



General Assembly

January Session, 2025

Raised Bill No. 6774

LCO No. 3751



Referred to Committee on AGING

Introduced by:
(AGE)

***AN ACT CONCERNING LONG-TERM CARE FACILITY EMPLOYEE
AND VOLUNTEER BACKGROUND CHECKS.***

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

1 Section 1. Subsections (a) to (c), inclusive, of section 19a-491c of the
2 general statutes are repealed and the following is substituted in lieu
3 thereof (*Effective October 1, 2025*):

4 (a) As used in this section:

5 (1) "Criminal history and patient abuse background search" or
6 "background search" means (A) a review of the registry of nurse's aides
7 maintained by the Department of Public Health pursuant to section 20-
8 102bb, (B) checks of state and national criminal history records
9 conducted in accordance with section 29-17a, and (C) a review of any
10 other registry specified by the Department of Public Health which the
11 department deems necessary for the administration of a background
12 search program.

13 [(2) "Direct access" means physical access to a patient or resident of a
14 long-term care facility that affords an individual with the opportunity

15 to commit abuse or neglect against or misappropriate the property of a
16 patient or resident.]

17 [(3)] (2) "Disqualifying offense" means a conviction of (A) any crime
18 described in 42 USC 1320a-7(a)(1), (2), (3) or (4), (B) a substantiated
19 finding of neglect, abuse or misappropriation of property by a state or
20 federal agency pursuant to an investigation conducted in accordance
21 with 42 USC 1395i-3(g)(1)(C) or 42 USC 1396r(g)(1)(C), or (C) a
22 conviction of any crime described in section 53a-59a, 53a-60b, 53a-60c,
23 53a-61a, 53a-321, 53a-322 or 53a-323.

24 [(4)] (3) "Long-term care facility" means any facility, agency or
25 provider that is a nursing home, as defined in section 19a-521, a
26 residential care home, as defined in section 19a-521, a home health care
27 agency, hospice agency or home health aide agency, as defined in
28 section 19a-490, an assisted living services agency, as defined in section
29 19a-490, an intermediate care facility for individuals with intellectual
30 disabilities, as defined in 42 USC 1396d(d), except any such facility
31 operated by a Department of Developmental Services' program subject
32 to background checks pursuant to section 17a-227a, a chronic disease
33 hospital, as defined in section 19a-490, or an agency providing hospice
34 care which is licensed to provide such care by the Department of Public
35 Health or certified to provide such care pursuant to 42 USC 1395x.

36 (b) The Department of Public Health shall create and implement a
37 criminal history and patient abuse background search program, within
38 available appropriations, in order to facilitate the performance,
39 processing and analysis of the criminal history and patient abuse
40 background search of [individuals who have direct access] prospective
41 employees of and volunteers at long-term care facilities.

42 (c) (1) Except as provided in subdivision (2) of this subsection, each
43 long-term care facility, prior to extending an offer of employment to, or
44 entering into a contract for, the provision of long-term care services with
45 any individual, [who will have direct access,] or prior to allowing any

46 individual to begin volunteering at such long-term care facility, [when
 47 the long-term care facility reasonably expects such volunteer will
 48 regularly perform duties that are substantially similar to those of an
 49 employee with direct access,] shall require that such individual submit
 50 to a background search. The Department of Public Health shall
 51 prescribe the manner by which (A) long-term care facilities perform the
 52 review of (i) the registry of nurse's aides maintained by the department
 53 pursuant to section 20-102bb, and (ii) any other registry specified by the
 54 department, including requiring long-term care facilities to report the
 55 results of such review to the department, and (B) individuals submit to
 56 state and national criminal history records checks, including requiring
 57 the Department of Emergency Services and Public Protection to report
 58 the results of such checks to the Department of Public Health.

59 (2) No long-term care facility shall be required to comply with the
 60 provisions of this subsection if (A) the individual provides evidence to
 61 the long-term care facility that such individual submitted to a
 62 background search conducted pursuant to subdivision (1) of this
 63 subsection not more than three years immediately preceding the date
 64 such individual applies for employment, seeks to enter into a contract
 65 or begins volunteering with the long-term care facility and that the prior
 66 background search confirmed that the individual did not have a
 67 disqualifying offense, or (B) the commissioner determines the need to
 68 temporarily suspend the requirements of this subsection in the event of
 69 an emergency or significant disruption. The commissioner shall inform
 70 the long-term care facility when the commissioner has suspended the
 71 requirements of this subsection pursuant to subparagraph (B) of this
 72 subdivision and when such suspension is rescinded.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2025	19a-491c(a) to (c)

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Statement of Purpose:

To prevent elder abuse by requiring all prospective employees and volunteers of long-term care facilities to submit to background checks.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]