



General Assembly

February Session, 2022

**Raised Bill No. 5229**

LCO No. 656



Referred to Committee on HUMAN SERVICES

Introduced by:  
(HS)

**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2 the general statutes is repealed and the following is substituted in lieu  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13 general statutes is repealed and the following is substituted in lieu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30 statutes is repealed and the following is substituted in lieu thereof  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)] (F) 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*