



# Senate

General Assembly

**File No. 526**

February Session, 2024

Substitute Senate Bill No. 425

*Senate, April 17, 2024*

The Committee on Judiciary reported through SEN. WINFIELD of the 10th Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

***AN ACT PROHIBITING DISCRIMINATION BY HEALTH CARE PROVIDERS IN THE PROVISION OF HEALTH CARE SERVICES IN THE STATE.***

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

1 Section 1. (NEW) (*Effective October 1, 2024*) It shall be a discriminatory  
2 practice in violation of this section for any health care provider to refuse  
3 to provide health care services on account of a person's race, color,  
4 religious creed, sex, gender identity or expression, marital status, age,  
5 national origin, ancestry, intellectual disability, mental disability,  
6 learning disability, physical disability, including, but not limited to,  
7 blindness, status as a veteran or status as a victim of domestic violence.  
8 As used in this section, "health care provider" means any person,  
9 corporation, facility or institution licensed by this state to provide health  
10 care services, or an officer, employee or agent thereof acting in the  
11 course and scope of such person's employment. Nothing in this section  
12 shall be construed to require the delivery of futile health care, affect the  
13 professional standard of care or interfere with public health planning.

14 Sec. 2. Subdivision (8) of section 46a-51 of the 2024 supplement to the  
15 general statutes is repealed and the following is substituted in lieu  
16 thereof (*Effective October 1, 2024*):

17 (8) "Discriminatory practice" means a violation of section 4a-60, 4a-  
18 60a, 4a-60g, 31-40y, subsection (b), (d), (e) or (f) of section 31-51i,  
19 subparagraph (C) of subdivision (15) of section 46a-54, subdivisions (16)  
20 and (17) of section 46a-54, section 46a-58, 46a-59, 46a-60, 46a-64, 46a-64c,  
21 46a-66 [,] or 46a-68, sections 46a-68c to 46a-68f, inclusive, [or] sections  
22 46a-70 to 46a-78, inclusive, subsection (a) of section 46a-80, [or] sections  
23 46a-81b to 46a-81o, inclusive, [and] sections 46a-80b to 46a-80e,  
24 inclusive, [and] sections 46a-80k to 46a-80m, inclusive, or section 1 of  
25 this act;

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2024</i>	New section
Sec. 2	<i>October 1, 2024</i>	46a-51(8)

**JUD**      *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.*

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**OFA Fiscal Note****State Impact:** None**Municipal Impact:** None**Explanation**

The bill expands the classification of certain discriminatory practices under the Commission on Human Rights and Opportunities (CHRO) laws and is not anticipated to result in a fiscal impact as it is anticipated that the CHRO will be able to accommodate the additional complaints with existing staff.

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

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**OLR Bill Analysis****sSB 425*****AN ACT PROHIBITING DISCRIMINATION BY HEALTH CARE PROVIDERS IN THE PROVISION OF HEALTH CARE SERVICES IN THE STATE.*****SUMMARY**

This bill specifically prohibits health care providers from refusing to provide health care services due to someone's race, color, religion, sex, gender identity or expression, marital status, age, national origin, ancestry, intellectual disability, mental disability, learning disability, physical disability, including blindness, status as a veteran, or status as a domestic violence victim.

The bill classifies this as a discriminatory practice under the Commission on Human Rights and Opportunities (CHRO) laws. By doing so, the bill allows people aggrieved by these violations, or CHRO itself, to file a complaint with CHRO alleging discrimination.

The bill specifies that it does not require the delivery of futile health care, affect the professional standard of care, or interfere with public health planning.

Under the bill, a "health care provider" is any person, corporation, facility, or institution licensed by the state to provide health care services, or their officers, employees, or agents acting in the course and scope of their employment.

Under existing law, it is generally a discriminatory practice to deny someone, based on similar protected classes as listed above, equal accommodations in any place of public accommodation (i.e., one that caters to or offers its services, facilities, or goods to the general public), subject to lawful conditions and limitations that apply alike to everyone

(CGS § 46a-64).

EFFECTIVE DATE: October 1, 2024

**BACKGROUND**

***Related Federal Law***

Federal law prohibits discrimination in federally funded health programs or activities based on race, color, national origin, age, disability, or sex (including pregnancy, sexual orientation, and gender identity) (42 U.S.C. § 18116).

Among other related laws, the Americans with Disabilities Act prohibits discrimination based on disability in public accommodations, specifically including private hospitals or health care provider offices (42 U.S.C. §§ 12181(7)(F) & 12182).

**COMMITTEE ACTION**

Judiciary Committee

Joint Favorable Substitute

Yea 24 Nay 12 (03/28/2024)