



General Assembly

Amendment

January Session, 2025

LCO No. 8119



Offered by:

REP. STAFSTROM, 129th Dist.
REP. SHANNON, 117th Dist.
REP. GARIBAY, 60th Dist.
REP. CANDELORA V., 86th Dist.
REP. O'DEA, 125th Dist.

To: Subst. House Bill No. **6913**

File No. 148

Cal. No. 122

"AN ACT CONCERNING LGBTQ+ DISCRIMINATION IN LONG-TERM CARE FACILITIES."

1 Strike everything after the enacting clause and substitute the
2 following in lieu thereof:

3 "Section 1. (NEW) (*Effective October 1, 2025*) (a) As used in this section:

4 (1) "Long-term care facility" or "facility" means a nursing home
5 facility, as defined in section 19a-490 of the general statutes, or a
6 managed residential community, as defined in section 19a-693 of the
7 general statutes, with assisted living services regulated by the
8 Department of Public Health;

9 (2) "Long-term care facility staff" or "facility staff" means all persons
10 employed by or contracted directly with a long-term care facility; and

11 (3) "Resident" means a resident or patient of a long-term care facility.

12 (b) (1) No long-term care facility or long-term care facility staff shall
13 discriminate against any resident on the basis of such resident's race,
14 color, religious creed, sex, actual or perceived gender identity or
15 expression, sexual orientation, marital status, age, national origin,
16 ancestry, intellectual disability, mental disability, learning disability,
17 physical disability, status as a veteran, status as a victim of domestic
18 violence or human immunodeficiency virus status.

19 (2) The provisions of this subsection shall not apply to the extent that
20 they are incompatible with any professionally reasonable clinical
21 judgment regarding the care of a resident.

22 (c) Each long-term care facility shall post in a prominent place in such
23 facility the following notice printed in at least fourteen-point boldface
24 capital letters: "(NAME OF FACILITY) DOES NOT DISCRIMINATE
25 AND DOES NOT PERMIT DISCRIMINATION, INCLUDING, BUT
26 NOT LIMITED TO, BULLYING, ABUSE, HARASSMENT OR
27 DIFFERENTIAL TREATMENT ON THE BASIS OF RACE, COLOR,
28 RELIGIOUS CREED, SEX, GENDER IDENTITY OR EXPRESSION,
29 SEXUAL ORIENTATION, MARITAL STATUS, AGE, NATIONAL
30 ORIGIN, ANCESTRY, INTELLECTUAL DISABILITY, MENTAL
31 DISABILITY, LEARNING DISABILITY, PHYSICAL DISABILITY,
32 STATUS AS A VETERAN, STATUS AS A VICTIM OF DOMESTIC
33 VIOLENCE OR HUMAN IMMUNODEFICIENCY VIRUS STATUS.
34 YOU MAY FILE A COMPLAINT WITH THE OFFICE OF THE LONG-
35 TERM CARE OMBUDSMAN (PROVIDE CONTACT INFORMATION)
36 IF YOU BELIEVE THAT YOU HAVE EXPERIENCED
37 DISCRIMINATION."

38 (d) The State Ombudsman shall establish policies and procedures for
39 recording complaints filed by or on behalf of residents of long-term care
40 facilities pursuant to the provisions of this section.

41 (e) Long-term care facility staff not directly involved in providing

42 direct care to a resident shall not be present during physical examination
43 or the provision of personal care to such resident if such resident is
44 partially or fully unclothed without the express permission of such
45 resident or such resident's legal guardian, legal representative or other
46 legally responsible party. A facility shall use doors, curtains, screens or
47 other effective visual barriers to provide bodily privacy for all residents
48 whenever such residents are partially or fully unclothed. All residents
49 shall be informed of and have the right to refuse to be examined,
50 observed or treated by any facility staff when the primary purpose of
51 such examination, observation or treatment is educational or
52 informational rather than therapeutic, or for the evaluation or
53 reevaluation of a resident's health. Such refusal shall not diminish the
54 resident's access to care for the primary purpose of diagnosis or
55 treatment.

56 (f) (1) At least once every two years, a long-term care facility shall
57 ensure that every facility staff member who works directly with
58 residents receives training, developed by the Commissioner of Public
59 Health pursuant to subdivision (2) of this subsection, on cultural
60 competency focusing on residents who identify as lesbian, gay, bisexual,
61 transgender or gender-nonconforming or who are living with human
62 immunodeficiency virus.

63 (2) Not later than January 1, 2026, the Commissioner of Public Health
64 shall develop training materials for the purposes of subdivision (1) of
65 this subsection. Such training materials (A) may be developed in
66 consultation with entities with expertise in the legal and social
67 challenges faced by aging persons who identify as lesbian, gay, bisexual
68 or transgender or gender-nonconforming or who are living with human
69 immunodeficiency virus, and (B) shall provide facility staff with the
70 knowledge and skills necessary to provide effective care, in compliance
71 with the provisions of this section, for such persons.

72 (3) Each long-term care facility shall ensure that a facility staff
73 member required to receive training pursuant to the provisions of this
74 subsection receives such training not more than six months after such

75 facility staff member is hired unless such facility staff member provides
76 proof of having received comparable training within the prior two years
77 that the facility determines complies with the provisions of this
78 subsection. If a facility determines that a facility staff member's prior
79 training complies with the provisions of this subsection, a record of the
80 content of such training sufficient to determine its compliance with the
81 provisions of this subsection shall be kept on site at such facility.

82 (g) If the Commissioner of Public Health finds that a long-term care
83 facility has failed to comply with the provisions of this section, the
84 commissioner may take any disciplinary action against such long-term
85 care facility permitted under section 19a-494 of the general statutes.

86 (h) Nothing in this section shall be construed to limit any remedies
87 available to a resident at law or in equity."

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2025	New section