Public Health Committee

MEETING MINUTES

Friday, March 12, 2021

9:00 AM in Zoom and YouTube Live

The meeting was called to order at 9:06 AM by Chairwoman, Sen. Daugherty Abrams M. S13.

The following committee members were present:

Senators: Anwar S. S03; Daugherty Abrams M. S13; Haskell W. S26; Hwang T. S28; Kasser A. S36; Kushner J. S24; Moore M. S22; Somers H. S18

Representatives: Arnone T. 058; Berger-Girvalo A. 111; Betts W. 078; Carpino C. 032; Cook M. 065; Dauphinais A. 044; Demicco M. 021; Elliott J. 088; Foster J. 057; Genga H. 010; Gilchrest J. 018; Green R. 055; Kavros DeGraw E. 017; Kennedy K. 119; Klarides-Ditria N. 105; Linehan L. 103; McCarty K. 038; Parker J. 101; Petit W. 022; Ryan K. 139; Scanlon S. 098; Steinberg J. 136; Tercyak P. 026; Young P. 120; Zupkus L. 089

Absent were:

Senators: None

Representatives: None

Sen. Daugherty Abrams stated we have a long agenda but it’s beautiful outside and encouraged to get out and get sunshine. Sen. Somers looks forward to the debate and echoes the Sen. Daugherty Abrams, take five minutes to go outside, there are some people in multiple meetings, and one has internet issues. Sen. Hwang echoes Sen. Daugherty Abrams and Sen. Somers as we all serve to represent the community and
we need to remember the role we have in representation of the people who elected them. Rep. Petit says it is bright and sunny, he will go golf and chase after his 7-year-old child. Rep. Steinberg apologizes for tardy appearance citing computer issues.

Sen. Daugherty Abrams requested a motion to JF Item #1:

1. **S.B. No. 327 (Raised) An Act Concerning the Provision of Food and Beverages in Funeral Homes.** **Proposed Action: JF to Floor Item #1.**


Rep. Klarides-Ditria shared that we have seen this for a couple years and it seems to be flip flopping. It's not about putting a restaurant in the homes, it's about a sandwich in a bag for the families who are there all day. Will be a no, wouldn't want to eat at a funeral home.

Sen. Somers noted she initially was supportive as it is passive. However, she has received many calls from local funeral homes, and they were overwhelmingly disgusted by the thought of it. She will vote no as it appears that larger chains want this, and local people are against it.

Rep. Berger-Girvalo echoed Sen. Somers comments and added that the single funeral home in her district had concerns that the corporations can handle this better and this could create a competition.

Rep. Arnone wanted to take the opposite view. Both funeral homes in his community have no problem with this. New trends in funerals and younger generations are celebrating people instead of waking like older generations. Weddings and funerals are where families get together most and we want to make a relaxing and comfortable venue for these events. We need to change with the trends and the times.

Rep. Zupkus shared that last year her homes were against it. This year there is no issue and she will support this bill.

Sen. Anwar supported the bill as the funeral homes in his district had no concerns and requested the committee pass it. They are family owned homes too. He shared that we have family spread all over and if there is a passing then travel challenges and everything occur. We want them to be hydrated and nourished to be able to grieve properly. 49 other states allow this, and no disasters have occurred. This is only an option, not mandated.

Rep. Genga indicated that he is in favor of it. Funeral homes that contacted him locally are in favor. The fear of the unknown is the opposition. We are the only state that has not had this convenience and it is an opportunity to make things convenient for the families.

Rep. Betts expressed his opposition to the bill. He has not had anyone ask for it to be available and is not swayed by 49 other states. Restaurants that serve funeral parties will suffer.

Sen. Daugherty Abrams added that it's a business decision, but the family will make the decision too.
Rep. Betts responded that the cost will go up for wakes, there will be limited options, and we shouldn’t be putting more cost on families.

Rep. Carpino stated that her district has misinformation on the bill. This is not about funeral homes cooking food. It is giving the option to have the funeral home partner with a local bakery or restaurant to bring small snacks and pastries for grieving families who come from far away.

Sen. Haskell echoed Rep. Carpino’s thoughts. How is this creating competition between funeral homes and restaurants? The bill created opportunities of business for the restaurants so support the bill. The funeral homes will not be the new “coffee spot”.

Sen. Somers requested clarification. Smaller funeral homes have partnered with local bakery for years, are concerned about having food next to or one room above hazardous medical waste. It’s passive but the fears are of larger corporations can offer food are now looking to expand to offer liquor and prepare food. Not competition with restaurants.

Rep. Arnone shared that the medical waste issue is present in hospitals too. There is a cafeteria where incinerators and drugs and waste are too. This is done in hospital rooms with sick patients every day.

Rep. Kennedy responded that she had spoken with local funeral homes. It is an opt in option, but both funeral homes had mixed feelings. Spoke with health department locally. If it will be snacks and drinks, and if there is hot and cold food, who will monitor and make sure temperatures are ok. Presuming snacks and water, if it will be more than that we should think about who will look after it. Funeral homes said they wouldn’t be able to or they’d have to hire more people.

Rep. Betts pointed out that it is philosophical debate. Don’t understand how cost will not increase because some people put in a kitchen and then what will stop them from trying to go for liquor permits. The health department inspections will be costly too. If there is a big demand, why haven’t we heard from the people.

Sen. Abrams stated that she will support it. She has attended wakes out of state and arrived from airport directly to the funeral home and had the chance to go get a drink or snack in another room and it sustained her to be with her family. She then called for a roll call vote.

Total Voting = 33, Yea = 21, Nay = 12, Abstain = 0, Absent and Not Voting = 0.

Sen. Daugherty Abrams requested a motion to JFS Item #2.

2. **S.B. No. 847** (Raised) An Act Concerning Newborn Infant Health Screening.
   
   *Proposed Action: JFS to Floor Item #2.*


Rep. Carpino raised concerns to the agency directly in the hearing and have not received answers. To that end she would like a friendly amendment to strike lines 19 and 20. Why the secretary of OPM is involved? Only explanation she got is moving it
form different section from bill, does not answer the question. The commissioners of Public Health have been well versed in what they do, public health. The secretaries of OPM are well versed in what they do, not public health.

Sen. Daugherty Abrams requested a motion for an amendment.


Rep. Steinberg shared that OPM references always have to do with money. Speculated it is to do with some budget line.

Rep. Foster noted that the testing cards don't change cost wise, but the analysis of the test has a fiscal impact. It is related to the cost of different tests.

Rep. Betts stated that he will support this bill, but he will say no. It is risky not to have Rep. Carpino get a response form DPH when they’ve had lots of time.

Rep. Steinberg announced that he just heard from DPH, was moved from section C to section A and reflects current law. Rep. Foster is correct.

Rep. Petit shared his assumption was also that it was that. If we are screening newborns to prevent lifelong problems, then it doesn’t seem that the ability to approve should rest in the hands of OPM. Not logical to him.

Sen. Hwang noted that he understands the concept. He commended Rep. Carpino for raising the question in the hearing and not getting an answer. Finds it alarming that in the minutes that this has been discussed now, the DPH immediately got back to Rep. Steinberg instead of Rep. Carpino who asked a question. Disappointed with the lack of respect and the pattern that has been with questions to DPH that have been given half answers or delayed response.

Sen. Somers stated that newborn screening is important. Because the language has always been in the statute, has there been a time where there was not money from OPM that halted screenings? If not, there is no reason to not delete this line.

Rep. Carpino said they did respond that it was language to be removed but never got the answer to why it is there and why it needs to be there. But understanding why they have the ultimate authority and in discussions when the decisions should be made by the commissioner of DPH. We often update language, but the simple act of moving language is not one that’s sufficient.

Rep. Steinberg noted that this is important to us and our obligation. DPH did get back to her on a timely basis, no basis in DPH response between chairs and members, and upsetting that this allegation was made.

Rep. Dauphinais asked if we could consider and hold. Some midwives have asked for leeway and consideration on time, would like 72 hours instead of 48 given the way they see their patients post op. She will vote no just to flag it.

Sen. Daugherty Abrams noted that we could discuss with DPH if this passes. Worthy of a conversation to see if it is possible.
Motion by Rep. Carpino to friendly amend and seconded by Rep. Betts to strike “and subject to the approval to the secretary of OPM” Lines 19 and 20 in LCO 5049 followed by a roll call vote.

Total Voting = 33, Yea = 32, Nay = 1, Abstain = 0, Absent and Not Voting = 0.

Amendment passed.

Motion to JFS with amendment.
No discussion.

Total Voting = 31, Yea = 31, Nay = 0, Abstain = 0, Absent and Not Voting = 2.

Sen. Daugherty Abrams requested a motion to JF Item #3.

3. **S.B. No. 922** (Raised) An Act Concerning Revisions to the Statutes Pertaining to Discharges in a Residential Care Home. **Proposed Action: JF to Floor Item #3.**

No discussion.

Total Voting = 31, Yea = 31, Nay = 0, Abstain = 0, Absent and Not Voting = 2.

Sen. Daugherty Abrams requested a motion to JF Item #4.

4. **H.B. No. 6397** (Raised) An Act Expanding the Definition of a Reporting Entity to the All-Payer Claims Database. **Proposed Action: JF to Floor Item #4.**

Moved by Rep. Steinberg and seconded by Rep. Young.
No discussion.

Total Voting = 33, Yea = 22, Nay =11, Abstain = 0, Absent and Not Voting = 0.

Sen. Daugherty Abrams requested a motion to JFS Item #5.

5. **H.B. No. 6398** (Raised) An Act Concerning Various Revisions to Statutes Concerning the Department of Mental Health and Addiction Services. **Proposed Action: JFS to Floor Item #5.**


Sen. Somers stated this is a bill we’ve had for a while. Very important for people at hospitals. The electronic system will save millions of dollars for the state.

Total Voting = 33, Yea = 33, Nay = 0, Abstain = 0, Absent and Not Voting = 0.

Sen. Daugherty Abrams requested a motion to JF Item #6.


Rep. Klarides-Ditria stated she doesn’t see anything about those coming into CT and their credentials being the same or better to CT.

Sen. Daugherty Abrams noted that her interpretation is it would be under the part about DPH being able to deny an application under best interest.

Rep. Klarides-Ditria asked for clarification on that, please.

Sen. Somers shared that she is supportive in concept, it needs more refinement. Concerned about potential amendments that would include other bills that were not raised in meetings. Would help those in Groton for the spouses of military who move here. Supportive of DPH looking into interstate compacts.

Rep. Linehan noted that we had this discussion previously. It is important bill. Will go a long way to helping spouses of veterans and military. Concerned, we do have a higher standard of licensure. This language has DPH testing skills. Will vote yes but agree that it needs work to ensure those in healthcare industry who have direct contact with patients that a test of skills is given before reciprocal license is approved.

Rep. Dauphinais stated that she agreed with concept. Share concerns. Voting no to flag it.

Rep. Gilchrest requested more to improve language. Received concerns form others. Will vote yes because it has merit.

Rep. McCarty shared that she will be supportive today. Trying to discern what jurisdiction meant, if we could clarify later it would be helpful.

Rep. Foster concurred with Rep. McCarty. Section 5B if line 21 became a shell would change it significantly.

Rep. Steinberg commented that the chairs have expressed the concerns in the hearing to the administration. They indicated willingness for further conversation and changes if this is moved out of committee.

Sen. Daugherty Abrams echoed Rep. Steinberg's comments. Vote today is not a commitment to vote on the floor.

Rep. Demicco said that he appreciated the words of chairs. There are too many problems with training requirements, experience requirements, etc. Is voting no to flag this bill to be made into a better bill.

Total Voting = 33, Yea = 26, Nay = 7, Abstain = 0, Absent and Not Voting = 0.

Sen. Daugherty Abrams requested a motion to JF Item #7.

Rep. Klarides-Ditria shared that her constituents say retail establishments aren’t enforcing the 21-age change. How many citations have we given out?

Sen. Abrams responded that we can ask DMHAS.

Rep. Klarides-Ditria replied that we’ve heard that DMHAS doesn’t have the staff to do the random checks.

Rep. Foster shared that the flavor legislation needs fine tuning to mitigate second hand smoke, and state income. Should ban flavored combustibles, there was support for that in the hearing by health professionals.

Sen. Anwar remarked that he liked the legislature bill over this. This is watered down version of our bill that has been looked at through a financial lens. We can’t put a dollar value to our children. Reluctant yes because we voted on the real bill before, make a decision based on lives and not money.

Rep. Linehan noted her concern to hear that places are not being held to the Tobacco 21 legislation. Will vote yes today, to continue to work on it. Children’s Committee a few years ago had legislation that any vaping product would be sold at an age restricted venue. Maybe talk about this possibility, there are many things we can do to protect children when it comes to vaping.

Rep Gilchrest noted that her comments align with Rep. Linehan. Not a big fan of this bill, if we are going to ban flavors then we should also ban flavor combustible cigarettes. If we are moving in this direction, then we need to invest in education prevention and sensation. Any electronic delivery system with the smaller mg of nicotine would mean the industry would need to sell different products to this state than other states, seems messy and an extra hurdle. Will vote yes to work on it.

Rep. Zupkus shared that everyone in this committee with kids are all concerned with the health of kids. We talk about how bad this stuff is, why don’t we just ban everything. Should not focus on the money, but on the health.

Rep. Kavros DeGraw remarked that she will vote yes. Important to do that, because we need more discussion. Agree with Rep. Klarides-Ditria. Are these laws being upheld? Concerned about the financial component, we are the Public Health Committee, we are looking to protect the next generation. We see addiction in young people because the nicotine content is so large, and they have moved from vaping to combustibles when vapes were taken away. We need to focus on the public health.

Rep. Steinberg added that the chairs hear you. We favor the Committee bill over the Governor’s bill. Revenue is important. Should be using the tobacco salesman funs appropriately. This is a syntax. We need to get our state off its addiction. Hopeful that
we can make up any revenue loss in relief funds and come up with a long-term plan without having to resort to taxes.

Rep. Petit said that he has many issues with the bill. First and foremost, we should ban completely over picking and choosing. We need to enforce the over 21 law. The testimony suggested that the banning of flavors did not reduce addiction and smoking, but there was a direct loss of revenue. There was a huge black market already created.

Rep. Betts noted that we should ban it. He is bothered that people discuss revenue when talking about this and marijuana. Should talk about public health and not revenue. Backhanded to support this and use it to balance the budget.

Sen. Hwang agreed with all of those who talk about addiction, and greater public safety. All true. Will vote yes but hope those who defended this bill will have the same consistency when talking about the health risks, addiction, and revenue of marijuana.

Rep. McCarty shared that she voted for SB 326. Concerns with this on doubling the penalties on the retailers.

Total Voting = 33, Yea = 24, Nay = 9, Abstain = 0, Absent and Not Voting = 0.

Sen. Daugherty Abrams requested a motion to JF Item #8.


Moved by Rep. Steinberg and seconded by seconded by Sen. Somers.

Rep. Petit asked if the pilot is already in place? Because of the timeline.

Sen. Daugherty Abrams responded that she didn't know if it is already set up. Imagine it is.

Rep. Steinberg noted that he will follow up with them.

Total Voting = 33, Yea = 29, Nay = 4, Abstain = 0, Absent and Not Voting = 0.

Sen. Daugherty Abrams requested a motion to JF Item #9.


Sen. Daugherty Abrams shared that this is a good bill and it should pass. That is what this bill is. It will allow us to save lives through training and opportunity to have the illness being mitigated. And if it occurs, we give them the best outcomes. Thank you to Rep. Klarides-Ditria.

Rep. Klarides-Ditria remarked that this requires training and education for many. This bill saves lives.

Rep. McCarty added that we need to recognize Rep. Klarides-Ditria for this bill. This bill can be implemented in the school districts with very little cost.

Total Voting = 33, Yea = 33, Nay = 0, Abstain = 0, Absent and Not Voting = 0.

Sen. Daugherty Abrams requested a motion to JFS Item #10.

10. **H.B. No. 6550** (Raised) An Act Concerning the Office of Health Strategy’s Recommendations Regarding Various Revisions to Community Benefits Programs Administered by Hospitals. **Proposed Action: JFS to Floor Item #10.**


Rep. Zupkus shared her concerns that hospitals already do this, and this puts more regulations on them. This is making them create more burden on what they already do. They don't have a problem with putting the investments in the community, but this is additional requirements and they don't know the underlying policy benefit of this is. Will vote no to flag.

Sen. Daugherty Abrams responded that the changes are that the Office of Health Strategy would be the overseer and the hospitals would be held accountable with aligning their actions with the needs of the community.

Rep. Betts remarked that he is puzzled because they do it already and very well. Will vote no.

Sen. Daugherty Abrams replied they already are required by law to do this. The change right now is to change who oversees it. And the community assessment needs. Currently they don’t have to show a connection between the program and the community assessment, this will change that.

Rep. Steinberg noted that all hospitals do this on some level. By placing this on OHS is an acknowledgement that OHS is in a position, with their data, to be of aid and helpful in counseling individual hospitals on how they could best address community benefits.

Sen. Somers shared that the testimony had few people other than OHS, the CT Hospital Association is against the bill. Not keen on OHS unilaterally deciding how they spend their money. Burdensome for them. They are willing to work with OHS though. She is against the bill.
Sen. Anwar remarked that his comments align with Rep. Zupkus. The bill is about racial equity and health equity in health care overall. There is work to be done. Why aren’t for-profit and non-profit hospitals treated equally. When we look at OHS overstretch, they don’t have enough personnel.

Rep. McCarty noted that she is in favor in moving this to OHS in alignment with Sen. Somers. She is concerned about the spending thresholds and that might be an overreach and may be on conflict with some recent settlements. Will be no today to change.

Rep. Zupkus questioned what will it become due to hiring more staff in the office. Point out that the language has gone form "may" to "shall" and what OHS dictates is the minimum that hospitals must spend.

Sen. Daugherty Abrams responded that she not sure, don’t think they identified an exact amount.

Rep. Zupkus noted that it is concerning for hospitals are in different places.

Rep. Steinberg said that the difference is between the for-profit and non-profit. There is a separate bill that does exactly that. OHS seeks to take responsibility for this, the OHA is willingly transferring the responsibility to OHS. There is an expectation that OHS will grow over time.

Rep. Petit remarked that he is in alignment with Sen. Somers. Strikes as some overreach. Would be a conversation that OHS has with CHA or individual hospitals without having to resort to legislation. Need to see what the benefit of it would be.

Rep. Betts shared the adage “do no harm”. No hospital has lobbied on this, why do we need this when there are so many other issues to look at. Concur with Sen. Anwar and Rep. Steinberg.

Total Voting = 33, Yea = 22, Nay =11, Abstain = 0, Absent and Not Voting = 0.

Sen. Daugherty Abrams announced that a public hearing is scheduled on Monday, March 15 with the Insurance and Real Estate Committee to discuss telehealth. A second public hearing is scheduled on Wednesday, March 17.

Sen. Daugherty Abrams and Rep. Steinberg took a moment to thank the staff with a special thank you to Lindsay Van Buren who is leaving us. Sen. Daugherty Abrams and Rep. Steinberg shared a welcome to Kate Hamilton as the new clerk.

The meeting went into recess for an hour and adjourned at 12:50 PM.

Beverley Henry
Administrator

Kate Hamilton
Committee Clerk