House of Representatives



General Assembly

File No. 149

January Session, 2025

Substitute House Bill No. 6978

House of Representatives, March 19, 2025

The Committee on Public Health reported through REP. MCCARTHY VAHEY of the 133rd Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

AN ACT CONCERNING THE DEPARTMENT OF PUBLIC HEALTH'S RECOMMENDATIONS REGARDING VARIOUS REVISIONS TO THE PUBLIC HEALTH STATUTES.

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

Section 1. Section 19a-6t of the general statutes is amended by adding
 subsection (h) as follows (*Effective from passage*):

3 (NEW) (h) The council may apply for and accept grants, gifts, 4 bequests, sponsorships and in-kind donations of funds from federal and 5 interstate agencies, private firms, individuals and foundations for the 6 purpose of carrying out its responsibilities.

Sec. 2. Subsections (d) and (e) of section 19a-59h of the general
statutes are repealed and the following is substituted in lieu thereof
(*Effective July 1, 2025*):

(d) A hospital shall provide the department with access, including
remote access, to the entirety of a patient's medical record, as the
department deems necessary, to review case information related to a
maternal death case under review by the program. Such remote access

shall be provided on or before October 1, 2022, if technically feasible. All
personal information obtained from the medical record [shall not be
divulged to anyone and] shall be held strictly confidential pursuant to
section 19a-25, as amended by this act, by the department.

(e) All information obtained by the department for the maternal
mortality review program shall be confidential pursuant to section 19a25, as amended by this act. The department may use such information
to improve the accuracy of vital statistics data.

Sec. 3. Subsection (d) of section 19a-59i of the general statutes is
repealed and the following is substituted in lieu thereof (*Effective July 1*,
2025):

25 (d) Whenever a meeting of the maternal mortality review committee 26 takes place, the committee shall consult with relevant experts to evaluate the information and findings obtained from the department 27 28 pursuant to section 19a-59h, as amended by this act, and make 29 recommendations regarding the prevention of maternal deaths. Not 30 later than ninety days after such meeting, the committee shall report, to 31 the Commissioner of Public Health, any recommendations and findings 32 of the committee in a manner that complies with section 19a-25, as 33 amended by this act. The department may use any finding of the 34 committee to improve the accuracy of vital statistics data.

Sec. 4. Subsection (a) of section 19a-25 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1*, 2025):

38 (a) All information, records of interviews, written reports, statements, 39 notes, memoranda or other data, including personal data as defined in 40 subdivision (9) of section 4-190, procured by: (1) The Department of 41 Public Health, by staff committees of facilities accredited by the 42 Department of Public Health, the maternity mortality review 43 committee, established pursuant to section 19a-59i, as amended by this 44 act, or the infant mortality review committee, established pursuant to 45 section 19a-59k, in connection with studies of morbidity and mortality

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46 conducted by the Department of Public Health, such staff committees, 47 the maternal mortality review committee or the infant mortality review 48 committee, or carried on by said department, such staff committees or 49 the maternal mortality review committee jointly with other persons, 50 agencies or organizations, (2) the directors of health of towns, cities or 51 boroughs or the Department of Public Health pursuant to section 19a-52 215, or (3) the Department of Public Health or such other persons, 53 agencies or organizations, for the purpose of reducing the morbidity or 54 mortality from any cause or condition, shall be confidential and shall be 55 used solely for the purposes of (A) medical or scientific research, [and,] 56 (B) for information obtained pursuant to section 19a-215, disease 57 prevention and control by the local director of health and the 58 Department of Public Health, [and] (C) reducing the morbidity or 59 mortality from any cause or condition, (D) for information obtained by 60 the department for the maternal mortality review program pursuant to 61 section 19a-59h, as amended by this act, improving the accuracy of vital 62 statistics data, and (E) for findings of the maternal mortality review 63 committee, established pursuant to section 19a-59i, as amended by this act, improving the accuracy of vital statistics data. Such information, 64 65 records, reports, statements, notes, memoranda or other data shall not 66 be admissible as evidence in any action of any kind in any court or 67 before any other tribunal, board, agency or person, nor shall it be 68 exhibited or its contents disclosed in any way, in whole or in part, by 69 any officer or representative of the Department of Public Health or of 70 any such facility, by any person participating in such a research project 71 or by any other person, except as may be necessary for the purpose of 72 furthering the research project or public health use to which it relates.

Sec. 5. Subsection (a) of section 19a-493 of the general statutes is
repealed and the following is substituted in lieu thereof (*Effective October*1, 2025):

(a) Upon receipt of an application for an initial license, the
Department of Public Health, subject to the provisions of section 19a491a, shall issue such license if, upon conducting a scheduled inspection
and investigation, the department finds that the applicant and facilities

80 meet the requirements established under section 19a-495, provided a 81 license shall be issued to or renewed for an institution, as defined in 82 section 19a-490, only if such institution is not otherwise required to be licensed by the state. If an institution, as defined in [subsections (b), (d), 83 84 (e) and (f) of section 19a-490, except for a nursing home or nursing 85 home facility, as defined in section 19a-490, applies for license renewal and, [has been] at the time of such application for license renewal, is 86 87 certified as a provider of services by the United States Department of 88 Health and Human Services under Medicare or Medicaid programs, 89 [within the immediately preceding twelve-month period, or if an 90 institution, as defined in subsection (b) of section 19a-490, is currently 91 certified,] the commissioner or the commissioner's designee may waive, 92 on renewal of the institution's license, the inspection and investigation 93 of such [facility] <u>institution</u> required by this section and, in such event, 94 any such [facility] institution shall be deemed to have satisfied the 95 requirements of section 19a-495 for the purposes of licensure. Such 96 license shall be valid for two years or a fraction thereof and shall 97 terminate on March thirty-first, June thirtieth, September thirtieth or December thirty-first of the appropriate year. A license issued pursuant 98 99 to this chapter, unless sooner suspended or revoked, shall be renewable 100 biennially (1) after an unscheduled inspection is conducted by the 101 department, and (2) upon the filing by the licensee, and approval by the 102 department, of a report upon such date and containing such information 103 in such form as the department prescribes and satisfactory evidence of 104 continuing compliance with requirements established under section 105 19a-495. In the case of an institution, as defined in subsection (d) of 106 section 19a-490, that is also certified as a provider under the Medicare 107 program, the license shall be issued for a period not to exceed three 108 years, to run concurrently with the certification period. In the case of an 109 institution, as defined in subsection (m) of section 19a-490, that is 110 applying for renewal, the license shall be issued pursuant to section 19a-111 491. Except in the case of a multicare institution, each license shall be 112 issued only for the premises and persons named in the application. Such 113 license shall not be transferable or assignable. Licenses shall be posted 114 in a conspicuous place in the licensed premises.

115 Sec. 6. Section 19a-2a of the general statutes is repealed and the 116 following is substituted in lieu thereof (*Effective from passage*):

117 The Commissioner of Public Health shall employ the most efficient 118 and practical means for the prevention and suppression of disease and 119 shall administer all laws under the jurisdiction of the Department of 120 Public Health and the Public Health Code. The commissioner shall have 121 responsibility for the overall operation and administration of the 122 Department of Public Health. The commissioner shall have the power 123 and duty to: (1) Administer, coordinate and direct the operation of the 124 department; (2) adopt and enforce regulations, in accordance with 125 chapter 54, as are necessary to carry out the purposes of the department 126 as established by statute; (3) establish rules for the internal operation 127 and administration of the department; (4) establish and develop 128 programs and administer services to achieve the purposes of the 129 department as established by statute; (5) enter into a contract, including, 130 but not limited to, a contract with another state, for facilities, services 131 and programs to implement the purposes of the department as 132 established by statute; (6) designate a deputy commissioner or other 133 employee of the department to sign any license, certificate or permit 134 issued by said department; (7) conduct a hearing, issue subpoenas, 135 administer oaths, compel testimony and render a final decision in any 136 case when a hearing is required or authorized under the provisions of 137 any statute dealing with the Department of Public Health; (8) with the 138 health authorities of this and other states, secure information and data 139 concerning the prevention and control of epidemics and conditions 140 affecting or endangering the public health, and compile such 141 information and statistics and shall disseminate among health 142 authorities and the people of the state such information as may be of 143 value to them; (9) annually issue a list of reportable diseases, emergency 144 illnesses and health conditions and a list of reportable laboratory 145 findings and amend such lists as the commissioner deems necessary and 146 distribute such lists as well as any necessary forms to each licensed 147 physician, licensed physician assistant, licensed advanced practice 148 registered nurse and clinical laboratory in this state. The commissioner 149 shall prepare printed forms for reports and returns, with such

instructions as may be necessary, for the use of directors of health, 150 151 boards of health and registrars of vital statistics; and (10) specify 152 uniform methods of keeping statistical information by public and private agencies, organizations and individuals, including a client 153 154 identifier system, and collect and make available relevant statistical 155 information, including the number of persons treated, frequency of 156 admission and readmission, and frequency and duration of treatment. 157 The client identifier system shall be subject to the confidentiality 158 requirements set forth in section 17a-688 and regulations adopted 159 thereunder. The commissioner may designate any person to perform 160 any of the duties listed in subdivision (7) of this section. The 161 commissioner shall have authority over directors of health and may, for 162 cause, remove any such director; but any person claiming to be aggrieved by such removal may appeal to the Superior Court which 163 164 may affirm or reverse the action of the commissioner as the public 165 interest requires. The commissioner shall assist and advise local 166 directors of health and district directors of health in the performance of 167 their duties, and may require the enforcement of any law, regulation or 168 ordinance relating to public health. In the event the commissioner 169 reasonably suspects impropriety on the part of a local director of health 170 or district director of health, or employee of such director, in the 171 performance of his or her duties, the commissioner shall provide 172 notification and any evidence of such impropriety to the appropriate 173 governing authority of the municipal health authority, established 174 pursuant to section 19a-200, or the district department of health, 175 established pursuant to section 19a-244, for purposes of reviewing and 176 assessing a director's or an employee's compliance with such duties. 177 Such governing authority shall provide a written report of its findings 178 from the review and assessment to the commissioner not later than 179 ninety days after such review and assessment. When requested by local 180 directors of health or district directors of health, the commissioner shall 181 consult with them and investigate and advise concerning any condition 182 affecting public health within their jurisdiction. The commissioner shall 183 investigate nuisances and conditions affecting, or that he or she has 184 reason to suspect may affect, the security of life and health in any

185 locality and, for that purpose, the commissioner, or any person 186 authorized by the commissioner, may enter and examine any ground, 187 vehicle, apartment, building or place, and any person designated by the 188 commissioner shall have the authority conferred by law upon 189 constables. Whenever the commissioner determines that any provision 190 of the general statutes or regulation of the Public Health Code is not 191 being enforced effectively by a local health department or health district, 192 he or she shall forthwith take such measures, including the performance 193 of any act required of the local health department or health district, to 194 ensure enforcement of such statute or regulation and shall inform the 195 local health department or health district of such measures. In 196 September of each year the commissioner shall certify to the Secretary 197 of the Office of Policy and Management the population of each 198 municipality. The commissioner may solicit and accept for use any gift 199 of money or property made by will or otherwise, and any grant of or 200 contract for money, services or property from the federal government, 201 the state, any political subdivision thereof, any other state or any private 202 source, and do all things necessary to cooperate with the federal 203 government or any of its agencies in making an application for any grant 204 or contract. The commissioner may enter into any contracts or 205 agreements, in accordance with any established procedures, as may be 206 necessary for the distribution or use of such money, services or property 207 in accordance with any requirements to fulfill any conditions of a gift, 208 grant or contract. The commissioner may establish state-wide and 209 regional advisory councils. For purposes of this section, "employee of 210 such director" means an employee of, a consultant employed or retained 211 by or an independent contractor retained by a local director of health, a 212 district director of health, a local health department or a health district.

Sec. 7. Section 20-99 of the general statutes is amended by addingsubsection (c) as follows (*Effective from passage*):

(NEW) (c) Nothing in this section shall prohibit the board from
holding a contested case hearing, in accordance with the provisions of
chapter 54, before (1) one or more hearing officers, or (2) one or more
members of the board pursuant to section 4-176e.

219	Sec. 8. Subsection (a) of section 19a-494 of the general statutes is
21)	repealed and the following is substituted in lieu thereof (<i>Effective from</i>
220 221	
221	passage):
222	(a) The Commissioner of Public Health, after a hearing held in
223	accordance with the provisions of chapter 54, may take any of the
224	following actions, singly or in combination, in any case in which the
225	commissioner finds that there has been a substantial failure to comply
226	with the requirements established under this chapter or requirements
227	relating to institutions established under this title, the Public Health
228	Code or licensing regulations:
229	(1) Revoke a license or certificate;
230	(2) Suspend a license or certificate;
200	(_) Subperiu a neense of certineate)
231	(3) Censure a licensee or certificate holder;
000	
232	(4) Issue a letter of reprimand to a licensee or certificate holder;
233	(5) Place a licensee or certificate holder on probationary status and
234	require such licensee or certificate holder to report regularly to the
235	department on the matters which are the basis of the probation;
236	(6) Restrict the acquisition of other facilities for a period of time set
237	by the commissioner;
238	(7) Issue an order compelling compliance with applicable statutes or
	(7) Issue an order compelling compliance with applicable statutes or
239	regulations of the department;
240	(8) Impose a directed plan of correction; or
241	(9) Assess a civil penalty not to exceed twenty-five thousand dollars,
242	provided no such penalty shall be assessed for violations arising from
243	the investigation of a complaint filed with the Department of Public
244	Health before July 1, 2024, except for violations of regulatory
245	requirements relating to abuse or neglect of patients, as such terms are
246	defined in 42 CFR 483.5.

Sec. 9. Subsection (g) of section 19a-565 of the general statutes is
repealed and the following is substituted in lieu thereof (*Effective from passage*):

250 (g) A license issued under this section may be revoked or suspended 251 in accordance with chapter 54 or subject to any other disciplinary action 252 specified in section [19a-17] 19a-494, as amended by this act, if the 253 licensed clinical laboratory, blood collection facility or source plasma 254 donation center has engaged in fraudulent practices, fee-splitting 255 inducements or bribes, including, but not limited to, in the case of a 256 clinical laboratory, violations of subsection (h) of this section, or violated 257 any other provision of this section or regulations adopted under this 258 section after notice and a hearing is provided in accordance with the 259 provisions of said chapter.

This act shall take effect as follows and shall amend the following sections:						
Section 1	from passage	19a-6t(h)				
Sec. 2	July 1, 2025	19a-59h(d) and (e)				
Sec. 3	July 1, 2025	19a-59i(d)				
Sec. 4	July 1, 2025	19a-25(a)				
Sec. 5	October 1, 2025	19a-493(a)				
Sec. 6	from passage	19a-2a				
Sec. 7	from passage	20-99(c)				
Sec. 8	from passage	19a-494(a)				
Sec. 9	from passage	19a-565(g)				

Statement of Legislative Commissioners:

In Section 6, "such contracts or agreements" was changed to "any contracts or agreements" and "said money" was changed to "such money" for clarity.

PH Joint Favorable Subst. -LCO

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 26 \$	FY 27 \$
Public Health, Dept.	GF - Potential	Minimal	Minimal
	Revenue Gain		

Note: GF=General Fund

Municipal Impact: None

Explanation

This bill makes various substantive, minor, and technical changes to Department of Public Health (DPH)-related statutes and programs. A few sections result in a potential revenue gain to DPH, as described below.

Section 1 authorizes the Connecticut Rare Disease Advisory Council to apply for and accept grants and other funds from various sources to carry out its responsibilities, which may result in a minimal revenue gain. The Council is within DPH for administrative purposes only.

Sections 2 - 4 allow DPH to use information it obtains for the Maternal Mortality Review Program, and findings of the Maternal Mortality Review Committee, to improve the accuracy of vital statistics data. This technical change results in no fiscal impact.

Section 5 allows DPH to renew licenses for additional types of facilities without performing an inspection if the facility is federally certified. This results in no fiscal impact, as staff who would have otherwise carried out these renewal inspections will instead address an existing backlog of inspections and complaint investigations.

Section 6 makes clarifying changes related to the Public Health Commissioner's ability to enter into contracts or agreements as needed to distribute or use funds received from gifts, grants, or contracts. This results in no fiscal impact.

Section 7 allows the Board of Examiners for Nursing to hold contested case hearings before hearing officers as well as board members. This procedural change results in no fiscal impact.

Section 8 expands DPH's authority to take disciplinary action against non-compliant health care institutions, which may result in a revenue gain to the General Fund from civil penalties of up to \$25,000 per violation. The extent of the revenue gain, if any, is dependent on the number of violations and the department's discretion regarding civil penalties.

Section 9 makes a technical change by correcting an inaccurate statutory reference, resulting in no fiscal impact.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to the disciplinary actions taken pursuant to Section 8.

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AN ACT CONCERNING THE DEPARTMENT OF PUBLIC HEALTH'S RECOMMENDATIONS REGARDING VARIOUS REVISIONS TO THE PUBLIC HEALTH STATUTES.

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Allows DPH to use information it obtains for the Maternal Mortality Review Program, and findings of the Maternal Mortality Review Committee, to improve the accuracy of vital statistics data

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Expands the grounds upon which DPH may take disciplinary action against health care institutions to include substantial failure to comply with the public health statutes generally

<u>§ 9 — TECHNICAL CHANGE</u>

Corrects an inaccurate statutory reference

SUMMARY

This bill makes various changes in Department of Public Health (DPH)-related statutes and programs, as described in the section-by-section analysis below.

EFFECTIVE DATE: Various, see below.

§ 1 — RARE DISEASE ADVISORY COUNCIL

Allows the Rare Disease Advisory Council to apply for and accept grants and other funds from various sources to carry out its responsibilities

The bill allows the Rare Disease Advisory Council to apply for and accept grants, gifts, bequests (i.e. distributions through a will), sponsorships, and in-kind donations of funds from various sources to carry out its responsibilities. These sources include federal and interstate agencies, private firms, individuals, and foundations.

By law, the council must advise and make recommendations to DPH and other state agencies on the needs of residents living with rare diseases and their caregivers. The council is within DPH for administrative purposes only.

EFFECTIVE DATE: Upon passage

§§ 2-4 — MATERNAL MORTALITY REVIEW PROGRAM AND REVIEW COMMITTEES

Allows DPH to use information it obtains for the Maternal Mortality Review Program, and findings of the Maternal Mortality Review Committee, to improve the accuracy of vital statistics data

Under existing law, all information DPH obtains for the Maternal Mortality Review Program, including personal information from medical records, must be kept confidential and used solely for specified purposes (e.g., medical or scientific research). The same is true for findings of DPH's Maternal Mortality Review Committee.

The bill allows DPH to use information it obtains for the Maternal Mortality Review Program, and findings of the Maternal Mortality Review Committee, to improve the accuracy of vital statistics data. In practice, this allows DPH to share this information and findings with its Vital Records Office's Surveillance Analysis and Reporting Unit, which tracks data on causes of death.

By law, DPH's Maternal Mortality Review Program identifies maternal deaths in Connecticut and reviews related medical records and other relevant data. The department's Maternal Mortality Review Committee conducts comprehensive, multidisciplinary reviews of maternal deaths to identify associated factors and make recommendations to reduce these deaths.

EFFECTIVE DATE: July 1, 2025

§ 5 — INSPECTIONS AND LICENSE RENEWALS

Allows DPH to renew licenses for additional types of facilities without performing an inspection if the facility is federally certified under Medicare or Medicaid (which requires its own inspection)

Current law allows DPH to waive the required inspection for a hospital or home health care or home health aide agency applying for license renewal if the entity has been federally certified under Medicare or Medicaid within the prior year. (The federal recertification process requires an inspection, which in practice is done by DPH.) The bill instead requires these entities to be federally certified when they apply for license renewal in order to receive the waiver.

The bill also generally expands this provision by allowing DPH to waive the required inspection for other DPH-licensed institutions (such as hospice facilities and outpatient surgical facilities), except for nursing homes, that are federally certified when they apply for license renewal.

By law, most DPH-licensed health care institutions must renew their licenses every two years.

EFFECTIVE DATE: October 1, 2025

§ 6 — DPH DISBURSEMENT OF FUNDS

Specifically allows DPH to enter into contracts or agreements as needed to distribute or use funds received from gifts, grants, or contracts

The bill specifically allows the DPH commissioner, under any established procedures, to enter into contracts or agreements as may be needed to distribute or use money, services, or property in line with any required conditions of a gift, grant, or contract.

EFFECTIVE DATE: Upon passage

§7 — BOARD OF EXAMINERS FOR NURSING

Allows the Board of Examiners for Nursing to hold contested case hearings before hearing officers as well as board members

The bill specifically allows the state Board of Examiners for Nursing to hold contested case hearings before hearing officers, not just board members.

By law, the board has jurisdiction to hear charges that a nurse failed to conform to the profession's accepted standards. The board may take disciplinary action against a nurse after a hearing under the Uniform Administrative Procedure Act (UAPA) and DPH regulations.

EFFECTIVE DATE: Upon passage

§ 8 — DISCIPLINARY ACTION AGAINST HEALTH CARE INSTITUTIONS

Expands the grounds upon which DPH may take disciplinary action against health care institutions to include substantial failure to comply with the public health statutes generally

Under existing law, the DPH commissioner, after a hearing held under the UAPA, may impose a range of disciplinary actions against a licensed health care institution that substantially fails to comply with statutory requirements in the health care institutions chapter, the Public Health Code, or licensing regulations. The bill additionally allows the commissioner to take these actions if an institution substantially fails to comply with applicable requirements throughout the public health statutes generally (Title 19a of the Connecticut General Statutes). Title 19a includes requirements for health care institutions, or a subset of them, on various topics, such as reporting on opioid overdoses (by hospitals) or transferring an electronic copy of medical records within certain timeframes after a patient's request (by most institutions).

As under existing law, these disciplinary actions may include, among other things; (1) revoking or suspending a license; (2) placing a licensee on probationary status; (3) imposing a correction plan; or (4) assessing a civil penalty of up to \$25,000.

EFFECTIVE DATE: Upon passage

§ 9 — TECHNICAL CHANGE

Corrects an inaccurate statutory reference

The bill makes a technical change by correcting an inaccurate statutory reference.

EFFECTIVE DATE: Upon passage

COMMITTEE ACTION

Public Health Committee

Joint Favorable Yea 24 Nay 8 (03/05/2025)