



General Assembly

January Session, 2025

Raised Bill No. 6978

LCO No. 4657



Referred to Committee on PUBLIC HEALTH

Introduced by:
(PH)

***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:

1 Section 1. Section 19a-6t of the general statutes is amended by adding
2 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.

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8 statutes are repealed and the following is substituted in lieu thereof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

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

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

18 (e) All information obtained by the department for the maternal
19 mortality review program shall be confidential pursuant to section 19a-
20 25, as amended by this act. The department may use such information
21 to improve the accuracy of vital statistics data.

22 Sec. 3. Subsection (d) of section 19a-59i of the general statutes is
23 repealed and the following is substituted in lieu thereof (*Effective July 1,*
24 *2025*):

25 (d) Whenever a meeting of the maternal mortality review committee
26 takes place, the committee shall consult with relevant experts to
27 evaluate the information and findings obtained from the department
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.

35 Sec. 4. Subsection (a) of section 19a-25 of the general statutes is
36 repealed and the following is substituted in lieu thereof (*Effective July 1,*
37 *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
 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
 64 act, improving the accuracy of vital statistics data. Such information,
 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.

73 Sec. 5. Subsection (a) of section 19a-493 of the general statutes is
 74 repealed and the following is substituted in lieu thereof (*Effective October*
 75 *1, 2025*):

76 (a) Upon receipt of an application for an initial license, the
 77 Department of Public Health, subject to the provisions of section 19a-

78 491a, shall issue such license if, upon conducting a scheduled inspection
79 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
83 licensed by the state. If an institution, as defined in [subsections (b), (d),
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
86 and, [has been] at the time of such application for license renewal, is
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] institution 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
98 December thirty-first of the appropriate year. A license issued pursuant
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
150 instructions as may be necessary, for the use of directors of health,
151 boards of health and registrars of vital statistics; and (10) specify
152 uniform methods of keeping statistical information by public and
153 private agencies, organizations and individuals, including a client
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
163 aggrieved by such removal may appeal to the Superior Court which
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 such contracts or
205 agreements, in accordance with any established procedures, as may be
206 necessary for the distribution or use of said 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.

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

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

219 Sec. 8. Subsection (a) of section 19a-494 of the general statutes is
220 repealed and the following is substituted in lieu thereof (*Effective from*
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;

231 (3) Censure a licensee or certificate holder;

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
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.

247 Sec. 9. Subsection (g) of section 19a-565 of the general statutes is
 248 repealed and the following is substituted in lieu thereof (*Effective from*
 249 *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	<i>from passage</i>	19a-6t(h)
Sec. 2	<i>July 1, 2025</i>	19a-59h(d) and (e)
Sec. 3	<i>July 1, 2025</i>	19a-59i(d)
Sec. 4	<i>July 1, 2025</i>	19a-25(a)
Sec. 5	<i>October 1, 2025</i>	19a-493(a)
Sec. 6	<i>from passage</i>	19a-2a
Sec. 7	<i>from passage</i>	20-99(c)
Sec. 8	<i>from passage</i>	19a-494(a)
Sec. 9	<i>from passage</i>	19a-565(g)

Statement of Purpose:

To implement the Department of Public Health's recommendations regarding various revisions to the public health statutes.

[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.]