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## **OLR Bill Analysis**

### **sSB 1538**

#### ***AN ACT CONCERNING EMERGENCY DEPARTMENT BOARDING AND CROWDING.***

#### **SUMMARY**

Existing law generally requires hospitals to annually analyze certain emergency department data toward the goals of (1) developing ways to reduce admission wait times, (2) informing potential ways to improve admission efficiencies, and (3) examining root causes for admission delays. By each March 1 (until 2029) they must annually report to the Public Health Committee on their findings and recommendations. This bill requires them to also submit these reports to the public health and health strategy commissioners.

The bill also requires the probate court administrator and social services commissioner to evaluate the feasibility of establishing an expedited process to appoint a conservator for hospital emergency department patients who lack the capacity to consent to services. This process's purpose is to ensure that these patients receive timely services and to help reduce emergency department crowding and boarding (that is, keeping patients in the department while they await inpatient beds). By January 1, 2026, they must jointly report on the evaluation and any legislative recommendations to the Public Health Committee.

EFFECTIVE DATE: Upon passage

#### **BACKGROUND**

##### ***Temporary Conservator Appointments***

By law, the probate court may appoint a temporary conservator if, upon the petition of certain parties (e.g., a spouse or other relative), it finds that (1) the respondent cannot manage his or her affairs or care for himself or herself, (2) immediate and irreparable harm to the person's mental or physical health or financial or legal affairs will result without

the appointment, and (3) the appointment is the least restrictive available way to prevent this harm. A physician generally must have examined the person and made certain findings.

Under some circumstances, if the court determines that delay would cause immediate and irreparable harm, it can order the appointment ex parte and without prior notice to the respondent. In these cases, it must hold the required hearing within three days after the order (excluding weekends and holidays) (CGS § 45a-654).

### **COMMITTEE ACTION**

Public Health Committee

Joint Favorable Substitute

Yea    32    Nay   0    (03/28/2025)