



House of Representatives

General Assembly

File No. 607

February Session, 2024

Substitute House Bill No. 5001

House of Representatives, April 24, 2024

The Committee on Appropriations reported through REP. WALKER of the 93rd Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

AN ACT SUPPORTING CONNECTICUT SENIORS AND THE IMPROVEMENT OF NURSING AND HOME-BASED CARE.

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

1 Section 1. Subsection (c) of section 17b-706a of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective October*
3 *1, 2024*):

4 (c) The Personal Care Attendant Workforce Council shall have the
5 following duties and responsibilities relating to personal care
6 attendants: (1) Study issues relating to the recruitment, retention and
7 adequacy of personal care attendants; and (2) develop a plan to improve
8 the quality, stability and availability of personal care attendants by (A)
9 developing a means to identify and recruit personal care attendants, (B)
10 developing training and educational opportunities for personal care
11 attendants and consumers, including, on and after January 1, 2025,
12 training for personal care attendants on techniques for recognizing and
13 responding to harassment, abuse and discrimination by consumers, (C)
14 developing one or more registries to (i) provide routine, emergency and

15 respite referrals of qualified personal care attendants to consumers and
16 surrogates who are authorized to receive long-term, in-home personal
17 care services by a personal care attendant, (ii) enable consumers and
18 surrogates to access information about prospective personal care
19 attendants such as their training, educational background and work
20 experience, and (iii) provide appropriate employment opportunities for
21 personal care attendants, and (D) establishing standards for wages,
22 benefits and conditions of employment for personal care attendants.

23 Sec. 2. Subsection (h) of section 19a-491 of the 2024 supplement to the
24 general statutes is repealed and the following is substituted in lieu
25 thereof (*Effective October 1, 2024*):

26 (h) (1) The commissioner may require as a condition of the licensure
27 of a home health care agency, hospice agency and home health aide
28 agency that each agency meet minimum service quality standards. In
29 the event the commissioner requires such agencies to meet minimum
30 service quality standards as a condition of their licensure, the
31 commissioner shall adopt regulations, in accordance with the
32 provisions of chapter 54, to define such minimum service quality
33 standards, which shall [(1)] (A) allow for training of home health aides
34 by adult continuing education, [(2)] (B) require a registered nurse to visit
35 and assess each patient receiving home health aide services as often as
36 necessary based on the patient's condition, but not less than once every
37 sixty days, and [(3)] (C) require the assessment prescribed by
38 [subdivision (2) of this subsection] subparagraph (B) of this subdivision
39 to be completed while the home health aide is providing services in the
40 patient's home.

41 (2) On and after January 1, 2025, the commissioner shall require as a
42 condition of the licensure of a home health care agency, hospice agency
43 and home health aide agency that each agency require its employees to
44 complete training, in a form and manner prescribed by the
45 commissioner, that teaches techniques to recognize and respond to
46 harassment, abuse and discrimination by agency clients.

47 Sec. 3. (NEW) (*Effective October 1, 2024*) The Commissioner of Social

48 Services shall post in a prominent location on the Department of Social
49 Services' Internet web site a link to the Medicare online reporting tool
50 that allows the public to compare nursing homes by quality of care.

51 Sec. 4. (NEW) (*Effective October 1, 2024*) The Commissioner of Public
52 Health shall post in a prominent location on the Department of Public
53 Health's Internet web site a link to the Medicare online reporting tool
54 that allows the public to compare nursing homes by quality of care.

55 Sec. 5. (*Effective from passage*) The Commissioner of Emergency
56 Services and Public Protection, in consultation with the Commissioner
57 of Public Health, shall develop and implement a plan to expand
58 fingerprinting locations in the state to facilitate greater access to such
59 locations for persons requiring state and national criminal history
60 records checks for employment or licensing purposes. Not later than
61 January 1, 2025, the commissioner shall report, in accordance with the
62 provisions of section 11-4a of the general statutes, to the joint standing
63 committees of the General Assembly having cognizance of matters
64 relating to public safety, aging and public health regarding such plan.

65 Sec. 6. (NEW) (*Effective October 1, 2024*) Each home health care agency,
66 home health aide agency and hospice agency, as defined in section 19a-
67 490 of the general statutes, shall require each agency employee to wear
68 an identification badge that includes the employee's name and
69 photograph during each appointment with a client. In any case in which
70 the Commissioner of Public Health determines that a home health care
71 agency, home health aide agency or hospice agency has failed to comply
72 with the requirements established under this section, the commissioner
73 may initiate disciplinary action against the agency pursuant to section
74 19a-494 of the general statutes.

75 Sec. 7. (NEW) (*Effective October 1, 2024*) On and after July 1, 2025, each
76 homemaker-companion agency shall require each agency employee to
77 wear an identification badge that includes the employee's name and
78 photograph during each appointment with a client. In any case in which
79 the Commissioner of Consumer Protection determines that a
80 homemaker-companion agency has failed to comply with the

81 requirements established under this section, the commissioner may
82 initiate disciplinary action against the agency pursuant to section 20-675
83 of the general statutes, as amended by this act.

84 Sec. 8. Section 20-675 of the 2024 supplement to the general statutes
85 is repealed and the following is substituted in lieu thereof (*Effective*
86 *October 1, 2024*):

87 (a) The Commissioner of Consumer Protection may revoke, suspend
88 or refuse to issue or renew any certificate of registration as a
89 homemaker-companion agency or place an agency on probation or issue
90 a letter of reprimand for: (1) Conduct by the agency, or by an employee
91 of the agency while in the course of employment, of a character likely to
92 mislead, deceive or defraud the public or the commissioner; (2)
93 engaging in any untruthful or misleading advertising; (3) failure of such
94 agency that acts as a registry to comply with the notice requirements of
95 section 20-679a; (4) failing to perform a comprehensive background
96 check of a prospective employee or maintain a copy of materials
97 obtained during a comprehensive background check, as required by
98 section 20-678; [or] (5) failing to provide a written notice, obtain a signed
99 notice or maintain a copy of a signed notice, as required by section 20-
100 679c; or (6) on and after July 1, 2025, failing to require an employee
101 scheduled to provide services to a client to wear a badge, as required by
102 section 7 of this act.

103 (b) The commissioner shall revoke a certificate of registration if a
104 homemaker-companion agency is found to have violated, after an
105 administrative hearing conducted in accordance with chapter 54, the
106 provisions of subdivisions (1) to [(5)] (6), inclusive, of subsection (a) of
107 this section three times in one calendar year.

108 (c) The commissioner shall not revoke or suspend any certificate of
109 registration except upon notice and hearing in accordance with chapter
110 54.

111 Sec. 9. Subsection (a) of section 10-4o of the general statutes is
112 repealed and the following is substituted in lieu thereof (*Effective October*

113 1, 2024):

114 (a) The Department of Education, in conjunction with the
115 Department of Social Services, shall coordinate a family resource center
116 program to provide comprehensive child care services, remedial
117 educational and literacy services, families-in-training programs and
118 supportive services to parents who are recipients of temporary family
119 assistance and other parents, nonparent caretaker relatives and legal
120 guardians in need of such services. The family resource centers shall be
121 located in or associated with public schools, and any family resource
122 center established on or after July 1, 2000, shall be located in a public
123 elementary school unless the Commissioner of Education waives such
124 requirement. The commissioner shall determine the manner in which
125 the grant recipients of such program, such as municipalities, boards of
126 education and child care providers, shall be selected. The family
127 resource center shall provide: (1) Quality full-day child care and school
128 readiness programs for children age three and older who are not
129 enrolled in school and child care for children enrolled in school up to
130 the age of twelve for before and after regular school hours and on a full-
131 day basis during school holidays and school vacation, in compliance
132 with all state statutes and regulations governing child care services, as
133 described in section 19a-77, and, in the case of the school readiness
134 programs, in compliance with the standards set for such programs
135 pursuant to section 10-16p; (2) support services to parents, nonparent
136 caretaker relatives and legal guardians of newborn infants to ascertain
137 their needs and provide them with referrals to other services and
138 organizations and, if necessary, education in parenting skills; (3)
139 support and educational services to parents, nonparent caretaker
140 relatives and legal guardians whose children are participants of the
141 child care services of the program and who are interested in obtaining a
142 high school diploma or its equivalent. Parents and their preschool age
143 children and nonparent caretaker relatives, legal guardians and
144 preschool age children in their care may attend classes in parenting and
145 child learning skills together so as to promote the mutual pursuit of
146 education and enhance parent-child interaction; (4) training, technical
147 assistance and other support by the staff of the center to operators and

148 staff of family child care homes, as described in section 19a-77, in the
149 community and serve as an information and referral system for other
150 child care needs in the community or coordinate with such systems as
151 may already exist in the community; (5) a families-in-training program
152 to provide, within available appropriations, community support
153 services to expectant parents and parents, nonparent caretaker relatives
154 and legal guardians of children under the age of three. Such services
155 shall include, but not be limited to, providing information and advice to
156 parents, nonparent caretaker relatives and legal guardians on their
157 children's language, cognitive, social and motor development, visiting a
158 participant's home on a regular basis, organizing group meetings at the
159 center for neighborhood parents, nonparent caretaker relatives and
160 legal guardians of young children and providing a reference center for
161 parents, nonparent caretaker relatives and legal guardians who need
162 special assistance or services. The program shall provide for the
163 recruitment of parents, nonparent caretaker relatives and legal
164 guardians to participate in such program; [and] (6) a sliding scale of
165 payment, as developed in consultation with the Department of Social
166 Services, for child care services at the center; and (7) referrals of parents,
167 nonparent caretaker relatives and legal guardians to community
168 programs concerning childhood development and positive parenting
169 practices. The center shall also provide a teen pregnancy prevention
170 program for adolescents emphasizing responsible decision-making and
171 communication skills.

172 Sec. 10. Section 17a-54 of the general statutes is repealed and the
173 following is substituted in lieu thereof (*Effective October 1, 2024*):

174 The Department of Children and Families shall establish, within
175 available appropriations, community-based, multiservice parent
176 education and support centers. The goal of each center shall be to
177 improve parenting and enhance family functioning in order to provide
178 children and youths increased opportunities for positive development.
179 Each center shall provide: (1) Parent, nonparent caretaker relative and
180 legal guardian education and training services; (2) parent, nonparent
181 caretaker relative and legal guardian support services; (3) information

182 about and coordination of other community services; (4) consultation
183 services; [and] (5) coordination of child care and transportation services
184 to facilitate participation in the center's programs; and (6) referrals of
185 parents, nonparent caretaker relatives and legal guardians to
186 community programs concerning childhood development and positive
187 parenting practices. Each center shall conduct outreach programs and
188 shall be accessible with respect to schedule and location.

189 Sec. 11. Section 7-127b of the general statutes is repealed and the
190 following is substituted in lieu thereof (*Effective October 1, 2024*):

191 (a) The chief elected official or the chief executive officer if by
192 ordinance of each municipality shall appoint a municipal agent for
193 elderly persons. Such agent shall be a staff member of a senior center, a
194 member of an agency that serves elderly persons in the municipality or
195 a responsible resident of the municipality who has demonstrated an
196 interest in [the] assisting elderly persons or has been involved in
197 programs in the field of aging.

198 (b) The duties of the municipal agent [may] shall include, but [shall]
199 need not be limited to: (1) Disseminating information to elderly persons,
200 assisting such persons in learning about the community resources
201 available to them and publicizing such resources and benefits; (2)
202 assisting elderly persons [to apply] in applying for federal and [other
203 benefits] state benefits, and accessing community resources, available to
204 such persons; and (3) reporting to the chief elected official or chief
205 executive officer of the municipality and the Department of Aging and
206 Disability Services any needs and problems of the elderly and any
207 recommendations for action to improve services to the elderly. For the
208 purposes of this subsection, "community resources" means resources
209 that assist elderly persons in gaining access to housing opportunities,
210 including, but not limited to, information regarding access to waitlists
211 for housing designated for elderly persons, applications and consumer
212 reports.

213 (c) Each municipal agent shall serve for a term of two or four years,
214 at the discretion of the appointing authority of each municipality, and

215 may be reappointed. If more than one agent is necessary to carry out the
216 purposes of this section, the appointing authority, in its discretion, may
217 appoint one or more assistant agents. The town clerk in each
218 municipality shall notify the Department of Aging and Disability
219 Services immediately of the appointment of a new municipal agent.
220 Each municipality may provide to its municipal agent resources
221 sufficient for such agent to perform the duties of the office.

222 (d) The Department of Aging and Disability Services shall adopt and
223 disseminate to municipalities guidelines as to the role and duties of
224 municipal agents and such informational and technical materials as may
225 assist such agents in performance of their duties. The department, in
226 cooperation with the area agencies on aging, may provide training for
227 municipal agents within the available resources of the department and
228 of the area agencies on aging.

229 (e) On or before January 1, 2025, the Commissioner of Aging and
230 Disability Services shall create a directory of municipal agents
231 appointed pursuant to the provisions of this section, which shall
232 include, but need not be limited to, the name, title, telephone number,
233 electronic mail address and mailing address of each municipal agent.
234 The commissioner shall post a link to the directory on the Department
235 of Aging and Disability Services' Internet web site.

236 Sec. 12. Section 19a-700 of the general statutes is repealed and the
237 following is substituted in lieu thereof (*Effective from passage*):

238 A managed residential community shall enter into a written
239 residency agreement with each resident that clearly sets forth the rights
240 and responsibilities of the resident and the managed residential
241 community, including the duties set forth in section 19a-562. The
242 residency agreement shall be set forth in plain language and printed in
243 not less than fourteen-point type. The residency agreement shall be
244 signed by the managed residential community's authorized agent and
245 by the resident, or the resident's legal representative, prior to the
246 resident taking possession of a private residential unit and shall include,
247 at a minimum:

248 (1) An itemization of assisted living services, transportation services,
249 recreation services and any other services and goods, lodging and meals
250 to be provided on behalf of the resident by the managed residential
251 community;

252 (2) A full and fair disclosure of all charges, fees, expenses and costs
253 to be borne by the resident including, for written residency agreements
254 entered into on and after October 1, 2024, nonrefundable charges, fees,
255 expenses and costs;

256 (3) A schedule of payments and disclosure of all late fees or potential
257 penalties;

258 (4) For written residency agreements entered into on and after
259 October 1, 2024, the manner in which the managed residential
260 community may adjust monthly fees or other recurring fees, including,
261 but not limited to, (A) how often fee increases may occur, (B) the
262 schedule or specific dates of such increases, and (C) the history of fee
263 increases over the past three calendar years;

264 [(4)] (5) The grievance procedure with respect to enforcement of the
265 terms of the residency agreement;

266 [(5)] (6) The managed residential community's covenant to comply
267 with all municipal, state and federal laws and regulations regarding
268 consumer protection and protection from financial exploitation;

269 [(6)] (7) The managed residential community's covenant to afford
270 residents all rights and privileges afforded under title 47a;

271 [(7)] (8) The conditions under which the agreement can be terminated
272 by either party;

273 [(8)] (9) Full disclosure of the rights and responsibilities of the
274 resident and the managed residential community in situations
275 involving serious deterioration in the health of the resident,
276 hospitalization of the resident or death of the resident, including a
277 provision that specifies that in the event that a resident of the

278 community dies, the estate or family of such resident shall only be
279 responsible for further payment to the community for a period of time
280 not to exceed fifteen days following the date of death of such resident as
281 long as the private residential unit formerly occupied by the resident
282 has been vacated; and

283 ~~[(9)]~~ (10) Any adopted rules of the managed residential community
284 reasonably designed to promote the health, safety and welfare of
285 residents.

286 Sec. 13. Section 19a-694 of the 2024 supplement to the general statutes
287 is repealed and the following is substituted in lieu thereof (*Effective*
288 *October 1, 2024*):

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

290 (1) Provide a written residency agreement to each resident in
291 accordance with section 19a-700, as amended by this act;

292 (2) Provide residents or residents' representatives not less than ninety
293 days' notice of any increase to monthly or reoccurring fees and disclose
294 in writing any nonrefundable charges;

295 (3) Provide residents prorated or full reimbursements of certain
296 charges if the managed residential community determines it can no
297 longer meet the resident's needs during the first forty-five days after
298 occupancy by the resident of the managed residential community unit,
299 including, but not limited to, prorated first month's rent, prorated
300 community fee, full last month's rent and full security deposit;

301 ~~[(2)]~~ (4) Afford residents the ability to access services provided by an
302 assisted living services agency. Such services shall be provided in
303 accordance with a service plan developed in accordance with section
304 19a-699;

305 ~~[(3)]~~ (5) Upon the request of a resident, arrange, in conjunction with
306 the assisted living services agency, for the provision of ancillary medical
307 services on behalf of a resident, including physician and dental services,

308 pharmacy services, restorative physical therapies, podiatry services,
309 hospice care and home health agency services, provided the ancillary
310 medical services are not administered by employees of the managed
311 residential community, unless the resident chooses to receive such
312 services;

313 [(4)] (6) Provide a formally established security program for the
314 protection and safety of residents that is designed to protect residents
315 from intruders;

316 [(5)] (7) Afford residents the rights and privileges guaranteed under
317 title 47a;

318 [(6)] (8) Comply with the provisions of subsection (c) of section 19-13-
319 D105 of the regulations of Connecticut state agencies;

320 [(7)] (9) Assist a resident who has a long-term care insurance policy
321 with preparing and submitting claims for benefits to the insurer,
322 provided such resident has executed a written authorization requesting
323 and directing the insurer to (A) disclose information to the managed
324 residential community relevant to such resident's eligibility for an
325 insurance benefit or payment, and (B) provide a copy of the acceptance
326 or declination of a claim for benefits to the managed residential
327 community at the same time such acceptance or declination is made to
328 such resident; and

329 [(8) On or before January 1, 2024, encourage] (10) Encourage and
330 assist in the establishment of a family council in managed residential
331 communities offering assisted living services. Such family council shall
332 not allow a family member or friend of a resident who is not a resident
333 of a dementia special care unit to participate in the family council
334 without the consent of such resident.

335 (b) No managed residential community shall control or manage the
336 financial affairs or personal property of any resident, except as provided
337 for in subdivision [(7)] (9) of subsection (a) of this section.

338 Sec. 14. Subsection (e) of section 19a-564 of the 2024 supplement to

339 the general statutes is repealed and the following is substituted in lieu
340 thereof (*Effective October 1, 2024*):

341 (e) An assisted living services agency shall: [ensure that] (1) Ensure
342 that all services being provided on an individual basis to clients are fully
343 understood and agreed upon between either the client or the client's
344 representative; [, and] (2) ensure that the client or the client's
345 representative are made aware of the cost of any such services; (3)
346 disclose fee increases to a client or a client's representative not later than
347 ninety days prior to such fees taking effect; and (4) provide, upon
348 request, to a client and a client's representative the history of fee
349 increases over the past three calendar years. Nothing in this subsection
350 shall be construed to limit an assisted living services agency from
351 immediately adjusting fees to the extent such adjustments are directly
352 related to a change in the level of care or services necessary to meet
353 individual client safety needs at the time of a scheduled resident care
354 meeting or if a client's change of condition requires a change in services.

355 Sec. 15. (NEW) (*Effective October 1, 2024*) Not later than thirty days
356 after granting licensure to an assisted living services agency that
357 operates a managed residential community or an assisted living services
358 agency that provides services at a managed residential community, the
359 Commissioner of Public Health shall notify the State Ombudsman of
360 such licensure.

361 Sec. 16. (NEW) (*Effective October 1, 2024*) Each managed residential
362 community shall provide not less than thirty days' notice to its residents
363 and residents' legal representatives before (1) the operator of the
364 managed residential community changes from one business entity to
365 another, or (2) the assisted living services agency providing services at
366 the managed residential community changes from one agency to
367 another.

368 Sec. 17. (NEW) (*Effective from passage*) The State Ombudsman, in
369 consultation with the Commissioner of Public Health, shall develop a
370 managed residential community consumer guide. Such guide shall
371 contain information regarding (1) resident protections, (2) housing

372 protections, including, but not limited to, protections relating to
 373 evictions, (3) managed residential community fees, and (4) any other
 374 information deemed relevant by the State Ombudsman. The State
 375 Ombudsman and Commissioner of Public Health shall post the
 376 consumer guide on the Internet web sites of the Office of the Long-Term
 377 Care Ombudsman and the Department of Public Health not later than
 378 January 1, 2025. The Commissioner of Social Services shall post the
 379 consumer guide on the MyPlaceCT Internet web site not later than
 380 January 1, 2025.

381 Sec. 18. Section 17a-882 of the general statutes is repealed and the
 382 following is substituted in lieu thereof (*Effective October 1, 2024*):

383 The state agency shall:

384 (1) Provide that the files and records maintained by the program may
 385 be disclosed only at the discretion of the State Ombudsman or the
 386 person designated by the ombudsman to disclose the files and records;
 387 and

388 (2) Prohibit the disclosure of the identity of any complainant or
 389 resident with respect to whom the office maintains such files or records
 390 unless (A) the complainant or resident, or the legal representative of the
 391 complainant or resident, consents to the disclosure and the consent is
 392 given in writing; (B) (i) the complainant or resident gives consent orally,
 393 visually or through the use of auxiliary aids and services; and (ii) the
 394 consent is documented contemporaneously in a writing made by a
 395 representative of the office in accordance with such requirements as the
 396 state agency shall establish; or (iii) the disclosure is required by court
 397 order.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2024</i>	17b-706a(c)
Sec. 2	<i>October 1, 2024</i>	19a-491(h)
Sec. 3	<i>October 1, 2024</i>	New section
Sec. 4	<i>October 1, 2024</i>	New section

Sec. 5	<i>from passage</i>	New section
Sec. 6	<i>October 1, 2024</i>	New section
Sec. 7	<i>October 1, 2024</i>	New section
Sec. 8	<i>October 1, 2024</i>	20-675
Sec. 9	<i>October 1, 2024</i>	10-4o(a)
Sec. 10	<i>October 1, 2024</i>	17a-54
Sec. 11	<i>October 1, 2024</i>	7-127b
Sec. 12	<i>from passage</i>	19a-700
Sec. 13	<i>October 1, 2024</i>	19a-694
Sec. 14	<i>October 1, 2024</i>	19a-564(e)
Sec. 15	<i>October 1, 2024</i>	New section
Sec. 16	<i>October 1, 2024</i>	New section
Sec. 17	<i>from passage</i>	New section
Sec. 18	<i>October 1, 2024</i>	17a-882

Statement of Legislative Commissioners:

In Section 11(b), "the elderly" was changed to "elderly persons" and "elderly housing waitlists" was changed to "waitlists for housing designated for elderly persons" for consistency; and in Section 13(b), "subdivision (7)" was changed to "subdivision [(7)] (9)" for accuracy.

APP *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 25 \$	FY 26 \$
Department of Emergency Services and Public Protection	Applicant Fingerprint Card Submission Account - Potential Revenue Loss	See Below	See Below

Municipal Impact:

Municipalities	Effect	FY 25 \$	FY 26 \$
Various Municipal Police Departments	Potential Revenue Gain	See Below	See Below

Explanation

Section 5 results in a potential revenue loss to the Applicant Fingerprint Card Submission Account in the Department of Emergency Services and Public Protection and a potential revenue gain to various municipal police departments to the extent that applicants requiring fingerprinting for employment or licensing purposes shift from using state police fingerprinting locations to other fingerprinting locations.

The bill makes various other changes that are not anticipated to result in a fiscal impact to the state or municipalities.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation.

OLR Bill Analysis

sHB 5001

AN ACT SUPPORTING CONNECTICUT SENIORS AND THE IMPROVEMENT OF NURSING AND HOME-BASED CARE.

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SUMMARY

§ 1 — PERSONAL CARE ATTENDANT WORKFORCE COUNCIL PCA TRAINING

Requires the PCA Workforce Council, starting January 1, 2025, to develop training for PCAs on techniques for recognizing and responding to consumer harassment, abuse, and discrimination

§ 2 — HOME CARE WORKER TRAINING ON CONSUMER HARASSMENT, ABUSE, AND DISCRIMINATION

Starting January 1, 2025, requires home health care, home health aide, and hospice agencies, as a condition of licensure, to require their employees to complete training on how to recognize and respond to consumer harassment, abuse, and discrimination

§§ 3 & 4 — MEDICARE NURSING HOME CARE COMPARE WEBSITE LINK

Requires the DPH and DSS commissioners to prominently post, on their department websites, a link to the Medicare Nursing Home Care Compare website

§ 5 — EXPANDING FINGERPRINTING LOCATIONS

Requires the DESPP commissioner to develop and implement a plan to expand fingerprinting locations in the state and report on the plan to the Aging, Public Health, and Public Safety and Security committees by January 1, 2025

§§ 6-8 — HOME CARE EMPLOYEE BADGES AND PHOTOGRAPHS

Requires home health care, home health aide, homemaker-companion, and hospice agencies to require their employees to wear an identification badge with their name and photograph during client appointments; subjects agencies to disciplinary action for violating the requirements

§§ 9 & 10 — FAMILY RESOURCE CENTERS AND PARENT EDUCATION AND SUPPORT CENTERS

Expands the scope of SDE family resource centers and DCF parent education and support centers to include resources, programs, and services for nonparent caretaker relatives and legal guardians; requires the centers to make referrals to certain community programs

§ 11 — MUNICIPAL AGENTS FOR THE ELDERLY

Makes the duties of municipal agents for the elderly mandatory and expands them to include helping seniors access housing assistance resources; requires the ADS commissioner to create a directory with these agents' contact information and post it on the department's website

§§ 12 & 13 — MANAGED RESIDENTIAL COMMUNITY RESIDENCY AGREEMENTS AND FEES

Requires MRCs to (1) include information in written residency agreements on the way they may adjust monthly or other recurring fees; (2) give residents, or their representatives, 90 days' notice of any fee increases; and (3) give residents prorated or full refunds of certain fees if the facility cannot meet the resident's needs within the first 45 days of occupancy

§ 14 — ALSA FEES

Requires ALSAs to (1) disclose fee increases to residents or their representatives at least 90 days before they take effect and (2) upon request, give them the history of fee increases over the past three years

§ 15 — LONG-TERM CARE OMBUDSMAN NOTIFICATION OF ALSA LICENSURE

Requires the DPH commissioner to notify the Long-Term Care Ombudsman within 30 days after granting a license to an ALSA that operates an MRC or provides services at an MRC

§ 16 — MANAGED RESIDENTIAL COMMUNITY RESIDENT NOTIFICATION

Requires MRCs to give at least 30 days' notice to residents, and their legal representatives, before changing the facility's operator or ALSA that provides facility services

§ 17 — MANAGED RESIDENTIAL COMMUNITY CONSUMER GUIDE

Requires the Long-Term Care Ombudsman, in consultation with the public health commissioner, to develop an MRC consumer guide and post the guide on specified agency websites by January 1, 2025

§ 18 — OFFICE OF THE LONG-TERM CARE OMBUDSMAN CLIENT RECORDS DISCLOSURE

Allows nursing home residents or complainants to give consent visually or by using auxiliary aids for the Office of the Long-Term Care Ombudsman to disclose their files or records; requires an office representative to document the consent in writing

SUMMARY

This bill evaluates and expands supports and services for older adults as described in the section-by-section analysis below.

EFFECTIVE DATE: October 1, 2024, unless otherwise noted below.

§ 1 — PERSONAL CARE ATTENDANT WORKFORCE COUNCIL PCA TRAINING

Requires the PCA Workforce Council, starting January 1, 2025, to develop training for PCAs on techniques for recognizing and responding to consumer harassment, abuse, and discrimination

Starting January 1, 2025, the bill expands the responsibilities of the Personal Care Attendant Workforce Council to include developing training for personal care attendants (PCAs) on techniques for recognizing and responding to consumer harassment, abuse, and discrimination.

§ 2 — HOME CARE WORKER TRAINING ON CONSUMER HARASSMENT, ABUSE, AND DISCRIMINATION

Starting January 1, 2025, requires home health care, home health aide, and hospice agencies, as a condition of licensure, to require their employees to complete training on how to recognize and respond to consumer harassment, abuse, and discrimination

Starting January 1, 2025, home health aide, home health care, and hospice agencies must require their employees to complete training on how to recognize and respond to consumer harassment, abuse, and discrimination. Under the bill, the agencies must do this as a condition of state licensure, as the Department of Public Health (DPH) commissioner prescribes.

§§ 3 & 4 — MEDICARE NURSING HOME CARE COMPARE WEBSITE LINK

Requires the DPH and DSS commissioners to prominently post, on their department websites, a link to the Medicare Nursing Home Care Compare website

The bill requires the Department of Social Services (DSS) and DPH commissioners to post, in a prominent location on their respective department websites, a link to the Medicare Nursing Home Care Compare website. This online reporting tool uses a five-star rating system that allows the public to compare nursing homes by quality of care, health inspections, and staffing.

§ 5 — EXPANDING FINGERPRINTING LOCATIONS

Requires the DESPP commissioner to develop and implement a plan to expand fingerprinting locations in the state and report on the plan to the Aging, Public Health, and Public Safety and Security committees by January 1, 2025

The bill requires the Department of Emergency Services and Public Protection (DESPP) commissioner, in consultation with the DPH commissioner, to develop and implement a plan to expand

fingerprinting locations in the state to facilitate more access to these locations for people required to complete state and national criminal history records checks for employment or licensing purposes.

The commissioner must report to the Aging, Public Health, and Public Safety and Security committees on the plan by January 1, 2025.

EFFECTIVE DATE: Upon passage

§§ 6-8 — HOME CARE EMPLOYEE BADGES AND PHOTOGRAPHS

Requires home health care, home health aide, homemaker-companion, and hospice agencies to require their employees to wear an identification badge with their name and photograph during client appointments; subjects agencies to disciplinary action for violating the requirements

The bill requires each home health care, home health aide, homemaker-companion, and hospice agency to require employees to wear an identification badge that includes their name and photograph during each client appointment. The requirement takes effect July 1, 2025, for homemaker-companion agency employees and October 1, 2024, for all other agency employees.

Under the bill, violators may be subject to various disciplinary actions (e.g., license suspension or revocation or probation) by (1) the Department of Consumer Protection, for homemaker-companion agencies and (2) DPH, for all other agencies.

The bill also makes a related conforming change.

§§ 9 & 10 — FAMILY RESOURCE CENTERS AND PARENT EDUCATION AND SUPPORT CENTERS

Expands the scope of SDE family resource centers and DCF parent education and support centers to include resources, programs, and services for nonparent caretaker relatives and legal guardians; requires the centers to make referrals to certain community programs

The bill expands the scope of (1) State Department of Education (SDE) family resource centers and (2) Department of Children and Families (DCF) parent education and support centers to include resources, programs, and services for nonparent caretaker relatives and legal guardians (see BACKGROUND). It also requires these centers to make referrals for parents, nonparent caretaker relatives, and legal guardians

to community programs on childhood development and positive parenting practices.

§ 11 — MUNICIPAL AGENTS FOR THE ELDERLY

Makes the duties of municipal agents for the elderly mandatory and expands them to include helping seniors access housing assistance resources; requires the ADS commissioner to create a directory with these agents' contact information and post it on the department's website

By law, municipalities must appoint a municipal agent for the elderly to help seniors learn about community resources and file for benefits. The bill makes the agents' duties mandatory, rather than permissive as under current law. It also expands their duties to include helping seniors access resources on housing opportunities, including information on accessing elderly housing waiting lists, applications, and consumer reports.

The bill also requires the Department of Aging and Disability Services (ADS) commissioner, by January 1, 2025, to create a directory of these municipal agents that includes their names and titles, phone numbers, and email and mailing addresses. The commissioner must post a link to the directory on the ADS website.

§§ 12 & 13 — MANAGED RESIDENTIAL COMMUNITY RESIDENCY AGREEMENTS AND FEES

Requires MRCs to (1) include information in written residency agreements on the way they may adjust monthly or other recurring fees; (2) give residents, or their representatives, 90 days' notice of any fee increases; and (3) give residents prorated or full refunds of certain fees if the facility cannot meet the resident's needs within the first 45 days of occupancy

Existing law requires managed residential communities (MRCs) to give each resident a written residency agreement that clearly sets forth the resident's and the MRC's rights and responsibilities. The bill modifies the contents of the agreement and establishes notification and reimbursement requirements for certain resident fees.

EFFECTIVE DATE: October 1, 2024, except the provisions on the residency agreements are effective upon passage.

Written Residency Agreement

The bill adds to the required contents of the agreement the way in which MRCs may adjust monthly or other recurring fees, including (1) how often fees may increase, (2) the schedule or specific dates of these increases, and (3) the history of fee increases over the past three calendar years.

Under current law, written residency agreements must include, among other things, a full and fair disclosure of all charges, fees, expenses, and costs to be borne by the resident. The bill specifies that this includes nonrefundable charges, fees, expenses, and costs.

The bill's provisions apply to written residency agreements entered into on and after October 1, 2024.

Fee Notifications and Reimbursements

The bill requires MRCs to give residents, or their representatives, 90 days' advance notice of any increase in monthly or recurring fees and written disclosure of any nonrefundable charges.

It also requires MRCs to give residents prorated or full reimbursements of certain charges if the MRC determines it can no longer meet the resident's needs during the first 45 days of the resident's occupancy (e.g., prorated first month's rent, prorated community fee, full last month's rent, and full security deposit).

§ 14 — ALSA FEES

Requires ALSAs to (1) disclose fee increases to residents or their representatives at least 90 days before they take effect and (2) upon request, give them the history of fee increases over the past three years

Existing law requires an assisted living services agency (ALSA) to ensure all services provided individually to clients are fully understood by the client or the client's representative, and that the client or representative is made aware of their cost.

The bill also requires an ALSA to (1) disclose fee increases to the client or representative at least 90 days before they take effect and (2) upon request, give the client or representative the history of fee increases over the past three calendar years.

The bill specifies that this requirement does not limit an ALSA from immediately adjusting fees if (1) they are directly related to a change in the level of care or services necessary to meet the client's safety needs at the time of a scheduled resident care meeting or (2) the client's condition changes, resulting in a required change in services.

§ 15 — LONG-TERM CARE OMBUDSMAN NOTIFICATION OF ALSA LICENSURE

Requires the DPH commissioner to notify the Long-Term Care Ombudsman within 30 days after granting a license to an ALSA that operates an MRC or provides services at an MRC

The bill requires the DPH commissioner to notify the Long-Term Care Ombudsman within 30 days after granting a license to an ALSA that operates an MRC or provides services at an MRC.

Under existing law, the state does not license assisted living facilities. Instead, it licenses and regulates ALSAs that provide assisted living services. ALSAs can only provide these services at an MRC. MRCs that wish to provide assisted living services must obtain a DPH license as an ALSA or arrange for the services with a licensed ALSA.

§ 16 — MANAGED RESIDENTIAL COMMUNITY RESIDENT NOTIFICATION

Requires MRCs to give at least 30 days' notice to residents, and their legal representatives, before changing the facility's operator or ALSA that provides facility services

The bill requires MRCs to give at least 30 days' notice to residents, and their legal representatives, before changing the facility's operator or ALSA that provides services at the facility.

§ 17 — MANAGED RESIDENTIAL COMMUNITY CONSUMER GUIDE

Requires the Long-Term Care Ombudsman, in consultation with the public health commissioner, to develop an MRC consumer guide and post the guide on specified agency websites by January 1, 2025

The bill requires the Long-Term Care Ombudsman, in consultation with the public health commissioner, to develop an MRC consumer guide that includes information on (1) resident protections; (2) housing protections, including those related to evictions; (3) MRC fees; and (4) any other information the ombudsman deems relevant.

By January 1, 2025, the ombudsman and commissioner must post the consumer guide on their respective agency websites; the DSS commissioner must post it on the MyPlaceCT website.

EFFECTIVE DATE: Upon passage

§ 18 — OFFICE OF THE LONG-TERM CARE OMBUDSMAN CLIENT RECORDS DISCLOSURE

Allows nursing home residents or complainants to give consent visually or by using auxiliary aids for the Office of the Long-Term Care Ombudsman to disclose their files or records; requires an office representative to document the consent in writing

Existing law authorizes the Office of the Long-Term Care Ombudsman to disclose its files and records only at the discretion of the ombudsman or her designee. The office cannot identify the associated complainant or resident without the person's consent, or the consent of the person's legal representative, unless a court orders the disclosure.

Under existing law, a resident or complainant, or their legal representative, may give consent in writing or orally. The bill also allows them to give consent visually or by using auxiliary aids and services. As under existing law, a representative of the office must document the consent in writing.

BACKGROUND

Legislative History

The House referred the bill (File 121) to the Appropriations Committee, which reported out a substitute bill that replaced the prior bill and eliminated provisions (1) establishing a DSS home care provider registry and data processing system, (2) requiring certain training for homemaker-companion agencies' prospective employees and contractors, (3) requiring certain training for family caregivers who provide PCA services under specified DSS-administered programs, (4) establishing presumptive Medicaid eligibility for homecare, (5) requiring ADS to study financial assistance for nonparent caretaker relatives, (6) expanding regional long-term care ombudsmen's duties, (7) modifying requirements for the disclosure of Community Ombudsman files or records, (8) requiring DPH to study nursing home

diagnostic practices for cognitive disorders, (9) authorizing up to \$1 million in state general obligation bonds to expand the Aging in Place Safely Program, and (10) authorizing certain FY 25 General Fund appropriations to ADS and DPH for various initiatives related to older adults.

Related Bill

HB 5046, favorably reported by the Aging, Appropriations, and Judiciary committees, similarly (1) modifies the contents and notification requirements for MRC residency agreements entered into on and after July 1, 2024, instead of October 1, 2024, and (2) requires ALSAs to disclose fee increases to residents or their representatives at least 60 days before they take effect and, upon request, give them the history of fee increases over the past three years.

DCF Parent Education and Support Centers

DCF operates, within available appropriations, community-based, multiservice parent education and support centers. The goal of each center is to improve parenting and family functioning to give children and youths more opportunities for positive development. Centers provide (1) education, training, and support services; (2) information on, and coordination of, other community services; (3) consultation services; and (4) coordination of child care and transportation services to facilitate participation in the center's programs.

SDE Family Resource Centers

By law, SDE and DSS must coordinate family resource centers together. These centers are generally located in public elementary schools and provide comprehensive child care services, remedial educational and literary services, families-in-training programs, and supportive services to parents who receive Temporary Family Assistance and other parents who need services.

COMMITTEE ACTION

Aging Committee

Joint Favorable Substitute

Yea 15 Nay 0 (03/12/2024)

Appropriations Committee

Joint Favorable Substitute

Yea 52 Nay 0 (04/15/2024)