



General Assembly

**Amendment**

January Session, 2023

LCO No. 6617



Offered by:

SEN. HOCHADEL, 13<sup>th</sup> Dist.

REP. GARIBAY, 60<sup>th</sup> Dist.

To: Subst. Senate Bill No. 930

File No. 99

Cal. No. 89

**"AN ACT REQUIRING NOTICE OF A PROPOSED INVOLUNTARY TRANSFER OR DISCHARGE OF A NURSING FACILITY RESIDENT TO THE STATE OMBUDSMAN."**

1 After the last section, add the following and renumber sections and  
2 internal references accordingly:

3 "Sec. 501. Section 19a-693 of the general statutes is repealed and the  
4 following is substituted in lieu thereof (*Effective October 1, 2023*):

5 As used in this section and sections 19a-694 to 19a-701, inclusive, as  
6 amended by this act:

7 (1) "Activities of daily living" means activities or tasks that are  
8 essential for a person's healthful and safe existence, including, but not  
9 limited to, bathing, dressing, grooming, eating, meal preparation,  
10 shopping, housekeeping, transfers, bowel and bladder care, laundry,  
11 communication, self-administration of medication and ambulation.

12 (2) "Assisted living services" means nursing services and assistance

13 with activities of daily living provided to residents living within (A) a  
14 managed residential community having supportive services that  
15 encourage persons primarily fifty-five years of age or older to maintain  
16 a maximum level of independence, or (B) an elderly housing complex  
17 receiving assistance and funding through the United States Department  
18 of Housing and Urban Development's Assisted Living Conversion  
19 Program.

20 (3) "Assisted living services agency" means an entity, licensed by the  
21 Department of Public Health pursuant to chapter 368v that provides,  
22 among other things, nursing services and assistance with activities of  
23 daily living to a population that is chronic and stable.

24 (4) "Managed residential community" means a for-profit or not-for-  
25 profit facility consisting of private residential units that provides a  
26 managed group living environment consisting of housing and services  
27 for persons who are primarily fifty-five years of age or older. "Managed  
28 residential community" does not include any state-funded congregate  
29 housing facilities.

30 (5) "Department" means the Department of Public Health.

31 (6) "Family council" means an independent, self-determining group  
32 of family members and friends who (A) advocate for the needs and  
33 interests of the residents of a managed residential community that offers  
34 assisted living services, and (B) facilitate open communication between  
35 the managed residential community administration, the residents and  
36 family and friends of the residents.

37 ~~[(6)]~~ (7) "Private residential unit" means a private living environment  
38 designed for use and occupancy by a resident within a managed  
39 residential community that includes a full bathroom and access to  
40 facilities and equipment for the preparation and storage of food.

41 ~~[(7)]~~ (8) "Resident" means a person residing in a private residential  
42 unit of a managed residential community pursuant to the terms of a  
43 written agreement for occupancy of such unit.

44 Sec. 502. Section 19a-694 of the general statutes is repealed and the  
45 following is substituted in lieu thereof (*Effective October 1, 2023*):

46 (a) All managed residential communities operating in the state shall:

47 (1) Provide a written residency agreement to each resident in  
48 accordance with section 19a-700;

49 (2) Afford residents the ability to access services provided by an  
50 assisted living services agency. Such services shall be provided in  
51 accordance with a service plan developed in accordance with section  
52 19a-699;

53 (3) Upon the request of a resident, arrange, in conjunction with the  
54 assisted living services agency, for the provision of ancillary medical  
55 services on behalf of a resident, including physician and dental services,  
56 pharmacy services, restorative physical therapies, podiatry services,  
57 hospice care and home health agency services, provided the ancillary  
58 medical services are not administered by employees of the managed  
59 residential community, unless the resident chooses to receive such  
60 services;

61 (4) Provide a formally established security program for the protection  
62 and safety of residents that is designed to protect residents from  
63 intruders;

64 (5) Afford residents the rights and privileges guaranteed under title  
65 47a;

66 (6) Comply with the provisions of subsection (c) of section 19-13-D105  
67 of the regulations of Connecticut state agencies; [and]

68 (7) Assist a resident who has a long-term care insurance policy with  
69 preparing and submitting claims for benefits to the insurer, provided  
70 such resident has executed a written authorization requesting and  
71 directing the insurer to (A) disclose information to the managed  
72 residential community relevant to such resident's eligibility for an  
73 insurance benefit or payment, and (B) provide a copy of the acceptance

74 or declination of a claim for benefits to the managed residential  
75 community at the same time such acceptance or declination is made to  
76 such resident; and

77 (8) On or before January 1, 2024, encourage and assist in the  
78 establishment of a family council in managed residential communities  
79 offering assisted living services. Such family council shall not allow a  
80 family member or friend of a resident who is not a resident of a dementia  
81 special care unit to participate in the family council without the consent  
82 of such resident.

83 (b) No managed residential community shall control or manage the  
84 financial affairs or personal property of any resident, except as provided  
85 for in subdivision (7) of subsection (a) of this section."

This act shall take effect as follows and shall amend the following sections:		
Sec. 501	October 1, 2023	19a-693
Sec. 502	October 1, 2023	19a-694