



Senate

General Assembly

File No. 319

February Session, 2024

Senate Bill No. 275

Senate, April 8, 2024

The Committee on Public Health reported through SEN. ANWAR of the 3rd Dist., Chairperson of the Committee on the part of the Senate, that the bill ought to pass.

AN ACT PROHIBITING NURSING HOMES FROM REJECTING A PATIENT SOLELY ON THE BASIS THAT SUCH PATIENT RECEIVED MENTAL HEALTH SERVICES.

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

1 Section 1. (NEW) (*Effective October 1, 2024*) (a) As used in this section:
2 (1) "Nursing home" has the same meaning as provided in section 19a-
3 490 of the general statutes; and (2) "mental health services" means
4 counseling, therapy, rehabilitation, crisis intervention, emergency
5 services or psychiatric medication for the screening, diagnosis or
6 treatment of mental illness.

7 (b) A nursing home shall not discriminate against a person who
8 applies for admission to such nursing home solely on the basis that such
9 person has, at any time, received mental health services.

This act shall take effect as follows and shall amend the following sections:

Section 1	<i>October 1, 2024</i>	New section
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PH *Joint Favorable*

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 prohibits nursing homes from discriminating against applicants solely because they received mental health services, is not anticipated to result in a fiscal impact to the state.

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

OLR Bill Analysis**SB 275*****AN ACT PROHIBITING NURSING HOMES FROM REJECTING A PATIENT SOLELY ON THE BASIS THAT SUCH PATIENT RECEIVED MENTAL HEALTH SERVICES.*****SUMMARY**

This bill prohibits nursing homes from discriminating against applicants for admission solely because they received mental health services at any time.

Under the bill, “mental health services” include counseling, therapy, rehabilitation, crisis intervention, emergency services, or psychiatric medication to screen, diagnose, or treat mental illness.

Existing state regulation permits nursing homes to accept an applicant for admission with a manageable psychiatric condition if a psychiatrist, after an evaluation, determines it is medically appropriate (Conn. Agencies Regs. § 19-13-D13). In addition, federal law requires Medicaid-certified nursing homes to screen applicants for serious mental illness, intellectual and developmental disabilities (IDD), or related conditions to ensure they are not inappropriately placed in nursing homes (see BACKGROUND).

EFFECTIVE DATE: October 1, 2024

BACKGROUND***Medicaid Preadmission Screening Requirements for Nursing Homes***

Federal law requires Medicaid-certified nursing homes to administer a Preadmission Screening and Resident Review (PASRR) program to screen applicants for serious mental illness, IDD, or related conditions to ensure nursing home care is medically appropriate and that the applicant will receive all necessary services (42 C.F.R. §§ 483.100-

483.138).

Nursing homes perform two levels of PASRR screenings. Level 1 screenings determine whether a person might have one of the above listed conditions. If so, they undergo a more in-depth, Level 2 evaluation, which determines whether the applicant needs additional specialized services and recommends the appropriate setting for receiving them.

COMMITTEE ACTION

Public Health Committee

Joint Favorable

Yea 37 Nay 0 (03/20/2024)