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## OLR Bill Analysis

sSB 1380 (File 736, as amended by Senate "A")\*

### ***AN ACT PROHIBITING DISCRIMINATION BY HEALTH CARE PROVIDERS IN THE PROVISION OF HEALTH CARE SERVICES IN THE STATE.***

#### **SUMMARY**

This bill specifically prohibits health care providers from knowingly discriminating in providing health care services due to someone's race, color, religion, sex, gender identity or expression, sexual orientation, marital status, age, national origin, ancestry, intellectual disability, mental disability, learning disability, physical disability (including blindness), veteran status, or status as a domestic violence victim.

But the bill specifies that it does not (1) require the delivery of futile health care and services that conflict with a provider's professional judgment or ethical considerations, (2) affect the professional standard of care, or (3) interfere with public health planning.

The bill classifies discrimination by health care providers as a discriminatory practice under the Commission on Human Rights and Opportunities (CHRO) laws. By doing so, the bill allows people aggrieved by these violations, or CHRO itself, to file a complaint with CHRO alleging discrimination.

Under the bill, a "health care provider" is any person, corporation, facility, or institution licensed by the state to provide health care services, or their officers, employees, or agents acting in the course and scope of their employment.

Under existing law, it is generally a discriminatory practice to deny someone, based on similar protected classes as listed above, equal accommodations in any place of public accommodation (that is, one that caters to or offers its services, facilities, or goods to the general public), subject to lawful conditions and limitations that apply the same to

everyone (CGS § 46a-64).

\*Senate Amendment “A” removes from the underlying bill a provision that would have given people three years to file complaints for health care discrimination, rather than 300 days as for other types of discrimination.

EFFECTIVE DATE: October 1, 2025

## **BACKGROUND**

### ***Related Federal Law***

Federal law prohibits discrimination in federally funded health programs or activities based on race, color, national origin, age, disability, or sex (42 U.S.C. § 18116).

Among other related laws, the Americans with Disabilities Act prohibits discrimination based on disability in public accommodations, specifically including private hospitals or health care provider offices (42 U.S.C. §§ 12181(7)(F) & 12182).

### ***Related Bills***

sSB 7 (File 604), favorably reported by the Public Health Committee, and then amended by the Senate and favorably reported by the Judiciary and Appropriations committees, prohibits hospitals from basing the emergency medical services they provide to someone, or discriminating against them, based on several factors (similar to those under this bill), except to the extent that certain circumstances are medically significant to providing appropriate medical care.

SB 1481 (File 444), as amended by Senate “A” and passed by the Senate, requires CHRO to report discriminatory health care practices to the Department of Social Services (DSS) and allows DSS to withhold or recoup Medicaid payments from Medicaid-enrolled providers who are found to have discriminated.

**COMMITTEE ACTION**

Judiciary Committee

Joint Favorable Substitute

Yea     41     Nay   0     (04/04/2025)