



General Assembly

Substitute Bill No. 6774

January Session, 2025



***AN ACT CONCERNING LONG-TERM CARE FACILITY EMPLOYEE
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2 general statutes are repealed and the following is substituted in lieu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) "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) "Long-term care facility" means any facility, agency or provider
25 that is a nursing home, as defined in section 19a-521, a residential care
26 home, as defined in section 19a-521, a home health care agency, hospice
27 agency or home health aide agency, as defined in section 19a-490, an
28 assisted living services agency, as defined in section 19a-490, an
29 intermediate care facility for individuals with intellectual disabilities, as
30 defined in 42 USC 1396d(d), except any such facility operated by a
31 Department of Developmental Services' program subject to background
32 checks pursuant to section 17a-227a, a chronic disease hospital, as
33 defined in section 19a-490, or an agency providing hospice care which
34 is licensed to provide such care by the Department of Public Health or
35 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] (1) any
41 individual (A) to whom a long-term care facility will extend an offer of
42 employment, or (B) with whom a long-term care facility will enter into
43 a contract for the provision of long-term care services, and (2) any
44 volunteers who have direct access.

45 (c) (1) Except as provided in subdivision (2) of this subsection, each
46 long-term care facility, prior to extending an offer of employment to, or
47 entering into a contract for, the provision of long-term care services with
48 any individual, [who will have direct access,] or prior to allowing any
49 individual to begin volunteering at such long-term care facility when
50 the long-term care facility reasonably expects such volunteer will

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

62 (2) No long-term care facility shall be required to comply with the
63 provisions of this subsection if (A) the individual provides evidence to
64 the long-term care facility that such individual submitted to a
65 background search conducted pursuant to subdivision (1) of this
66 subsection not more than three years immediately preceding the date
67 such individual applies for employment, seeks to enter into a contract
68 or begins volunteering with the long-term care facility and that the prior
69 background search confirmed that the individual did not have a
70 disqualifying offense, or (B) the commissioner determines the need to
71 temporarily suspend the requirements of this subsection in the event of
72 an emergency or significant disruption. The commissioner shall inform
73 the long-term care facility when the commissioner has suspended the
74 requirements of this subsection pursuant to subparagraph (B) of this
75 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)

AGE *Joint Favorable Subst.*