



Senate

General Assembly

File No. 183

February Session, 2022

Substitute Senate Bill No. 286

Senate, March 29, 2022

The Committee on Human Services reported through SEN. MOORE of the 22nd Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

AN ACT CONCERNING DEADLINES FOR MANDATORY REPORTING OF SUSPECTED ELDER ABUSE AND PENALTIES FOR FAILURE TO REPORT.

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

1 Section 1. Subsection (a) of section 17b-451 of the 2022 supplement to
2 the general statutes is repealed and the following is substituted in lieu
3 thereof (*Effective July 1, 2022*):

4 (a) A mandatory reporter who has reasonable cause to suspect or
5 believe that any elderly person has been abused, neglected, exploited or
6 abandoned, or is in a condition that is the result of such abuse, neglect,
7 exploitation or abandonment, or is in need of protective services, shall,
8 not later than [seventy-two] twenty-four hours after such suspicion or
9 belief arose, report such information or cause a report to be made in any
10 reasonable manner to the Commissioner of Social Services or to the
11 person or persons designated by the commissioner to receive such
12 reports. Any mandatory reporter who fails for the first time to make
13 such report within the prescribed time shall [be fined not more than five

14 hundred dollars, except that, if] retake the mandatory training on
15 detecting potential abuse, neglect, exploitation and abandonment of
16 elderly persons and provide the commissioner with proof of successful
17 completion of such training. Any mandatory reporter who subsequently
18 fails to make such report within the prescribed time period shall be fined
19 not more than five hundred dollars and shall retake the mandatory
20 training on detecting potential abuse, neglect, exploitation and
21 abandonment of elderly persons and provide the commissioner with
22 proof of successful completion of such training. If such person
23 intentionally fails to make such report within the prescribed time
24 period, such person shall be guilty of a class C misdemeanor for the first
25 offense and a class A misdemeanor for any subsequent offense. Any
26 institution, organization, agency or facility employing individuals to
27 care for persons sixty years of age or older shall provide mandatory
28 training on detecting potential abuse, neglect, exploitation and
29 abandonment of such persons and inform such employees of their
30 obligations under this section. For purposes of this subsection,
31 "mandatory reporter" means any (1) physician or surgeon licensed
32 under the provisions of chapter 370, (2) resident physician or intern in
33 any hospital in this state, whether or not so licensed, (3) registered nurse,
34 (4) nursing home administrator, nurse's aide or orderly in a nursing
35 home facility or residential care home, (5) person paid for caring for a
36 resident in a nursing home facility or residential care home, (6) staff
37 person employed by a nursing home facility or residential care home,
38 (7) residents' advocate, other than a representative of the Office of the
39 Long-Term Care Ombudsman, as established under section 17a-405,
40 including the State Ombudsman, (8) licensed practical nurse, medical
41 examiner, dentist, optometrist, chiropractor, podiatrist, social worker,
42 clergyman, police officer, pharmacist, psychologist or physical
43 therapist, (9) person paid for caring for an elderly person by any
44 institution, organization, agency or facility, including but not limited to,
45 any employee of a community-based services provider, senior center,
46 home care agency, homemaker and companion agency, adult day care
47 center, village-model community and congregate housing facility, (10)
48 person licensed or certified as an emergency medical services provider

49 pursuant to chapter 368d or 384d, including any such emergency
 50 medical services provider who is a member of a municipal fire
 51 department, and (11) driver of a paratransit vehicle, as defined in section
 52 13b-38k.

This act shall take effect as follows and shall amend the following sections:		
Section 1	July 1, 2022	17b-451(a)

Statement of Legislative Commissioners:

In Subsec. (a), "elder abuse training" was changed to "mandatory training on detecting potential abuse, neglect, exploitation and abandonment of elderly persons" for consistency.

HS *Joint Favorable Subst.*

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 changes to (1) the timeframe in which instances of certain elderly abuse must be reported, and (2) the requirements for when such timeframes are not met, is not anticipated to result in a fiscal impact to the state.

The Out Years**State Impact:** None**Municipal Impact:** None

OLR Bill Analysis**sSB 286*****AN ACT CONCERNING DEADLINES FOR MANDATORY REPORTING OF SUSPECTED ELDER ABUSE AND PENALTIES FOR FAILURE TO REPORT.*****SUMMARY**

This bill reduces, from 72 hours to 24 hours, mandated reporting timeframes for elderly protective services.

Under current law, mandated reporters who fail to timely report to the Department of Social Services (DSS) when they have reasonable cause to suspect that an elderly person needs protective services or has been abused, neglected, exploited, or abandoned, are subject to a fine of up to \$500. The bill eliminates the fine for a first-time failure and instead requires someone who fails to report within the required 24-hour timeframe for the first time to retake the mandatory elder abuse training and provide the DSS commissioner with proof of successful training completion. It requires repeat violators to (1) retake the training and provide the proof of successful training completion and (2) be fined up to \$500.

Under existing law, unchanged by the bill, intentional failure to report is a class C misdemeanor for the first offense, punishable by up to three months in prison, a fine of up to \$500, or both. Subsequent offenses are a class A misdemeanor, punishable by up to 364 days in prison, a fine of up to \$2,000, or both.

EFFECTIVE DATE: July 1, 2022

COMMITTEE ACTION

Human Services Committee

Joint Favorable Substitute

Yea 20 Nay 0 (03/17/2022)