



House of Representatives

General Assembly

File No. 458

January Session, 2023

Substitute House Bill No. 6775

House of Representatives, April 5, 2023

The Committee on Human Services reported through REP. GILCHREST of the 18th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

AN ACT CONCERNING MANDATED REPORTERS.

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 general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective July 1,*
3 *2023*):

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 twenty-four hours after such suspicion or belief arose,
9 report such information or cause a report to be made in any reasonable
10 manner to the Commissioner of Social Services or to the person or
11 persons designated by the commissioner to receive such reports. Any
12 mandatory reporter who fails for the first time to make such report
13 within the prescribed time shall retake the mandatory training on
14 detecting potential abuse, neglect, exploitation and abandonment of
15 elderly persons and provide the commissioner with proof of successful

16 completion of such training. Any mandatory reporter who subsequently
17 fails to make such report within the prescribed time period shall be fined
18 not more than five hundred dollars and shall retake the mandatory
19 training on detecting potential abuse, neglect, exploitation and
20 abandonment of elderly persons and provide the commissioner with
21 proof of successful completion of such training. If such person
22 intentionally fails to make such report within the prescribed time
23 period, such person shall be guilty of a class C misdemeanor for the first
24 offense and a class A misdemeanor for any subsequent offense. Any
25 institution, organization, agency or facility employing individuals to
26 care for persons sixty years of age or older shall provide mandatory
27 training on detecting potential abuse, neglect, exploitation and
28 abandonment of such persons and inform such employees of their
29 obligations under this section. For purposes of this subsection,
30 "mandatory reporter" means any (1) physician or surgeon licensed
31 under the provisions of chapter 370, (2) resident physician or intern in
32 any hospital in this state, whether or not so licensed, (3) registered nurse,
33 (4) nursing home administrator, nurse's aide or orderly in a nursing
34 home facility or residential care home, (5) person paid for caring for a
35 resident in a nursing home facility or residential care home, (6) staff
36 person employed by a nursing home facility or residential care home,
37 (7) residents' advocate, other than a representative of the Office of the
38 Long-Term Care Ombudsman, as established under section 17a-870,
39 including the State Ombudsman, (8) licensed practical nurse, medical
40 examiner, dentist, optometrist, chiropractor, podiatrist, social worker,
41 [clergyman] member of the clergy, police officer, pharmacist,
42 psychologist or physical therapist, (9) person paid for caring for an
43 elderly person by any institution, organization, agency or facility,
44 including but not limited to, any employee of a community-based
45 services provider, senior center, home care agency, homemaker and
46 companion agency, adult day care center, village-model community
47 and congregate housing facility, (10) person licensed or certified as an
48 emergency medical services provider pursuant to chapter 368d or 384d,
49 including any such emergency medical services provider who is a
50 member of a municipal fire department, [and] (11) driver of a

51 paratransit vehicle, as defined in section 13b-38k, (12) licensed
 52 professional counselor, (13) adult probation officer, (14) adult parole
 53 officer, (15) physician assistant, (16) dental hygienist, and (17) resident
 54 services coordinator, clinical care coordinator and manager employed
 55 by a housing authority or municipal developer operating an elderly
 56 housing project.

This act shall take effect as follows and shall amend the following sections:		
Section 1	July 1, 2023	17b-451(a)

Statement of Legislative Commissioners:

The provisions of subdivision (a)(17) were redrafted for internal consistency and consistency with other provisions of the general statutes.

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:

Agency Affected	Fund-Effect	FY 24 \$	FY 25 \$
Correction, Dept.; Judicial Dept.	GF - Potential Cost	See Below	See Below
Resources of the General Fund	GF - Potential Revenue Gain	See Below	See Below

Note: GF=General Fund

Municipal Impact: None

Explanation

The bill adds professions to the list of mandated reporters resulting in a potential cost for incarceration or probation and a potential revenue gain from fines. On average, the marginal cost to the state for incarcerating an offender for the year is \$2,500¹ while the average marginal cost for supervision in the community is less than \$800² each year. Mandated reporters are required to take a training that is offered online and takes less than one hour to complete. Unintentional failure to report is punishable by up to a \$500 fine and a requirement to retake training. Intentional failure to report is a class C misdemeanor for first offenses and a class A misdemeanor for subsequent offenses.

¹ Inmate marginal cost is based on increased consumables (e.g. food, clothing, water, sewage, living supplies, etc.) This does not include a change in staffing costs or utility expenses because these would only be realized if a unit or facility opened.

² Probation marginal cost is based on services provided by private providers and only includes costs that increase with each additional participant. This does not include a cost for additional supervision by a probation officer unless a new offense is anticipated to result in enough additional offenders to require additional probation officers.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to the number of offenses.

OLR Bill Analysis

sHB 6775

AN ACT CONCERNING MANDATED REPORTERS.

SUMMARY

This bill expands the list of mandated reporters who must report to the Department of Social Services (DSS) when they suspect that an elderly person needs protective services. The bill adds the following professions and titles to the list:

1. licensed professional counselors;
2. adult probation officers;
3. adult parole officers;
4. physician assistants;
5. dental hygienists; and
6. resident service coordinators, clinical care coordinators, and managers employed at housing authorities, or municipal developers operating elderly housing projects.

By law, mandated reporters must report to DSS within 24 hours when they have reasonable cause to suspect that an elderly person needs protective services or has been abused, neglected, exploited, or abandoned. Mandated reporters must also take a training program developed or approved by DSS within 90 days of becoming a mandatory reporter. Those who fail to report to DSS must retake the training and submit proof to DSS that they did so. Subsequent violations may additionally be subject to a fine of up to \$500.

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, 2023

COMMITTEE ACTION

Human Services Committee

Joint Favorable Substitute

Yea 21 Nay 0 (03/21/2023)