

Aging Committee JOINT FAVORABLE REPORT

Bill No.: HB-6985

AN ACT CONCERNING NURSING HOME AND RESIDENTIAL CARE HOME

Title: ABANDONMENT.

Vote Date: 3/6/2025

Vote Action: Joint Favorable

PH Date: 2/28/2025

File No.:

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SPONSORS OF BILL:

Aging Committee

REASONS FOR BILL:

This legislation would prohibit any nursing home or residential care home from abandoning a resident and would make any abandonment a class A civil penalty of up to \$20,000. Abandonment of nursing home/residential care home residents can be very dangerous for the residents, as they often require essential medical services. While current law technically allows for abandonment to be treated as a class A civil penalty in certain circumstances, enforcement has been clunky and inadequate. This bill seeks to protect these residents by establishing a clear penalty for abandonment, instead of requiring that enforcement be brought about through another, more vague statute or regulation.

RESPONSE FROM ADMINISTRATION/AGENCY:

Connecticut Dept of Aging and Disability Services: Ms. Mairead Painter, Long-Term Care Ombudsman: Her comments were in **support** of this proposal. Her testimony points out that there have been incidents where residents have been left without proper notice, support, and essential services which put them at serious risk. In cases where residents suffer serious harm, she urges the committee to explore the possibility of adding criminal penalties for willful or negligent abandonment. Her written comments contain suggested language for an amendment.

NATURE AND SOURCES OF SUPPORT:

None submitted.

NATURE AND SOURCES OF OPPOSITION:

Connecticut Association of Health Care Facilities, Mr. Matt Barrett, President and CEO:

They are **opposed** to this bill. There are already substantial federal and state laws in place which protect residents against abandonment which carry significant monetary and administrative penalties, which include possible criminal liability. Also, the definition of "abandon" for purposes of the bill is vague and ambiguous.

LeadingAge, Connecticut, Ms. Mag Morelli, President: They are in **opposition** to this bill and point out that there are existing laws and regulations which would enable the Dept of Public Health to cite a nursing home or residential care home for not taking care of, or abandoning, a resident. They don't think the bill is necessary.

Connecticut Association of Residential Care Homes, Mr. Kal Patel, Board Member and past President: They are **opposed** to this proposal and state that there are other statutes that provide authority for the Dept. of Public Health to determine if a violation of regulation or law has occurred. They quote Ct General Statutes, 19a-527a that defines "Class A and Class B violations.

**Reported by: Richard Ferrari, Assistant Clerk
Alexander Mercier, Clerk**

Date: 3/10/2025