL: He's a good man, and the entire department, and all the other chiefs up in north-central Connecticut.

I think it's a great idea. I think your notion of why is there some sort of arbitrary age restriction is well taken, even if we, you know, we carve it out at 45. And yet, you have someone with some sort of mental disability that's 40 and has wandered off, or been abducted, you'd hate to think that the program isn't set up for them.

I think utilizing Rotaries is just spot-on in this economy. Public-private partnerships to get to the end goal of our public policy is great. We have an aging population in our state and, you know, people have done the right things. They're living healthier. They're taking care of their hearts. They're doing all of these other things. And what that means is that when they reach their eighties or nineties, they are coming down with dementia or Alzheimer's. And, you know, I'm the one that pointed out earlier that I think that testimony regarding people not taking care of their loved ones because they feel the -- the police are going to be a safety net is absolutely preposterous. I don't -- I know it was offered in good faith and, again, I'm not picking on Commissioner Starkowski at all. But whoever on his staff included that in the testimony probably should have thought twice, because I just don't know anybody in Connecticut that would ever not want to do the utmost they can.

One last point, though, I wanted to bring out, though, you had mentioned TRIAD. I know that

one of the boards that I serve on is the Criminal Justice Information System, where we're trying to put together this information technology database system that will take this information from the police officer right in, you know, 3 a.m., somebody walking along the street, the laptop in the cruiser, and that all of that information is in one repository, and it has different points where it will be accessed all the way to the end user, which may be the Board of Pardons and Paroles, and everything in between. And so, is what I'm hearing from you that, perhaps, as we are trying to put that system together, that this could almost piggyback right in there, and we could maybe be able to use that so that the officer in the neighborhood, that might be able to have this call come in, might be able to use that information?

TOM TERRIBILE: Right. I think what you're talking about is the COLLECT system, and all of that stuff that's connected to the officer in the squad car. We're also connected to -- trying to get into the Department of Corrections to get photos from them. Certainly, if we're looking for people, it makes life a lot easier, having a picture.

I can envision what you're talking about, the officer on the street looking for an elderly person, types in the person's name, well, that database then goes out to several different databases within the state of Connecticut, boom, the officer has a picture in front of him.

We were first thinking of just trying to do this in Guilford, which would be good for us to take the pictures, put it in our database, but what happens if you have mom visiting you in Guilford, and you're from Enfield, now, as

Guilford, I don't have the picture of your mom from Enfield, so it would be nice to be able to connect it to those other agencies for whatever. If you're shopping at the mall, or something like that, that that department should be able to access the state computer system and download that picture wherever they are.

SENATOR KISSEL: I really appreciate your testimony, because it's caused my brain to start working, because as we come up, we're at the very early stages of coming up with this Criminal Justice Information System, and I can really see that that information that's coming from various different state agencies and being put into this central repository could directly benefit the mission that we want to accomplish with the Silver Alert system.

So I'm going to pass along that information over to the new executive director that we hired for that initiative, and let him know that, you know what, maybe he should even just give you a call and we can figure out how to make these initiatives work really closely together. So, thank you for your time and effort. It's a great idea.

TOM TERRIBILE: The only thing that might cost us money, using the existing AMBER Alert to start it off today would probably not cost us any money.

SENATOR KISSEL: Well, I don't want to cost any money, but we're already up -- we're already trying to create this centralized information system, so to the -- and he's looking for people that are stakeholders. So this is yet another group that could be a stakeholder. So, that initiative is already happening. The funds already have been dedicated. So I'm

just trying to not forget about the -- you know, as we go down that road, we could be mindful of this initiative, as well.

TOM TERRIBILE: I see that. I appreciate it.  
Thank you.

REP. SERRA: Any other questions from the committee?

Chief, the only thing I want to tell you, I think there's a consensus already that the age limit will be removed --

TOM TERRIBILE: That's fantastic.

REP. SERRA: -- in the bill as it moves along through the various committees of cognizance.

And thank you for your testimony.

TOM TERRIBILE: Thank you.

REP. SERRA: Next up is Dave Evans.

DAVID EVANS: -- the aging committee. My name is David Evans. I'm legislative consultant for the Companion and Homemakers, here to address Raised Bill 5312.

Companions and Homemakers was founded in 1990. It is a homemaker companion agency registered with the Department of Consumer Protection. It has ten offices throughout Connecticut. It cares for 3,000 older adults and employs approximately 1600 caregivers.

I won't read the testimony. I just want to make a couple of comments, and I'll try not to be repetitive as to what was aptly put by Brian Ellsworth in earlier testimony.

dementia, who, if proper care planning and monitoring and staffing are really focused on preventing that from happening and then, by contract, they're then responsible for replacing those dentures if they're lost.

Some of the other things that are included, I would say in the admission agreements that waive or diminish resident rights are allowing the transfer/discharge at the facility's discretion of a resident, and allowing disruptive or challenging behaviors.

As we know, a lot of residents who go into a nursing home do have behaviors that aren't the norm. A dementia-related behavior such as wandering or maybe some -- I don't want to say abusiveness, but some -- some challenges, can create problems for facilities. And that sometimes is a reason the facilities will say they must transfer out. Not all residents -- not all -- not everyone is appropriate for a nursing home, but facilities need to take responsibility.

And in closing, I just want to also add that there's a number of other proposals the ombudsman program fully supports. I understand that during these very difficult financial times things will be looked at very closely, but I hope that the long-term benefits and the cost savings of some of these issues before you, including the Assisted living Pilot Program in the adult day care centers, the Silver Alert system, and Money Follows the Person, will be included in your very serious conversations.

Thank you.

REP. SERRA: Any questions from the committee?

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is important to the trial lawyers for reasons beyond just, you know, being trial lawyers. It's an important, important effort that you all are making, and I'll do whatever I can do to make sure that the judiciary pays the right attention to it.

SENATOR KISSEL: I would never, ever think that the trial lawyers were just looking out for themselves.

KATHLEEN MASTRI: Thank you, Senator. It's nice to see you, as well.

REP. SERRA: Any other questions from the committee?

Thank you.

Next one up -- I can't read the last name, but it's Christy.

CHRISTY KOVEL: Kovel. Kovel.

REP. SERRA: Kovel.

CHRISTY KOVEL: Yes. Thank you.

REP. SERRA: Thank you. Good afternoon.

CHRISTY KOVEL: Good afternoon.

Good afternoon, Senator Prague, Representative Serra and distinguished members of the Select Committee on Aging, my name is Christy Kovel, and I'm the senior director of public policy and Communications for the Alzheimer's Association for the Connecticut Chapter. I'm here today to testify in support of Raised Bill Number 451, An Act Establishing a Silver Alert system.



I'm going to go ahead and highlight some of my testimony which is in front of you.

An estimated 5.2 million Americans, currently are living with Alzheimer's disease, and this number is expected to grow to as many as 16 million by 2050. In Connecticut, 70,000 residents have Alzheimer's or a related dementia, and over 112,000 people are caring for them. 60 percent of people with Alzheimer's disease will wander from their homes or caregiving facilities at some point as the disease progresses.

Even in one's own neighborhood or a familiar place, a person with Alzheimer's disease may become disoriented and law -- or lost. Most people with Alzheimer's disease who wander are found within 1.5 miles of home, and 50 percent of individuals who wander risk serious injury or death if not found within the first 24 hours. Exposure and other environmental dangers pose serious threats to people with Alzheimer's disease because they may lose their cognitive ability to remember when to eat and drink, and the ability to protect themselves from extreme weather. For these reasons, a timely, local search response to a wandering incident is crucial.

The Alzheimer's Association supports a comprehensive approach to constructing a Silver Alert system that addresses the needs of persons with dementia and their families. This approach includes authorizing funding for first responder, dementia training, and coordinating search efforts between families, caregivers and local authorities. This system needs to be inoperable (sic) with existing programs such as the MedicAlert and Alzheimer's Association Safe Return Program, a nationwide identification support and

enrollment program providing assistance to adult wanderers and their families.

At a minimum, Silver Alert legislation should gather input in the creation, planning and implementation process from stakeholders including state and local law enforcement, and other first responders, the broadcast media, local Alzheimer's Association chapter, Medic and Safe-Alert representatives, representatives from the Assisted Living Federation of America, state affiliate, and additional nursing home and senior living associations specifically tailored to individuals with Alzheimer's disease or a related dementia who may wander. And I'd also like to note in this that this may apply to people 65 or younger are early-onset, and there's about 500,000 of those folks nationwide.

In conclusion, there are about 1,895 residents in Connecticut who are enrolled in MedicAlert and Safe Return programs. We ask that any system that is implemented be compatible with existing programs to address the complex needs of our constituency.

Thank you very, very much for your time today, and I -- I'd be happy to answer any questions.

REP. SERRA: Thank you.

Any members of the committee have questions?

Senator Kissel.

SENATOR KISSEL: I just want to thank you again for your advocacy. You do a great job and, you know, I had spoken earlier, actually, at the Attorney General's press conference about the memory walks.

CHRISTY KOVEL: Thank you.

SENATOR KISSEL: But clearly, Alzheimer's and dementia and other related illnesses are gaining more and more visibility. People need not be ashamed if a family member or a loved one has that. I think it's actually a direct result of the fact that we're just living longer.

CHRISTY KOVEL: Uh-huh.

SENATOR KISSEL: And so, maybe the things that would knock people out because of a heart attack or a stroke when they were in their sixties or seventies, they're surviving those. And now, they're bumping up into Alzheimer's and dementia in their eighties and nineties.

And I think that we should, even in a tough, tough fiscal environment, I don't see why we can't get our arms around this. And I appreciate the fact that some people think that we should study it further, but the faster we can get it up and running, I think, the more lives can be saved. And so, thank you for coming and testifying.

CHRISTY KOVEL: Thank you, Senator Kissel.

REP. SERRA: Any other questions?

Thank you.

Heather Sandler. Good afternoon.

HEATHER SANDLER: Good afternoon, Senator Prague, Representative Serra, distinguished members of the committee. My name is Heather Sandler. I'm a graduate student at UConn's School of Social Work and an intern at the Alzheimer's

SB452

-- thank you.

John Eagan please. I'm sorry for that. It's a slight interruption.

JOHN EAGAN: Representative Sayers, Prague, Kissel.

REP. SAYERS: No, excuse me. I'm Representative Sayers. That's Representative Serra.

JOHN EAGAN: Serra. I'm John Eagan. I have 40-years experience in law enforcement, and I'm still actively -- I took the day off to come up here. I am also a Rotarian, and I'm very active in the AMBER Alert program. I want to make you aware that the AMBER Alert program in Connecticut, the child ID program that we have and partnership with the Department of Public Safety with the state police, we record a picture and the pertinent information about children. We have the capability of doing the same thing for seniors, but we don't want to do just seniors.

SB451

The company that holds the database, the gentleman that owns that company is on the national board for Alzheimer's in the country and he wants to also get the program up and running. We do this for free. We own the machines. We have over 20 Rotary Clubs in Connecticut that have the machines right now.

We have a 100,000 children in the database right now, and the access point is through the Department of Public Safety at state police headquarters. They have an icon on a laptop. They can punch it, they can put in their password, and they're the only ones in the country right now that can access that database. But that information can be sent to any police department in the country. It could be sent to the cruisers. We just want

to be able to do it for the seniors and everybody in between because in my town there's over 60 Vista people living, and they become missing every once in a while. We have to go out and look for them.

I have about six of the Vista people that come to every AMBER Alert I do, and they come and they want to have a picture taken. I take their picture. They're in the database so if something happens -- because their families aren't from around Connecticut at all -- I can go and ask the state police to pull that up and send it to me.

So everybody's been talking about cost of the program. Cost of the program could probably be quite minimal if the Rotary Clubs got involved with your program here.

That's basically all I had to say. Herb Hicks, who is a Rotarian and works with me on AMBER Alerts, is going to give you his personal story.

Any questions?

SENATOR PRAGUE: Any questions from committee members? I have a question.

I think it's remarkable that the Rotarians are doing this. Is this also true in other states, that it's the Rotary Clubs?

JOHN EAGAN: The state of Utah has units, and I don't know if they've used the access point yet. There are other states that are very interested in it. We had done it on our district, the northern district. Our district is from Meriden South, 69 clubs. We have 20 clubs in the state of Connecticut. Two are from the northern district. I don't -- I

think there's probably 65 clubs in the northern district, and it also includes part of Massachusetts.

I do 4,000 children at the Big E every year in 17 days. I take two weeks vacation from my job as a police officer to go down there and do them. And I do 4,000 children. Give out over 8,000 cards. This past weekend, we just did the boat show at -- in Hartford, the CMTA Boat Show. And the 14th and 15th we'll be at the Expo at -- in Hartford, doing the kid show. We do those every year. We do home shows. We do small groups in town. I've even done -- in Saybrook at the Estuary Council, they had me come over there one year for a festive day that they were having in the Main Street area of Saybrook, and I went over and I spent the day and registered kids over there.

We can -- the -- the guy that writes the program is also owned by the gentleman that owns the company that has the database, and he's out of Tennessee, and he can modify the program. And probably within a month or two, we could be entering adults into the program.

SENATOR PRAGUE: It's incredible. Thank you.

JOHN EAGAN: Thank you.

SENATOR PRAGUE: The next person in line is John Judd.

A VOICE: John Judd is (inaudible).

SENATOR PRAGUE: Okay. Ron Osach.

A VOICE: He had to leave also.

SENATOR PRAGUE: Too bad. Herb Hicks.

HERBERT HICKS: That's me.

SENATOR PRAGUE: And then followed by Martin Sbriglio. Okay.

HERBERT HICKS: Good afternoon Senator Prague and committee members. Thank you for this opportunity.

My name is Herb Hicks, and I live in Uncasville. I want today to address Bill 451, An Act Establishing a Silver Alert system.

My wife has been inflicted with frontal temporal dementia, an illness similar to Alzheimer's, for the last three-and-a-half years or three-plus years. This illness caused me to retire five years early -- earlier than expected. So after 25 years of firefighting, I retired January 1, 2008. This was the only way I could personally take care of my wife.

Since that time, my wife's illness has advanced rapidly. She has become confused and a wandering threat. Directly, this meant I had to add an additional lock to my exterior door of our home with a key on the inside, in fear that she would leave when I was busy.

Today I would like to address three items relating to the bill.

First, I would like to state that I am in favor of the ID program as presented by John Eagan of the Clinton Rotary Club and my other fellow Rotarians who had to leave early.

In addition, I would like to add that in West Virginia, the legislators are considering a photo center in the senior centers where the data would be collected and entered into a

database just like the Rotarians now do for children with the AMBER Alert ID program and are designing for the Silver Alert ID program.

So please recommend or -- recognize and recommend the Silver Alert ID program as mentioned by my fellow Rotarian.

Second, the plan, as presented today, is missing an important portion of the state's citizens who desperately need this type of service. With the Silver Alert Plan, as presently, only citizens age 65 and older are covered. The AMBER Alert system covers children from birth to age 18. What do we do with the adults between ages 18 and 64 who are inflicted with health, mental or physical disabilities that if they were left to the environment or weather conditions may not be found in time?

I would hope that our State would be progressive and amend the Silver Alert Bill 451 to cover those individuals like the states of Missouri and North Carolina.

Third, the cost. I know with the economy as it is presently the cost of any program is in the forefront of everyone's mind. To answer this very question, I wish to make reference to the attached publication, which was in my printed presentation that you all have, Silver Alert Initiatives in the States. On page 4, issues and concerns, second paragraph down, most of the states indicate that the costs associated with the program were minimal.

In closing, I hope you will amend and forward this bill for passage.

I wish to leave you with this thought.



If your base for decision is strictly on cost, then the biggest question that I can present to you today is whether the cost of the Silver Alert Program is more important than an individual's life.

I would -- any questions?

REP. SERRA: Any questions?

Senator Prague.

SENATOR PRAGUE: Mr. Hicks, thank you for coming in. Uncasville is a hike and a half from here but -- and you waited all day. Thank you very much.

HERBERT HICKS: You're welcome. You saw an AMBER Alert ID program a couple of years ago in Montville. You came by and you saw us. We were doing kids at the Polish Club in -- I think at that time. So I'm sure you're well aware, but any kind of questions like that, I've left my information. It's in the packet, how to get a hold of me. I'll be more than honored and welcomed to come up and assist any way I can.

SENATOR PRAGUE: Thank you. You part of that Rotary Club in --

HERBERT HICKS: My Rotary Club is a Rotary Club with -- the Rotary Club of north -- Stonington. It includes Stonington and North Stonington. The reason I went to that club as opposed to my local one in Montville, is on the east side of the Connecticut River there are three AMBER Alert equipment, two in Stonington, one in Niantic.

When Niantic purchased their program I wrote their matching grant, because my wife was a

member of the club. With my systems -- my two systems I'm someplace in the neighborhood about 16,000 kids that I've registered.

SENATOR PRAGUE: Wow. That's a lot.

HERBERT HICKS: Not enough. Not enough.

SENATOR KISSEL: Thank you.

REP. SERRA: Senator Kissel.

SENATOR KISSEL: I want to say thank you, too, as well. And I know that you have your hands full with your wife, but boy, you know, she married the right guy. You have your priorities straight. That's for sure.

Are all Rotary Clubs throughout the state of Connecticut participating in one way, shape, or form in the AMBER Alert system?

HERBERT HICKS: Well, in honesty, I can't say all. There's about 20 to 25 systems -- or clubs that are involved in it. In some cases clubs that don't have the financial capabilities, will go to a club that does. They'll loan in their event. They'll supply manpower. That is much needed when we do an event like this. Along with that, I have a wonderful asset that I use. I had to use the U.S. Coast Guard cadets. There's a volunteer program that I'm involved in with them. We used them at the Connecticut Boat Show. The first day we had five or six. The second day we had 13 cadets that came up and helped us.

SENATOR KISSEL: Wow.

HERBERT HICKS: During the Big E, we've had over 60 cadets during the 17 days, and they only can come up during the weekend, and they help out.

Every single one of them -- well, for instance, Sunday we had 13 of them, four of them were repeats. They've been to the program, seen the program and come back and volunteered their time again.

SENATOR KISSEL: Well, I just think that, you know, tough times bring out the best in people, and certainly this public private partnership to get things up and running, you know, money can devil us a little bit, but sometimes we can work around it and get really good results. And I'm going to avail myself of the fact that this is being broadcast. If there's any Rotary Clubs up in north central Connecticut, any members that are watching this, let me know your read on this, as well, because I think it's a really great idea and we should be able to do everything that we can to help make this all happen. And as Chairman Serra indicated, I think the whole age restriction, we're not going to -- we're going to take that right out.

So thank you, Mr. Hicks.

HERBERT HICKS: Thank you. That's good.

REP. SERRA: Any other questions?

If not, the next up is Martin Sbriglio.

MARTIN SBRIGLIO: Senator Prague --

REP. SERRA: Good afternoon.

MARTIN SBRIGLIO: Good afternoon. Senator Prague, Representative Serra, thank you for allowing me to be here.

SB 450  
SB 454  
SB 455

I have submitted testimony. I would like to just -- not read it you -- and just briefly --



# STATE OF CONNECTICUT

DEPARTMENT OF SOCIAL SERVICES

LONG TERM CARE OMBUDSMAN PROGRAM  
 25 SIGOURNEY STREET • HARTFORD, CONNECTICUT 06106-5033  
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## 2009 LEGISLATIVE TESTIMONY

Good morning, Senator Prague, Representative Serra, Senator Gaffey, Representative Bye and members of the Select Committee on Aging. My name is Nancy Shaffer. I am the State Long Term Care Ombudsman. I am here to testify in support of legislation before you today.

### S.B. No. 450 (Raised) AN ACT CONCERNING NURSING HOME OVERSIGHT.

In Connecticut in 2008, we experienced the catastrophe known as "Haven Health". The fiscal deterioration of the fifteen Haven Healthcare skilled nursing facilities was the direct result of mismanagement of Medicare, Medicaid and private funds earmarked to care for residents, but sadly, spent for the personal aggrandizement of the corporate head. These homes, as we know, went into bankruptcy and left residents, families, staff and the citizens of Connecticut wondering how did this happen. Today we must ask how can we keep this from happening again? The solution begins, I believe, with responsible ownership of nursing facilities.

SB 454  
SB 455  
SB 451  
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HB 5312

The human tragedy of the Haven fiasco continues. As recently as December of 2008, the Haven home in Waterford shut down operations as a skilled nursing facility-causing the disruption of the lives of about fifty frail and vulnerable individuals. By early December, 2008, most of the residents transferred to other homes in the general vicinity while a few were able to transfer to community living arrangements. Just two weeks ago, another one of the original fifteen Haven homes filed a letter of intent to close. Astonishingly, seven of the residents transferred from Waterford to the Jewett City/Griswold Haven home and will now probably be uprooted once again, after only a few short months of adjusting to their new "home". These are real people-mothers, fathers, grandparents, loved ones. It could be one of our own loved ones.

Connecticut must have clear expectations for quality care for the most vulnerable and frail members of our society. Both the government-who pays for the majority of care and the consumer-who requires the care, have the right to know who is providing that care as well as transparency related to fiscal solvency. When the entity who owns the actual physical asset of the nursing home has virtually no responsibility or accountability for finances or the adequacy of the care provided the system for expecting and providing quality care is broken. When the top priority for owners and investors is profit, rather than providing staffing and resources necessary to ensure quality care for our loved ones we must implement appropriate safeguards.

I know during these incredibly challenging fiscal times difficult decisions and choices must be made. Proposals before you may in fact raise questions about financial costs. I hope that the long term benefits and cost savings of some of the bills before you will help to inform and guide you during the legislative session.

The Long Term Care Ombudsman Program also supports the following proposals:

S.B. No. 451 (Raised) AN ACT ESTABLISHING A SILVER ALERT SYSTEM.

In theory, a Silver Alert System is beneficial to Connecticut elders and their families. We have had instances in our state of elders with dementia or otherwise ill who have wandered from their homes and been at risk. The cost to the State for a Silver Alert System is not known. Hopefully, there is some ability to "piggy back" a Silver Alert System with our Amber Alert System.

S.B. No. 452 (Raised) AN ACT CONCERNING FUNDING FOR ADULT DAY CARE CENTERS.

Our Long Term Care Needs Assessment should be our guide as we outline the future of long term care in Connecticut. We know intuitively, personally, and from the results of this study, that living at home with services is above all else the most preferred choice for Connecticut's residents. Adult Day Care Centers are a vital component of services for elders and their families and that model of care is in jeopardy if we don't commit ourselves to its funding. The cost-savings in terms of keeping an individual in a private home vs. a nursing home, lost wages of caregivers, the negative impact on the health and well being of caregivers are indicators of the benefits of ensuring that our Adult Day Care Centers remain open and viable.

S.B. No. 453 (Raised) AN ACT CONCERNING FINANCIAL ASSISTANCE TO THE STATE'S ASSISTED LIVING PILOT PROJECTS

The Assisted Living Pilot Project has proven beneficial to residents and a cost-saving for Connecticut. It makes good sense to increase the numbers of elders able to remain in a managed residential community rather than be admitted to a nursing home. The proposal increases the number from 75 to 150 individuals enrolled in the pilot program, beneficial to both consumer and state government.

H.B. No. 5297 (Raised) AN ACT CONCERNING THE STATUS OF THE MONEY FOLLOWS THE PERSON

A report to the General Assembly on the status of the Money Follows the Person demonstration project makes good sense, will keep the legislators informed of progress and maintain public awareness of the project.

7/27 (118) P25

# alzheimer's association™

279 New Britain Road Suite 5, Kensington, CT. 06037

(860) 828-2828 [www.alz.org/ct](http://www.alz.org/ct)

Good morning Senator Prague, Representative Serra, and distinguished members of the Select Committee on Aging. My name is Christy Kovel and I am the Senior Director of Public Policy and Communication for the Connecticut Chapter of the Alzheimer's Association.

I am here today to testify in support of Raised Bill No. 451, An Act Establishing a Silver Alert System.

The Alzheimer's Association is a donor supported, non-profit organization serving the needs of families, health care professionals, and those individuals who are affected with Alzheimer's disease and related dementias. The Association provides information and resources, support groups, education and training, and a 24 hour, 7 Day a week Helpline.

An estimated 5.2 million Americans currently are living with Alzheimer's disease, and this number is expected to grow to as many as 16 million by 2050. In Connecticut, nearly 70,000 residents have Alzheimer's or a related dementia, and over 112,000 people are caring for them.

Six out of 10 people with Alzheimer's disease will wander from their homes or care giving facilities at some point as the disease progresses. Even in one's own neighborhood or a familiar place, a person with Alzheimer's disease may become disoriented and lost. Most people with Alzheimer's disease who wander are found within 1.5 miles of home, and 50 percent of individuals who wander risk serious injury or death if not found within the first 24 hours. Exposure and other environmental dangers pose serious threats to people with Alzheimer's disease because they may lose their cognitive ability to remember when to eat and drink and the ability to protect themselves from extreme weather. For these reasons, a timely local search response to a wandering incident is crucial.

The Alzheimer's Association supports a comprehensive approach to constructing a Silver Alert system that addresses the needs of persons with dementia and their families. This approach includes authorizing funding for first responder dementia training and coordinating search efforts between families, caregivers and local authorities. The system needs to be interoperable with existing programs, such as the MedicAlert® + Alzheimer's Association Safe Return® program, a nationwide identification, support and enrollment program providing assistance to adult wanderers and their families

### **Creating a Silver Alert System**

---As the threat-of-Alzheimer's disease continues to touch more people's lives, the safety of those individuals will continue to be a tremendous concern. In order to assist this growing population, the Alzheimer's Association is committed to working with lawmakers to ensure that safety issues are part of comprehensive federal and state Alzheimer's disease planning that better acknowledges the unique needs of the cognitively impaired. The most effective system will include collaboration and cooperation between families, all levels of government, and organizations that support local communities, like the Alzheimer's Association.

The first step in building a successful Silver Alert program is for a state to enact detailed legislation that establishes a clear directive for subsequent program implementation.

#### **At a minimum, Silver Alert legislation should:**

- Gather input in the creation, planning and implementation process from stakeholders including state and local law enforcement, other first responders, the broadcast media, local Alzheimer's Association chapter, Medic Alert® + Safe Return® representatives, representatives of the Assisted Living Federation of America state affiliate, and additional nursing home and senior living associations.
- Specifically tailor to individuals with Alzheimer's disease or a related dementia who wander.

- Not require official proof of diagnosis, instead require a caregiver statement that the person has dementia.
- Use a tiered approach to alert issuance. Most adult wanderers are found within 1.5 miles of home, therefore issuing an alert should not automatically trigger use of statewide highway signs; instead the program should emphasize local searching first, only escalating to regional or statewide if evidence suggests a person has left the immediate area (i.e., in a car or by public transportation).
- Allow local searching to begin immediately upon receiving report of the disappearance.
- Mandate and appropriate funding for first responder training with dementia specific search techniques and strategies.
- Collect data on Silver Alert usage and regularly evaluate program operation. As Silver Alert is an emerging program, this effort can improve the functionality of a state's program and guide any new states that implement Silver Alert.
- Support interoperability and communication with the existing Medic Alert® + Safe Return® program.
- Include a mechanism to enroll individuals in Medic Alert® + Safe Return®.

### **MedicAlert® + Safe Return® Program**

Silver Alerts can enhance existing successful programs, such as Medic Alert® + Safe Return®. The Alzheimer's Association's Safe Return® program began in 1993 as a nationwide identification, support and enrollment program which provided assistance when a person with Alzheimer's or a related dementia wandered (either locally or far from home).

In 2007, Medic Alert® and Safe Return® joined forces to create MedicAlert® + Safe Return®. For over 50 years, MedicAlert® has protected and saved lives by providing identification and medical information in emergencies. Through this alliance, MedicAlert® + Safe Return® increased its outreach and awareness efforts to proactively protect its 160,000 enrollees and facilitate over 16,000 reunions.



Medic Alert® + Safe Return® notifies local law enforcement and local Alzheimer's Association chapters to assist in locating the missing individual. By working hand in hand with local law enforcement and offering dementia specific training of public safety personnel, the program operates successfully nationwide. Additionally, the program provides first responders with an adult wanderer's vital medical history.

In Connecticut there are 1895 residents enrolled in MedicAlert® and Alzheimer's Association Safe Return® program. We ask that any system that is implemented be compatible with existing programs to address the complex needs of our constituency.

Thank you for your time today, I would be happy to answer any questions.

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Good morning, Senator Prague, Representative Serra and members Select Committee on Aging. My name is Michael P. Starkowski. I am the Commissioner of the Connecticut Department of Social Services (DSS). I am here this morning to testify on several bills concerning the programs, services and operations of DSS.

**S.B. No. 450 (RAISED) AN ACT CONCERNING NURSING HOME OVERSIGHT**

This bill would re-establish and revise the membership of the Nursing Home Financial Advisory Committee. The bill adds the Comptroller, or designee, and State Ombudsman to the Committee comprised of representation from DSS, OPM, DPH, CHEFA, OFA and two representatives of nursing homes appointed by the Governor. The bill makes the Comptroller chairperson of the Committee. Under current statute the Committee is co-chaired by the representatives from DSS and DPH.

The Committee would have authority to audit nursing homes and nursing home management companies. The Committee could recommend that the Commissioner of Social Services seek appointment of a receiver to take over operation of a nursing home.

The Department is not supportive of this bill as it would further fragment responsibility for nursing home oversight, replicate audit responsibilities that already exist in DSS and would inappropriately maintain nursing home representation on the Committee. The expertise for evaluating the nursing home financial stability resides in DSS, DPH and CHEFA. In addition, resources from the Office of the Attorney General's Whistleblower and Health Care units also provide valuable support. It is unnecessary to add the Office of the Comptroller. Further, any change to Committee membership should include removal of nursing home representation. It is not appropriate for representatives of existing facilities to participate in financial oversight functions of other competing facilities. The Committee would certainly consult and seek input from nursing home owners and representatives on general financial oversight topics but matters involving the financial condition of specific facilities should not be shared with individuals representing other facilities operating in Ct.

As you may know, in the 2008 session, Governor Rell offered legislation (SB 32) that would have reconstituted the Nursing Home Financial Advisory Committee as an executive branch committee to focus on financial solvency and quality of care issues with annual reporting requirements to the legislative committees of cognizance. The bill included additional financial reporting requirements, established debt restrictions and insurance coverage minimums and strengthened receivership statutes. During the last legislative session my staff and I worked extensively with legislative staff and the Office of the Attorney General to develop an enhanced nursing home oversight program. Unfortunately, that legislation was not adopted in 2008. I recommend that the oversight legislation drafted in the 2008 session be revisited and those negotiations resume.

SB451

SB452

SB453

SB454

HB5297

HB5298

HB5311

**S.B. No. 451 (RAISED) AN ACT ESTABLISHING A SILVER ALERT SYSTEM**

This bill seeks to establish a 'Silver Alert' system similar to the Amber Alert System presently used for children. The Silver Alert System is directed at alerting the state of a missing older person (over age 65) so that the public can assist law enforcement in finding an individual before harm can come to them. While I applaud the good intentions behind this legislation, I have some concerns with the creation of such a system:

- Since dementia and Alzheimer's disease can affect individuals as young as 45, why would this be for those over the age of 65 only?
- Should this system be made available for any person with other cognitive challenges?

The National Association of State Units on Aging (NASUA) surveyed its membership on this topic and the following items were highlighted:

- The top concern raised by the states was that the alerts would be overused. One state reported that the police in their state "feel as though the families and caregivers repeatedly allow individuals to wander because they know that law enforcement officials will find them."
- The former New York State Governor vetoed proposed silver alert system legislation with a veto message that indicated that the silver alert system would weaken the Amber Alert system by making the alerts "too common".
- Another concern expressed by states was that the cost of the programs would be high. Of the states responding to the survey, however, most of the states indicated that the costs associated with the program were minimal.
- Protecting the rights of the missing seniors was also a concern raised by several states that fear that the individual's privacy will be violated. The states with Silver Alert systems in place indicated that they had tight controls in place to guard against further exploitation but it was something that needed to be monitored.

Without a fiscal analysis it is difficult to endorse given the current economic climate. I would recommend that more research be done on the implementation of this program with a focus on local resources available and the impact on existing state resources.

**S.B. No. 452 (RAISED) AN ACT CONCERNING FUNDING FOR ADULT DAY CARE CENTERS**

This bill requests an increase for a specific type of service- Adult Day Care- that is included as a service in the CT Home Care Program, the Alzheimer's Respite Care Program, Protective Services for the Elderly and the Community Based Services Program. Any increase to the fees paid to any one type of service under these programs will cause an overall increase to the budgets for the programs mentioned above. This increase would either reduce the overall services available to the clients under their

RICHARD BLUMENTHAL  
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Office of The Attorney General  
State of Connecticut

TESTIMONY OF  
ATTORNEY GENERAL RICHARD BLUMENTHAL  
BEFORE THE SELECT COMMITTEE ON AGING  
JANUARY 27, 2009

I appreciate the opportunity to speak in support of Senate Bill 451, An Act Establishing a Silver Alert System. This proposal creates a Missing Senior Citizen Information Clearinghouse with the Department of Public Safety to provide a central repository of information and to coordinate public notification, using radio, television, internet, electronic billboards and other media.

We owe our seniors the gold standard in Silver Alert.

A Silver Alert system saves lives. Senior citizens with Alzheimer's Disease or forms of dementia can wander from their homes provoking frantic, frenetic searches. The Silver Alert system was brought to my attention by senior advocates who have encountered problems getting information to the public when a senior is missing. A central data bank and notice procedure are vital. Especially during the cold winter or inclement weather, the longer a person is missing, the greater the likelihood of harm.

A Silver Alert system is undeniably needed. More than 600,000 Connecticut residents are over the age of 60 years. About 70,000 residents have some form of dementia and 60% of them will wander from their homes.

Modeled after the highly successful Amber Alert system for children, a Silver Alert can quickly inform the public, the media, law enforcement and other agencies to provide critical assistance for a successful and safe return.

Currently, thirteen states have Silver Alert systems - Colorado, Delaware, Georgia, Florida, Kentucky, Louisiana, Missouri, North Carolina, Oklahoma, Ohio, Rhode Island, Texas and Virginia. While the systems differ in scope and procedure, they are all highly successful. The actual number of alerts vary from state to state but budgetary impact has been minimal because most authorities use existing Amber Alert infrastructure.

I urge the committee to consider amending Senate Bill 451 to specifically link the Silver Alert to the Connecticut Amber Alert process which immediately broadcasts an emergency missing persons notice to all radio and television stations through the Emergency Alert System as well as to the 2,800 Connecticut Lottery retailers. The Department of Public Safety has years of excellent experience operating the Amber Alert system and can more cost-efficiently use this

existing process than create a new and separate system. I have attached draft legislation for the committee's consideration.

I urge the committee's favorable consideration of Senate Bill 451 with an amendment to link the Silver Alert system to the Amber Alert system.

OFFICE OF THE ATTORNEY GENERAL  
2009 GENERAL ASSEMBLY SESSION  
SELECT COMMITTEE ON AGING

TITLE: An Act Concerning a Silver Alert

SUMMARY: This proposal expands the current Amber Alert system for missing children to senior citizens with cognitive or developmental disabilities

TEXT

Sec. 1. (NEW) (Effective July 1, 2009): The Department of Public Safety shall utilize the Connecticut AMBER alert system to notify the public of any person over the age of sixty five years who has been reported missing to the state or local police provided (1) the state or local police have verified the information contained in the missing person's report and (2) the missing person is (A) cognitively impaired; (B) a person with mental retardation; or (C) mentally disabled.

January 27, 2009

**Raised Bill No. 451 "An Act Establishing A Silver Alert System"**

Madam Chair and members of the committee,

I would like to introduce myself. I am Herbert D. Hicks from Uncasville, CT. Today I want to address Bill 451 "An Act Establishing A Silver Alert System".

My wife has been inflicted with Frontotemporal dementia (an illness similar to Alzheimer's) for the last 3+ years. This illness caused me to retire 5 years earlier than expected. So after 25 years of fire fighting I retired January 1, 2008. This was the only way I could personally take care of my wife.

Since that time, my wife's illness has advanced rapidly. She has become confused and a wandering threat. Directly, this meant I had to add an addition lock to my exterior doors of our home with the key on the inside in fear that she would leave while I was busy.

A program like Silver Alert would help locate her if she was to wander at a time when I was distracted.

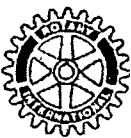
Today, I would like to address three items relating to the bill.

**First**, I would like to state that I am in favor of the ID program as presented by John Judd of the Hamden Rotary Club and my other fellow Rotarians that are here today. In addition I would like to add; that in West Virginia, the Legislators, are considering a photo center in the Senior Centers where the data would be collected and entered into a database just like the Rotarians are doing now for children with their AMBER Alert ID program and are designing for the Silver Alert ID program.

So please recognize and recommend the Silver Alert ID program, as mentioned by my fellow Rotarians.

**Second**, the plan, as presented today, is missing an important portion of the State's citizens who desperately need and deserve this type of service. With the Silver Alert Plan, as presented, only citizens age 65 and older are covered. The AMBER Alert system covers children from birth to 18. What do we do with the adults, between the ages of 18 and 64 who are inflicted with health, mental or physical disabilities that if they were left to the environment or weather conditions may not be found in time?

I would hope that our state would be progressive and amend the Silver Alert Bill 451 to cover all individuals, like the states of Missouri and North Carolina



District 7980



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Third, the cost. I know with the economy as it is presently, the cost of any program is in the fore front of everyone's mind. To answer this very question, I wish to make reference to the attached publication, "Silver Alert Initiatives in the States". On page 4 "Issues and Concerns", Second paragraph down, "most of the states indicated that the costs associated with the program were minimal".

In closing I hope you will amend and forward this bill for passage.

And I wish to leave you with this thought.

If you base your decision strictly on cost, then the biggest question that I can present to you today is whether the cost of the Silver Alert program is more important than an individual's life?

Respectfully,

Herbert D Hicks



# SILVER ALERT INITIATIVES IN THE STATES



Protecting Seniors With Cognitive  
Impairments

SB451



# Silver Alert Initiatives in the States

## PROTECTING SENIORS WITH COGNITIVE IMPAIRMENTS

### INTRODUCTION

To help protect an increasing number of citizens with cognitive impairments who are lost, several states have initiated "Silver Alert" programs. Silver Alert programs are modeled after the Amber Alert programs now present in all 50 states. The Amber Alert programs can quickly distribute information about missing persons to law enforcement, radio, and television stations. It is designed to alert the public and law enforcement agencies so that citizens can be on the look out for missing adults. While the Amber Alert programs are targeted at getting information quickly disseminated about children, Silver Alert programs are targeted for adults with Alzheimer's disease or other forms of dementia.

NASUA conducted a survey of the states to find which states have a Silver Alert program, how they fund it, how the programs are administered. Of the states that responded, we found that seven states currently have Silver Alert Programs and at least two states reported that they have legislation pending. Colorado, Georgia, Missouri, North Carolina, Oklahoma, Texas, and Virginia have Silver Alert Programs in place. Ohio has legislation that has been signed by the governor but is not yet effective.

### State Examples

#### Colorado

In February 2007, Colorado's governor signed the Silver Alert program into law, creating an alert program for senior citizens and people with developmental disabilities. Colorado's program requires that the caretakers provide evidence to law enforcement officials of the impaired mental condition. Once the information is verified, the information is sent out to designated media outlets in Colorado including radio stations, television stations, and other media outlets that will issue the alert at designated intervals.

#### Georgia

Georgia's Silver Alert Program is called "Maddie's Call." The program is for Older Persons with Alzheimer's disease and/or dementia. Maddie's call was established by the Georgia General Assembly in 2006 and provides an emergency missing alert for disabled or elderly persons. Georgia law defines "disabled adults" as individuals who are developmentally impaired or who suffer from dementia or some other cognitive impairment. The Georgia Bureau of Investigations runs the program and several criteria are in place for activation of the call including:

1. A local law enforcement agency believes a disabled person is missing and is in immediate danger of serious bodily injury or death.
2. Through its own investigation, the law enforcement agency verifies the disappearance and eliminates alternative explanations for the disabled person's disappearance.

3. Sufficient information is available to disseminate to the public that could assist in locating the disabled person.
4. The missing disabled person is entered into the National Crime Information Center (NCIC) database.
5. The law enforcement agency must issue a statewide broadcast to law enforcement/911 centers and contact local media regarding the missing person.

### Missouri

Missouri has an Endangered Persons Advisory that is similar to the Amber Alert system. The Endangered Persons Advisory is used to develop and coordinate the efforts of law enforcement and the media in order to increase public participation in safely recovering endangered missing person by increased communication and effective resources sharing. The Advisory is used when a person is missing under unexplained circumstances (not just suspicious) and is an at-risk adult or the circumstances fail to meet the criteria for an Amber Alert for a missing child. Information is disseminated to law enforcement agencies, broadcasters, and the public using the same methods as the Amber Alert with the exception of electronic signs, communication capabilities of private entities, and a portal that allows law enforcement to directly issue and update Alerts to any subscribing individual or agency. The Endangered Person Advisory Program is initiated solely by Missouri law enforcement agencies using the following criteria:

1. Is the person missing under unexplained, involuntary, or suspicious circumstances?
2. Is the person believed to be in danger because of age, health, mental or physical disability, environment or weather conditions?
3. Is the person in the company of a potentially dangerous person or some other factor that might put the person in peril?
4. Is there information that could assist the public in the safe recovery of the person?

*It is common for a person with dementia to wander and become lost; many repeatedly. In fact, over 60 percent of those with dementia will wander at some point." Alzheimer's Association*

Missouri's Endangered Person Advisory is a cooperative effort between the Missouri Department of Public Safety, the Missouri State Highway Patrol, the Missouri Department of Health and Senior

Services, the Missouri Police Chiefs Association, the Missouri Sheriffs Association, and the Missouri Broadcasters Association. Missouri reported that there are no costs associated with the program.

### North Carolina

North Carolina has a Silver Alert program that was established by the General Assembly to locate individuals suffering from dementia or other cognitive impairments. The North Carolina Silver Alert program is operated through the North Carolina Center for Missing Persons with voluntary participation by radio and television broadcasters and the North Carolina Department of Transportation.

The North Carolina model is designed to protect the rights of the missing individual by not releasing specific health information about the missing person that may subject the individual to potential harm, abuse, or exploitations.

The criteria for the North Carolina Silver Alert program are as follows:

1. The person is 18 years or older.
2. The person is believed to be suffering from dementia or other cognitive impairment
3. The person is believed to be missing-regardless of circumstance
4. A legal custodian of the missing person has submitted a missing person's report to the local law enforcement agency where the person went missing.
5. Law enforcement reports the incident to the NC Center for Missing Persons.

#### **Oklahoma**

The Oklahoma House of Representatives passed a resolution calling for a Silver Alert system in 2006 to find missing seniors. As a resolution, the Silver Alert program is not required by law, according to the Department of Public Safety that is responsible for implementing the program. The alert system is issued for patients with Alzheimer's Disease, dementia or other health issues. The key difference in the Amber Alert system and the Silver Alert program in Oklahoma is that the Silver Alert program does not interrupt broadcast programming like the Amber Alert program.

The Oklahoma Department of Public Safety reports that so far the system does not seem to be overused. This was a concern about the program before its implementation. About 10 seniors have been found since that time.

#### **Texas**

The Texas Silver Alert is integrated with the Texas AMBER Alert system to make up the Texas AMBER/Silver Alert Network. The program is administered through the Texas Department of Public Safety, and is funded through the Office of the Governor, Criminal Justice Division. The Silver Alert system implemented September 1, 2007 is the result of state legislation that Governor Perry signed on May 14, 2007.

The Texas system requires the following:

1. The person must be a senior age 65 or older,
2. The person must have Texas as their primary residence,
3. The person must have a written diagnosis from a medical or mental health professional stating the senior has an impaired mental condition. The disappearance must pose a credible threat to the senior's health and safety,
4. The report must be filed within 72 hours of the disappearance, and
5. There must be sufficient information to disseminate to the public that could assist in locating the missing senior.

Since inception of the Program on September 1, 2007, there have been 31 activations of the Texas Silver Alert Network.

#### **Virginia**

Virginia has a Senior Alert Program that is administered through the Virginia State Police. No funding was offered by the state, but the police department offered to absorb the costs of administering the program. The program is new, so it is too early to report if they have had success stories or if residents are utilizing the service. This was bi-partisan legislation developed by Virginia's Alzheimer's Association chapters and Virginia's Office of the Attorney General.

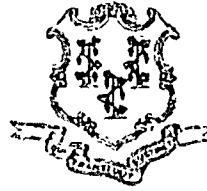
Several concerns were raised by the state unit directors who completed the survey. The top concern raised by the states was that the alerts would be overused. One state reported that the police in their state "feel as though the families and caregivers repeatedly allow individuals to wander because they know that law enforcement officials will find them." Former New York State Governor Pataki vetoed their silver alert system with a veto message that indicated that the silver alert system would weaken the Amber Alert system by making the alerts "too common".

Another concern expressed by states was that the cost of the programs would be high. Of the states responding to the survey, however, most of the states indicated that the costs associated with the program were minimal. West Virginia is considering legislation and is anticipating that the initial costs of a Silver Alert Program in West Virginia would be used to establish a photo center at senior centers, and enter the data into a database. Ongoing costs would cover the expense of entering new photos into the database, which could also be done at minimal cost.

Protecting the rights of the missing seniors was also a concern raised by several states that fear that the individual's privacy will be violated. The states with Silver Alert systems in place indicated that they had tight controls in place to guard against further exploitation but it was something that needed to be monitored.

NASUA will continue to monitor Silver Alert Programs and provide periodic updates. If your state has a program that you would like included, please contact us.

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 Select Committee on Aging  
 Legislative Office Building  
 Hartford, CT 06106

January 27, 2009

**SB 451 AN ACT ESTABLISHING A SILVER ALERT SYSTEM**

*The Department of Public Safety advises of fiscal impact and other concerns.*

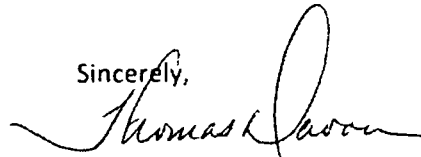
This proposed bill would require the establishment of a Missing Senior Citizen Information Clearinghouse within the Department of Public Safety. Passage of this bill would require a separate procedure and database for investigations of missing persons who are over 65. There is arguably not a sound policy reason for separating out this age population for a different procedure unless there are issues with Alzheimer's or some form of dementia, disabilities that are not limited to those sixty-five and over. The Department of Public Safety does not currently have the manpower to handle the extra workload that would be placed upon the Missing Person's Unit by passage of this bill. Additionally, the creation of a separate data base may require software improvements

The proposed language seems to be largely taken from CGS 29-1e which requires a Missing Children Information Clearing House. That statutory requirement does not have a corresponding fiscal allocation and is carried out within available resources. Section 29-1f provides that the clearinghouse may, subject to available resources, assist in location of missing persons other than children.

In these trying fiscal times, it is unlikely that additional revenues will be made available to the Department of Public Safety to make a specialized effort in regard to missing persons investigations of those over 65.

The Department of Public Safety recognizes the special concerns that may be involved when the missing person is elderly and may have diminished mental capacity. The committee may wish to consider other possibilities that do not have state fiscal impact to address this concern. One possibility would be to investigate the possibility of developing a public and private effort for a Silver Alert that would be somewhat similar to the Amber Alert program with the Connecticut Broadcasters Association.

Sincerely,



Thomas Davoren  
DEPUTY COMMISSIONER  
Department of Public Safety



Advocating for Older Adults of Today and Tomorrow

*Handwritten initials*

Testimony of

*Handwritten initials*

Debra Polun, Legislative Director  
Connecticut Commission on Aging

Select Committee on Aging

January 27, 2009

**(TS)**

Good morning and thank you for this opportunity to comment on a number of bills before you today.

As you know, the Connecticut Commission on Aging is the independent state agency solely devoted to enhancing the lives of the present and future generations of our state's older adults. For fifteen years, the Commission has served as an effective leader in statewide efforts to promote choice, independence and dignity for Connecticut's older adults and persons with disabilities. I'd like to thank this committee for its ongoing leadership and collaboration in these efforts.

SB 452  
SB 455  
HB 5045  
HB 5297

In these difficult budget times, research-based initiatives, statewide planning efforts, vision and creative thinking are all needed to ensure a continued commitment to services and supports for individuals in need. The Connecticut Commission on Aging stands ready to assist our state in finding solutions to our fiscal problems, while keeping commitments to critical programs and services.

**SB 451: An Act Establishing a Silver Alert System**

The Commission supports the concept of this bill to help identify and locate older adults who have been reported missing. Thirteen other states have "Silver Alert" systems for this purpose, similar to the Amber Alert system for missing children.

However, we do believe that the bill should be broadened to include all individuals who are missing and may be in danger. Not only would broadening the system help all other at-risk populations (including those under age 65 afflicted with dementia-related disorders), but a more integrated system would be easier for residents to understand and utilize.





Missouri's system can serve as a model to Connecticut. That state's Endangered Person Advisory Program includes any and all persons who are missing under unexplained, involuntary or suspicious circumstances and who may be in danger. Alternatively, the Commission would recommend expanding Connecticut's existing Amber Alert system, creating one integrated system for missing persons of all ages.

The Commission believes that ease of use and at a minimum cost is critical to the success of this program. We would be happy to work with the Committee this session to craft this legislation.

**SB 452: An Act Concerning Funding for Adult Day Care Centers**

The Connecticut Commission on Aging supports this bill as a smart investment in our home- and community-based infrastructure. Adult Day Centers are a critical component to "rebalancing," a movement that seeks to keep individuals in their homes and communities whenever possible.

Connecticut's Long-Term Care Needs Assessment, completed in 2007, found that 80% of respondents wanted to remain in their homes as they age. Many are able to do so with both "formal" and "informal" care. "Formal" care includes that provided by home care providers (sometimes through public programs, such as the CT Home Care Program for Elders), nutrition, transportation, visiting nurse care and other supports.

The bulk of care, however, is provided "informally," by spouses, neighbors, children and friends. In fact, National AARP estimates that over 500,000 Nutmeggers provide informal care to at least one adult, an economic value to our state of \$4.9 billion. As rewarding as providing this care is, it is also physically and mentally exhausting.

Adult day centers provide needed respite for these informal caregivers, while also providing valuable socialization and recreation to adults with long-term care needs. Like other private providers, adult day centers rely heavily on state Medicaid dollars for their continued success. The Commission thanks the Committee for its support of adult day centers and other efforts to help provide choice, dignity and independence for older adults and persons with disabilities.

**SB 455: An Act Concerning the Nursing Home Bill of Rights**

The Commission on Aging supports this bill, which will protect nursing home residents and their families, by providing greater legal protection and clarifying their rights under state law.

Although existing laws provide some protection for residents, some facilities' contracts ask prospective residents to agree to reduce or, in some cases, even waive those rights. Many families make decisions about nursing home care under duress and time constraints; too often, they do not have the time and ability to read these contracts line by line. Individuals should not be forced to decide whether or not to waive their rights when faced with such difficult, life-changing decisions as those involving their own or their loved one's long-term care needs.

This bill is essential if Connecticut is to keep its commitment to quality care in nursing facilities. We ask for your support.



**Testimony of AARP Connecticut on  
H.B. 5311, S.B. 453, S.B. 455, H.B. 5297, & S.B. 451  
Select Committee on Aging  
January 27, 2008**

AARP is a nonprofit, nonpartisan membership organization that helps people 50+ have independence, choice and control in ways that are beneficial and affordable to them and society as a whole. On behalf of our 630,000 AARP members in Connecticut, we express our support for H.B. 5311, which will increase the TFA child-only grants for relative caregivers to the prevailing foster care rates. We also support S.B. 453, S.B. 455, and H.B. 5297, which will benefit our members by increasing and improving long-term care options that provide choice and independence for people, in a setting that is least restrictive and most appropriate to their needs. AARP also offers recommendation on S.B. 451 that will ensure that the proposed "Silver Alert" system has appropriate safeguards to protect the privacy and independence of seniors.

**H. B. 5311, An Act Increasing Temporary Family Assistance Benefits for Caretaker Relatives.**

AARP strongly supports H.B. 5311, which will increase the TFA child only grants for grandparent and relative caregivers so they are equal to the prevailing foster care rates paid by DCF. Under current law grandparents or relative caregivers are given drastically different funding and support depending on whether their grandchild was first committed to DCF foster care. Those who qualify for the Subsidized Guardianship program through DCF will get roughly double the funding of other grandparents/relative caregivers, who only qualify for a child-only TFA grant.

Under DCF's Subsidized Guardianship Program relative care can receive \$771.90 to \$847.20 (per 30-day month, per child). However, relative caregivers that do not qualify for Subsidized Guardianship Program only get \$354 to \$427 for their first child under TFA and a small fraction of that for additional children.

Grandparents are often thrust into the role of parents under traumatic emotional circumstances without any notice. Whatever the circumstances—prison, drugs, abandonment, abuse, death, illness, divorce—they're never happy. And painful emotions get mixed in. Relative caregivers rarely have the luxury to consider all their options and determine what process for getting their grandchild would provide the most support for raising that child. Instead, grandparents and relatives first and foremost see their relative in need and step up to help—not knowing that their decisions will significantly impact the amount of support and benefit the state will give them

**H. B. 5297 An Act Concerning the Status of the Money Follows the Person Project.**

As an active participant of the Money Follows the Person Steering Committee, AARP supports efforts to make the Money Follows the Person demonstration project transparent and successful. H.B. 5297 will require the Commissioner of Social Services to make semi annual reports to the General Assembly on the status of the Money Follows the Person project. These reports will add transparency and accountability to the process, ultimately making sure that the 700 transitions happen with all deliberate speed.

**S. B. 451 An Act Establishing a Silver Alert System**

If the Committee is interested in setting up a "Silver Alert" system, AARP recommends that you include appropriate limitations that address the following:

- The individual who is eligible to be the subject of an alert has been adjudicated by a court to be incapable of managing his or her own personal affairs, such as through a guardianship proceeding, or has a documented diagnosis of a mental illness, injury or condition that causes the individual to be incapable of making personal care decisions.
- Age is not an appropriate criterion for coverage by an alert system.
- The individual who is eligible to initiate an alert is a legal guardian, a close family member, lives in the same household, or is a caregiver and has had very recent contact with the subject of the alert.
- The alert system protects the privacy, dignity, independence and autonomy of the subject of the alert.