



**PA 19-116—sSB 832**

*Aging Committee*

**AN ACT CONCERNING REGISTRIES OF PERSONS FOUND RESPONSIBLE FOR ASSAULTS OR OTHER ABUSE, NEGLECT, EXPLOITATION OR ABANDONMENT OF ELDERLY PERSONS OR PERSONS WITH DISABILITIES**

**SUMMARY:** By law, the Department of Public Health (DPH) administers a background check program for direct care employees and volunteers of long-term care facilities (i.e., the Long-Term Care Background Check Program). This act expands the list of disqualifying offenses that prohibit someone from being hired as a direct care employee or volunteer at a long-term care facility to include conviction of specified assault and abuse crimes against the elderly, those who are pregnant, and individuals with disabilities.

The act also requires the executive director of the Commission on Women, Children, and Seniors to (1) provide a portal on the commission's website with links to publicly available background databases and (2) convene a working group to develop strategies to raise public awareness of these databases among people hiring providers to care for adults aged 60 and older, children, or individuals with disabilities. (PA 19-117, §§ 105-143 & 398, merges the commission and the Commission on Equity and Opportunity into a new entity, the Commission on Women, Children, Seniors, Equity and Opportunity.)

Under the act, the executive director must (1) keep records on the number of times the portal is used and (2) report on its use to the Aging, Children's, Human Services, and Public Health committees by January 1, 2021.

EFFECTIVE DATE: October 1, 2019

**DPH LONG-TERM CARE BACKGROUND CHECK PROGRAM**

The act expands the list of disqualifying offenses under DPH's Long-Term Care Background Check Program that generally prohibit someone from being hired as a direct care employee or volunteer at a long-term care facility to include conviction of the following crimes:

1. 1<sup>st</sup> degree, 2<sup>nd</sup> degree, or 3<sup>rd</sup> degree assault of an elderly, blind, disabled, or pregnant person or a person with intellectual disability;
2. 2<sup>nd</sup> degree assault with a firearm of an elderly, blind, disabled, or pregnant person or a person with intellectual disability; or
3. 1<sup>st</sup> degree, 2<sup>nd</sup> degree, or 3<sup>rd</sup> degree abuse of an elderly, blind, or disabled person or a person with intellectual disability.

Existing law also includes as a disqualifying offense (1) a state or federal agency's substantiated finding of neglect, abuse, or misappropriation of property under an investigation conducted in accordance with federal Medicare and

## OLR PUBLIC ACT SUMMARY

Medicaid laws or (2) conviction for other specified state or federal crimes, such as felonies related to health care fraud or controlled substances. DPH may grant a waiver, depending on the circumstances.

### PUBLICLY AVAILABLE BACKGROUND DATABASES

Under the act, “publicly available background databases” include the:

1. U.S. Department of Justice’s sex offender public website,
2. Connecticut sex offender registry,
3. U.S. Department of Health and Human Services Office of the Inspector General’s list of individuals and entities excluded from participating in federally funded health care programs for reasons such as Medicare or Medicaid fraud,
4. DPH’s nurse’s aide registry,
5. Judicial Branch’s criminal and motor vehicle conviction database,
6. DPH’s professional licensure verification database, and
7. Department of Social Services’ (DSS) database of practitioners and entities suspended or excluded from participating in DSS-administered programs.