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## **OLR Bill Analysis**

### **HB 5485**

#### ***AN ACT CONCERNING VARIOUS REVISIONS TO THE PUBLIC HEALTH STATUTES.***

#### **SUMMARY**

This bill makes various, unrelated changes in the public health statutes. Among other things, it:

1. removes the Public Health Committee chairpersons and ranking members, and four members they appoint, from the state's Chronic Kidney Advisory Committee (§ 1);
2. makes minor, technical, and conforming changes to replace references to obsolete permits that no longer exists (e.g., bowling establishment permits) with references to the newly structured club permit (§§ 2-5);
3. allows licensed professional counselors and marital and family therapists who are members of specified Department of Mental Health and Addiction Services (DMHAS) community support and crisis intervention teams to issue emergency certificates authorizing people with a psychiatric disability to be taken to a general hospital for examination, under certain conditions (§ 6);
4. modifies the statutory definition of "assisted living services agency" to specify that these agencies may provide nursing services and assistance with activities of daily living to people in need of end-of-life care, in addition to people who are chronic and stable (§ 7);
5. allows certified individuals to practice auricular acupuncture to treat alcohol and drug abuse under the supervision of a physician assistant (PA), advanced practice registered nurse (APRN), or licensed acupuncturist, instead of only a physician as under

current law (§ 10).

The bill also makes technical and conforming changes to various statutes (§§ 8, 9, 11-26).

EFFECTIVE DATE: Upon passage, except that the provisions on (1) emergency certificates for psychiatric evaluation, (2) auricular acupuncture, and (3) technical changes to a statute on health care facility fees take effect October 1, 2022.

## **§ 1 — CHRONIC KIDNEY ADVISORY COMMITTEE**

### ***Membership***

The bill removes as members of the state's Chronic Kidney Advisory Committee, the Public Health Committee chairpersons and ranking members, and the four members they appoint that have cognizance in public health. In doing so, it reduces the committee's required membership, from 21 to 13.

As under current law, the remaining committee members include the public health commissioner, or her designee, and

1. one member each appointed by the six top legislative leaders, governor, and the chief executive officers of the National Kidney Foundation and the American Kidney Fund;
2. one representative each from the kidney physician community, a nonprofit organ procurement organization, and kidney patient community, appointed by the Public Health Committee chairpersons; and
3. any other members the Public Health Committee chairpersons appoint that they deem necessary to represent public health clinics, community health centers, minority health organizations, and health insurers.

The bill also extends, from September 12, 2021, to 60 days after the bill's passage, the date by which (1) appointing authorities must make their initial appointments and (2) the chairpersons must schedule the

committee's first meeting.

By law, the Chronic Kidney Disease Advisory Committee works with policymakers, public health organizations, and educational institutions to increase awareness of chronic kidney disease and develop related educational programs.

**Report**

The bill extends by one year, until January 1, 2023, the date by which the advisory committee must begin annually reporting its findings and recommendations to the Public Health Committee.

**§ 6 — EMERGENCY CERTIFICATES FOR PSYCHIATRIC EVALUATION**

The bill permits licensed professional counselors and marital and family therapists to issue emergency certificates directing a person with psychiatric disabilities to be taken to a hospital for evaluation. To do so, the counselor or therapist must:

1. be a member of a (a) DMHAS-certified community support program or (b) DMHAS-operated or funded mobile crisis team, jail diversion program, crisis intervention team, advanced supervision and intervention support team, or assertive case management support program;
2. have received at least eight hours of specialized training in conducting direct evaluations; and
3. reasonably believe, as a result of direct evaluation, the person has psychiatric disabilities and is a danger to self or others, or gravely disabled and needs immediate care or treatment.

Existing law already allows clinical social workers and APRNs who meet the above training requirements to do this.

**§ 10 — AURICULAR ACUPUNCTURE**

Existing law allows unlicensed individuals who are certified by the National Acupuncture Detoxification Association to practice auricular

acupuncture to treat alcohol and drug abuse under certain supervision and in DPH-licensed freestanding substance abuse facilities, DMHAS-operated settings, or any other setting where it is an appropriate adjunct therapy to a substance abuse or behavioral health treatment.

The bill allows these individuals to practice under the supervision of a PA, APRN, or licensed acupuncturist, instead of only a physician as under current law.

**COMMITTEE ACTION**

Public Health Committee

Joint Favorable

Yea 29 Nay 0 (03/25/2022)