



House of Representatives

General Assembly

File No. 79

February Session, 2022

House Bill No. 5229

House of Representatives, March 22, 2022

The Committee on Human Services reported through REP. ABERCROMBIE of the 83rd Dist., Chairperson of the Committee on the part of the House, that the bill ought to pass.

AN ACT CONCERNING THE LEGISLATIVE COMMISSIONERS' RECOMMENDATIONS FOR TECHNICAL REVISIONS TO HUMAN SERVICES-RELATED STATUTES.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsection (b) of section 4-216a of the 2022 supplement to
2 the general statutes is repealed and the following is substituted in lieu
3 thereof (*Effective from passage*):

4 (b) No state agency contracting with a nonprofit provider of human
5 services may attempt to recover or otherwise offset funds obtained or
6 retained by such nonprofit provider through loan forgiveness. For
7 purposes of this subsection, "attempt to recover or otherwise offset"
8 means (1) reductions in contracted amounts for the same or similar
9 services from the contract period before such loan forgiveness to the
10 next contract period, or (2) demands for reimbursement of state funds
11 from such providers in the amount of any loan forgiveness.

12 Sec. 2. Subsection (b) of section 17b-59a of the 2022 supplement to the

13 general statutes is repealed and the following is substituted in lieu
14 thereof (*Effective from passage*):

15 (b) The Commissioner of Social Services, in consultation with the
16 executive director of the Office of Health Strategy, established under
17 section 19a-754a, shall (1) develop, throughout the Departments of
18 Developmental Services, Public Health, Correction, Children and
19 Families, Veterans Affairs and Mental Health and Addiction Services,
20 uniform management information, uniform statistical information,
21 uniform terminology for similar facilities, and uniform electronic health
22 information technology standards, (2) plan for increased participation
23 of the private sector in the delivery of human services, and (3) provide
24 direction and coordination to federally funded programs in the human
25 services agencies and recommend uniform system improvements and
26 reallocation of physical resources and designation of a single
27 responsibility across human services agencies lines to facilitate shared
28 services and eliminate duplication.

29 Sec. 3. Section 17b-261w of the 2022 supplement to the general
30 statutes is repealed and the following is substituted in lieu thereof
31 (*Effective from passage*):

32 The Commissioner of Social Services may waive or suspend, in whole
33 or in part, to the extent the commissioner deems necessary, any prior
34 authorization or other utilization review criteria and procedures for the
35 [Connecticut] state medical assistance program. The commissioner shall
36 include notice of any such waiver or suspension in a provider bulletin
37 sent to affected providers and posted on the [Connecticut Medical
38 Assistance Program] state medical assistance program's Internet web
39 site not later than fourteen days before implementing such waiver or
40 suspension. As used in this section, ["Connecticut medical assistance
41 program"] "state medical assistance program" means the state's
42 Medicaid program and the Children's Health Insurance Program under
43 Title XXI of the Social Security Act, as amended from time to time.

44 Sec. 4. Subsection (b) of section 7-127h of the 2022 supplement to the
45 general statutes is repealed and the following is substituted in lieu

46 thereof (*Effective from passage*):

47 (b) A multipurpose senior center established pursuant to subsection
48 (a) of this section may [, but need not be limited to, providing] provide
49 assistance, including, but not limited to: (1) Nutrition services; (2) health
50 programs, including, but not limited to, mental health, behavioral
51 health and wellness programs; (3) employment assistance; (4)
52 intergenerational initiatives; (5) community service and civic
53 engagement opportunities; (6) public benefits counseling; (7)
54 socialization and educational opportunities; (8) transportation; (9) peer
55 counseling; (10) financial and retirement counseling; (11) arts and
56 recreation programs; and (12) case management services.

57 Sec. 5. Subsection (b) of section 19a-550b of the 2022 supplement to
58 the general statutes is repealed and the following is substituted in lieu
59 thereof (*Effective from passage*):

60 (b) (1) A resident shall have the right to use technology of the
61 resident's choice that facilitates virtual monitoring or virtual visitation,
62 provided:

63 [(1)] (A) The purchase, activation, installation, maintenance, repair,
64 operation, deactivation and removal of such technology is at the
65 expense of the resident;

66 [(2)] (B) The technology and any recordings and images obtained
67 therefrom are used by the resident and any person communicating with
68 the resident or monitoring the resident in a manner that does not violate
69 any individual's right to privacy under state or federal law and in
70 accordance with the provisions of this section;

71 [(3)] (C) A clear and conspicuous notice is placed on the door of the
72 resident's room or living unit indicating that technology enabling
73 virtual monitoring and intended for such use may be in use;

74 [(4)] (D) In cases where the resident intends to use technology for
75 virtual monitoring in shared living situations, the resident or resident
76 representative provides advance notice to a roommate or the

77 roommate's representative specifying the type of technology, the
78 proposed location of the device, its intended use, intended hours of
79 operation and whether the device is capable of recording audio or video
80 or being activated remotely;

81 [(5)] (E) The resident or resident representative [(A)] (i) obtains the
82 written consent of all roommates or resident representatives of all
83 roommates for the use of the technology for virtual monitoring, and
84 [(B)] (ii) if any roommate withdraws consent, ceases using the
85 technology for virtual monitoring until consent is obtained; and

86 [(6)] (E) The resident or resident representative files a signed, written
87 notice with the nursing home facility and a copy of any written consent
88 of any roommate not less than seven days before installing or using such
89 technology for virtual monitoring that [(A)] (i) identifies the type of
90 technology, its intended use, intended hours of operation and location
91 of such technology in the room or living quarters, [(B)] (ii) states
92 whether the technology is capable of recording audio or video or being
93 activated or controlled remotely, [(C)] (iii) acknowledges that the
94 resident is responsible for the purchase, activation, installation,
95 maintenance, repair, operation, deactivation and removal of such
96 technology, and [(D)] (iv) includes a waiver of all civil, criminal and
97 administrative liability for the nursing home facility in accordance with
98 subsection (d) of this section.

99 (2) Except [for the provisions of subdivision (2)] as provided in
100 subparagraph (B) of subdivision (1) of this subsection, the provisions of
101 this subsection shall not apply to cellular mobile telephones used
102 primarily for telephonic communication or tablets not used for virtual
103 monitoring. If a roommate withdraws consent for the use of technology
104 for virtual monitoring, a resident or resident representative shall inform
105 the facility, in writing, not later than seven days after the roommate
106 withdraws consent.

107 Sec. 6. Subdivision (1) of subsection (c) of section 19a-550b of the 2022
108 supplement to the general statutes is repealed and the following is
109 substituted in lieu thereof (*Effective from passage*):

110 (c) (1) A nursing home facility shall provide Internet access, electricity
111 and a power source for technology used for virtual monitoring or virtual
112 visitation at no cost to a resident, provided (A) a nursing home facility
113 includes the cost of providing Internet access in cost reports filed with
114 the Department of Social Services for purposes of Medicaid
115 reimbursement, (B) the cost is reimbursed to the facility if the
116 department determines that such cost is eligible for reimbursement
117 pursuant to section 17b-340, (C) the Commissioner of Social Services
118 uses any available funding provided by the federal government to the
119 state and authorized by the federal government for expenses related to
120 COVID-19 at nursing home facilities to provide grants-in-aid to such
121 facilities for such upgrades, provided such use is approved by the
122 federal government, and (D) a nursing home facility may assess a
123 prorated portion of any unreimbursed cost of such upgrades to any
124 resident privately paying for a residence in such facility and using such
125 technology. A resident may also procure his or her own Internet
126 connectivity. A private-paying resident who procures his or her own
127 Internet connectivity shall not be charged for the cost of any Internet
128 infrastructure upgrades by the nursing home facility necessary for
129 residents to use such technology. For purposes of this subdivision,
130 "COVID-19" means the respiratory disease designated by the World
131 Health Organization on February 11, 2020, as coronavirus 2019, and any
132 related mutation thereof recognized by said organization as a
133 communicable respiratory disease.

134 Sec. 7. Subdivision (10) of subsection (b) of section 46a-60 of the 2022
135 supplement to the general statutes is repealed and the following is
136 substituted in lieu thereof (*Effective from passage*):

137 (10) For an employer, by the employer or the employer's agent, after
138 informing an employee, pursuant to subdivision (9) of this subsection,
139 of a workplace exposure to substances which may cause birth defects or
140 constitute a hazard to an employee's reproductive system or to a fetus,
141 to fail or refuse, upon the employee's request, to take reasonable
142 measures to protect the employee from the exposure or hazard
143 identified, or to fail or refuse to inform the employee that the measures

144 taken may be the subject of a complaint filed under the provisions of
145 this chapter. Nothing in this subdivision is intended to prohibit an
146 employer from taking reasonable measures to protect an employee from
147 exposure to such substances. For the purpose of this subdivision,
148 "reasonable measures" [shall be] are those measures which are
149 consistent with business necessity and are least disruptive of the terms
150 and conditions of the employee's employment;

151 Sec. 8. Subsection (d) of section 46a-60 of the 2022 supplement to the
152 general statutes is repealed and the following is substituted in lieu
153 thereof (*Effective from passage*):

154 (d) (1) An employer shall provide written notice of the right to be free
155 from discrimination in relation to pregnancy, childbirth and related
156 conditions, including the right to a reasonable accommodation to the
157 known limitations related to pregnancy pursuant to subdivision (7) of
158 subsection (b) of this section to: (A) New employees at the
159 commencement of employment; (B) existing employees within one
160 hundred twenty days [after the effective date of this section] of October
161 1, 2017; and (C) any employee who notifies the employer of her
162 pregnancy within ten days of such notification. An employer may
163 comply with the provisions of this section by displaying a poster in a
164 conspicuous place, accessible to employees, at the employer's place of
165 business that contains the information required by this section in both
166 English and Spanish. The Labor Commissioner may adopt regulations,
167 in accordance with chapter 54, to establish additional requirements
168 concerning the means by which employers shall provide such notice.

169 (2) The Commission on Human Rights and Opportunities shall
170 develop courses of instruction and conduct ongoing public education
171 efforts as necessary to inform employers, employees, employment
172 agencies and persons seeking employment about their rights and
173 responsibilities under this section.

This act shall take effect as follows and shall amend the following sections:

Section 1	<i>from passage</i>	4-216a(b)
Sec. 2	<i>from passage</i>	17b-59a(b)
Sec. 3	<i>from passage</i>	17b-261w
Sec. 4	<i>from passage</i>	7-127h(b)
Sec. 5	<i>from passage</i>	19a-550b(b)
Sec. 6	<i>from passage</i>	19a-550b(c)(1)
Sec. 7	<i>from passage</i>	46a-60(b)(10)
Sec. 8	<i>from passage</i>	46a-60(d)

HS *Joint Favorable*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact: None

Municipal Impact: None

Explanation

The bill, which makes various technical, grammatical and clarifying changes, has no fiscal impact.

The Out Years

State Impact: None

Municipal Impact: None

OLR Bill Analysis

HB 5229

AN ACT CONCERNING THE LEGISLATIVE COMMISSIONERS' RECOMMENDATIONS FOR TECHNICAL REVISIONS TO HUMAN SERVICES-RELATED STATUTES.

SUMMARY

This bill makes a number of technical changes to various laws governing human services.

EFFECTIVE DATE: Upon passage

COMMITTEE ACTION

Human Services Committee

Joint Favorable

Yea 20 Nay 0 (03/08/2022)