



House of Representatives

General Assembly

File No. 84

February Session, 2026

House Bill No. 5142

House of Representatives, March 19, 2026

The Committee on Aging reported through REP. GARIBAY of the 60th Dist., Chairperson of the Committee on the part of the House, that the bill ought to pass.

AN ACT CONCERNING THE USE OF TECHNOLOGY FOR VIRTUAL VISITATION AND MONITORING IN NURSING HOMES AND RESIDENTIAL CARE HOMES.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 19a-550b of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2026*):

3 (a) [For purposes of] As used in this section:

4 (1) ["Nursing home facility" has the same meaning as provided in
5 section 19a-490] "Facility" means a nursing home or residential care
6 home, as such terms are defined in section 19a-490;

7 (2) "Resident" means a resident of a [nursing home] facility;

8 (3) "Resident representative" means (A) a court-appointed
9 conservator of the person or guardian, (B) a health care representative
10 appointed pursuant to section 19a-575a, or (C) if there is no court-
11 appointed conservator of the person or guardian, or health care

12 representative, a person who is (i) designated in a written document
13 signed by the resident and included in the resident's records on file with
14 the facility, or (ii) if there is no such written document, a person who is
15 a legally liable relative or other responsible party, provided such person
16 is not an employer or contractor of the facility;

17 (4) "Technology" means a device capable of remote audio or video
18 communications that may include recording capabilities;

19 (5) "Virtual monitoring" means remote monitoring of a resident by a
20 third party via technology owned and operated by the resident in the
21 resident's room or living quarters; and

22 (6) "Virtual visitation" means remote visitation between a resident
23 and family members or other persons with technology.

24 (b) (1) A resident shall have the right to use technology of the
25 resident's choice that facilitates virtual monitoring or virtual visitation,
26 provided:

27 (A) The purchase, activation, installation, maintenance, repair,
28 operation, deactivation and removal of such technology is at the
29 expense of the resident;

30 (B) The technology and any recordings and images obtained
31 therefrom are used by the resident and any person communicating with
32 the resident or monitoring the resident in a manner that does not violate
33 any individual's right to privacy under state or federal law and in
34 accordance with the provisions of this section;

35 (C) A clear and conspicuous notice is placed on the door of the
36 resident's room or living unit indicating that technology enabling
37 virtual monitoring and intended for such use may be in use;

38 (D) In cases where the resident intends to use technology for virtual
39 monitoring in shared living situations, the resident or resident
40 representative provides advance notice to a roommate or the
41 roommate's representative specifying the type of technology, the

42 proposed location of the device, its intended use, intended hours of
43 operation and whether the device is capable of recording audio or video
44 or being activated remotely;

45 (E) The resident or resident representative (i) obtains the written
46 consent of all roommates or resident representatives of all roommates
47 for the use of the technology for virtual monitoring, and (ii) if any
48 roommate withdraws consent, ceases using the technology for virtual
49 monitoring until consent is obtained; and

50 (F) The resident or resident representative files a signed, written
51 notice with the [nursing home] facility and a copy of any written consent
52 of any roommate not less than seven days before installing or using such
53 technology for virtual monitoring that (i) identifies the type of
54 technology, its intended use, intended hours of operation and location
55 of such technology in the room or living quarters, (ii) states whether the
56 technology is capable of recording audio or video or being activated or
57 controlled remotely, (iii) acknowledges that the resident is responsible
58 for the purchase, activation, installation, maintenance, repair, operation,
59 deactivation and removal of such technology, and (iv) includes a waiver
60 of all civil, criminal and administrative liability for the [nursing home]
61 facility in accordance with subsection (d) of this section.

62 (2) Except as provided in subparagraph (B) of subdivision (1) of this
63 subsection, the provisions of this subsection shall not apply to cellular
64 mobile telephones used primarily for telephonic communication or
65 tablets not used for virtual monitoring. If a roommate withdraws
66 consent for the use of technology for virtual monitoring, a resident or
67 resident representative shall inform the facility, in writing, not later than
68 seven days after the roommate withdraws consent.

69 (c) (1) A [nursing home] facility shall provide Internet access,
70 electricity and a power source for technology used for virtual
71 monitoring or virtual visitation at no cost to a resident, provided (A) a
72 [nursing home] facility includes the cost of providing Internet access in
73 cost reports filed with the Department of Social Services for purposes of
74 Medicaid reimbursement, (B) the cost is reimbursed to the facility if the

75 department determines that such cost is eligible for reimbursement
76 pursuant to section 17b-340, (C) the Commissioner of Social Services
77 uses any available funding provided by the federal government to the
78 state and authorized by the federal government for expenses related to
79 COVID-19 at [nursing home] facilities to provide grants-in-aid to such
80 facilities for such upgrades, provided such use is approved by the
81 federal government, and (D) a [nursing home] facility may assess a
82 prorated portion of any unreimbursed cost of such upgrades to any
83 resident privately paying for a residence in such facility and using such
84 technology. A resident may also procure his or her own Internet
85 connectivity. A private-paying resident who procures his or her own
86 Internet connectivity shall not be charged for the cost of any Internet
87 infrastructure upgrades by the [nursing home] facility necessary for
88 residents to use such technology. For purposes of this subdivision,
89 "COVID-19" means the respiratory disease designated by the World
90 Health Organization on February 11, 2020, as coronavirus 2019, and any
91 related mutation thereof recognized by said organization as a
92 communicable respiratory disease.

93 (2) A [nursing home] facility may establish policies and procedures
94 on the use of technology for virtual monitoring addressing (A) except
95 for cellular mobile telephones used primarily for telephonic
96 communication or tablets not used for virtual monitoring, placement of
97 any technology device in a conspicuously visible, stationary location in
98 the resident's room or living quarters, (B) restrictions on use of the
99 technology to record video or audio outside the resident's room or living
100 quarters or in any shared common space, (C) compliance with
101 applicable federal, state and local life safety and fire protection
102 requirements, (D) limitations on use of technology for virtual
103 monitoring when such use will interfere with resident care or privacy
104 unless the resident, a roommate of the resident, or his or her resident
105 representative, consents to such use, (E) the ability to limit use of
106 technology in the event of a disruption to the facility's Internet service,
107 and (F) actions that the [nursing home] facility may take for failure to
108 comply with applicable federal, state and local laws or facility policy in
109 the use of technology and the process by which a resident may appeal

110 such actions.

111 (d) A [nursing home] facility shall be immune from any civil, criminal
112 or administrative liability for any (1) violation of privacy rights of any
113 individual under state or federal law caused by a resident's use of
114 technology; (2) damage to the resident's technology, including, but not
115 limited to, malfunction not caused by the negligence of the [nursing
116 home] facility; and (3) instance when audio or video produced by the
117 resident's technology is inadvertently or intentionally disclosed to,
118 intercepted or used by an unauthorized third party.

119 (e) A [nursing home] facility shall place a conspicuous notice (1) at
120 the entrance to the facility indicating that technology enabling virtual
121 monitoring or virtual visitation may be in use in some residents' rooms
122 or living quarters; and (2) except for cellular mobile telephones used
123 primarily for telephonic communication or tablets not used for virtual
124 monitoring, on the door of any resident's room or living quarters where
125 such technology may be used for virtual monitoring. In cases where any
126 roommate of a resident refuses to give consent for use of technology for
127 virtual monitoring that may capture audio or video of the roommate, a
128 [nursing home] facility shall work with both the resident and the
129 roommate to seek an acceptable accommodation for use of the
130 technology with the roommate's consent. If the roommate continues to
131 refuse consent, the [nursing home] facility shall work with the resident
132 wishing to use such technology to develop an alternative, including
133 transfer to another room with a roommate who consents to use of the
134 technology, provided an appropriate room is available and the resident
135 is able to pay any difference in price if the new room is more costly than
136 the resident's current room.

137 (f) The Office of the Long-Term Care Ombudsman may provide
138 standard forms on its Internet web site for (1) notice by a resident to a
139 [nursing home] facility of the resident's plan to install and use
140 technology of his or her choice for virtual monitoring; (2) consent forms
141 for any roommate of a resident who wishes to use technology for virtual
142 monitoring that may capture audio or video of the roommate; and (3)

143 forms for a resident or resident representative to notify the facility that
144 a roommate has withdrawn consent for use of technology for virtual
145 monitoring. The Office of the Long-Term Care Ombudsman shall
146 develop such standard forms in consultation with [nursing home]
147 facility representatives and the Department of Public Health.

148 (g) The Commissioner of Public Health may adopt regulations in
149 accordance with the provisions of chapter 54 to implement the
150 provisions of this section.

151 (h) Any facility that (1) interferes with, disables, damages, removes
152 or otherwise tampers with technology that facilitates virtual monitoring
153 or virtual visitation, (2) restricts, prevents or delays a resident's lawful
154 use of such technology, or (3) fails to process, accept, retain or maintain
155 any required notice, consent form or documentation submitted
156 pursuant to the provisions of this section shall be subject to the penalty
157 prescribed for a class B violation, in the case of a nursing home, under
158 section 19a-527, or, in the case of a residential care home, under section
159 19a-527a.

160 Sec. 2. Section 19a-550c of the general statutes is repealed and the
161 following is substituted in lieu thereof (*Effective October 1, 2026*):

162 (a) For purposes of this section:

163 (1) ["Nursing home facility" has the same meaning as provided in
164 section 19a-490] "Facility" means a nursing home or residential care
165 home, as such terms are defined in section 19a-490;

166 (2) "Resident" means a resident of a [nursing home] facility;

167 (3) "Resident representative" means (A) a court-appointed
168 conservator of the person or guardian, (B) a health care representative
169 appointed pursuant to section 19a-575a, or (C) if there is no court-
170 appointed conservator of the person or guardian, or health care
171 representative, a person who is (i) designated in a written document
172 signed by the resident and included in the resident's records on file with
173 the facility, or (ii) if there is no such written document, a person who is

174 a legally liable relative or other responsible party, provided such person
175 is not an employer or contractor of the facility;

176 (4) "Technology" means a device capable of remote audio or video
177 communications, or both, that may include recording capabilities;

178 (5) "Virtual monitoring" means remote monitoring of a resident by a
179 third party via technology owned and operated by the resident in the
180 resident's room or living quarters; and

181 (6) "Virtual visitation" means remote visitation between a resident
182 and family members or other persons with technology.

183 (b) An employee of a [nursing home] facility or an employee of a
184 contractor providing services at a [nursing home] facility who is the
185 subject of proposed disciplinary action by the [nursing home] facility
186 based upon evidence obtained from technology used by a resident for
187 virtual visitation or virtual monitoring shall be given access to that
188 evidence by the [nursing home] facility for the purpose of defending
189 against such action, provided the [nursing home] facility and the
190 employee (1) treat any recordings or images obtained from the
191 technology as confidential, and (2) not further disseminate any
192 recordings or images obtained from the technology to any other person
193 except as required under law. Any copy of a recording or image used in
194 such disciplinary action must be returned to the resident who provided
195 the copy when it is no longer needed for purposes of defending against
196 a proposed action.

197 (c) The Office of the Long-Term Care Ombudsman, may, without
198 consulting a [nursing home] facility, ask a resident about the existence
199 of recordings or images taken from technology used for virtual
200 visitation or virtual monitoring that could corroborate an allegation of
201 abuse or neglect.

202 (d) Except as otherwise required under law, a resident or resident
203 representative may voluntarily release recordings or images taken from
204 technology used for virtual monitoring or virtual visitation, provided

205 such release does not infringe on the privacy rights of any other person
 206 under state or federal law. A [nursing home] facility, or any agent or
 207 employee of a [nursing home] facility, may not solicit or request any
 208 recordings or images from a resident or a resident representative taken
 209 from technology used for virtual visitation or virtual monitoring for any
 210 reason, except for the purpose of investigating an allegation of abuse or
 211 neglect based upon a recording or image taken from such technology. If
 212 the Department of Public Health initiates a complaint investigation
 213 based upon an image or recording from virtual visitation technology or
 214 virtual monitoring technology, the Department of Public Health may
 215 provide a copy of such image or recording to the [nursing home] facility
 216 that is the subject of the investigation.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2026	19a-550b
Sec. 2	October 1, 2026	19a-550c

AGE *Joint Favorable*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 27 \$	FY 28 \$
Public Health, Dept.	GF - Potential Revenue Gain	See Below	See Below

Note: GF=General Fund

Municipal Impact: None

Explanation

The bill makes it a Class B violation for nursing home or residential care homes to interfere with a resident's virtual visitation and monitoring technology, which may result in a revenue gain to the General Fund beginning in FY 27 from civil penalties of up to \$10,000 per violation.¹ The extent of the revenue gain, if any, is dependent on the number of violations and the Department of Public Health's discretion regarding civil penalties.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future depending on the number of violations and the penalties imposed.

¹ Class B violations carry a civil penalty of up to \$10,000 for nursing homes and up to \$3,000 for residential care homes, pursuant to CGS Secs. 19a-527 and 19a-527a respectively.

OLR Bill Analysis**HB 5142*****AN ACT CONCERNING THE USE OF TECHNOLOGY FOR VIRTUAL VISITATION AND MONITORING IN NURSING HOMES AND RESIDENTIAL CARE HOMES.*****SUMMARY**

This bill extends protections and requirements in existing law for using virtual visitation and monitoring technology in nursing homes to cover its use in residential care homes as well.

Additionally, the bill makes it a class B violation for a facility to hinder, in specified ways, a resident's ability to lawfully use virtual visitation and monitoring technology. Class B violations by nursing homes carry a civil penalty of up to \$10,000 and by residential care homes, of up to \$3,000.

The bill also makes conforming changes.

EFFECTIVE DATE: October 1, 2026

VIRTUAL VISITATION AND MONITORING TECHNOLOGY

As under existing law, virtual visitation is remote visitation between a resident and family member, or other person, using a device capable of audio or video communications that may be able to record. Virtual monitoring allows a third party to remotely monitor a resident using technology the resident owns and operates in his or her room or living area.

Existing law lets nursing home residents use virtual monitoring or virtual visitation technology and establishes related notification, use, and consent requirements. The bill imposes the same restrictions and requirements on residential care homes and their residents, including requirements that:

1. residents get any roommates' written consent before using virtual monitoring technology in a shared living space;
2. residents file, at least seven days before they use or install the technology, certain information with the facility (e.g., on the technology's capabilities and when and where the resident intends to use it, a liability waiver, and an acknowledgment the resident is responsible for the technology's costs); and
3. the facility place at its entrance conspicuous notice that this technology may be in use in some residents' rooms or living areas.

As existing law requires of nursing homes, the bill requires residential care homes to provide free internet access and power for residents to use this technology if the (1) facility includes internet access in cost reports that it files with the Department of Social Services (DSS) for Medicaid reimbursement; (2) cost is reimbursed if eligible for reimbursement under DSS's rate setting methodology; (3) DSS commissioner uses any available federal funding for COVID-19-related expenses to provide grants to make these internet infrastructure upgrades; and (4) facility may assess a prorated portion of any unreimbursed cost of these upgrades to any private-pay resident who uses this technology. (Under current law, unchanged by the bill, residential care homes do not receive direct Medicaid reimbursement.)

Under the bill, residential care homes may establish policies and procedures for virtual monitoring technology, including, among other things, restrictions on its use (1) in common spaces or in ways that would interfere with resident care or privacy, (2) to comply with safety and fire protection requirements, or (3) when the facility's internet service is disrupted.

PENALTIES FOR INTERFERING WITH THE TECHNOLOGY

The bill makes it a class B violation (see BACKGROUND) for nursing homes or residential care homes to do any of the following:

1. interfere with, disable, damage, remove, or otherwise tamper with technology that facilitates virtual monitoring or virtual visitation;
2. restrict, prevent, or delay a resident’s lawful use of the technology; or
3. fail to process, accept, retain, or maintain any required notice, consent form, or documentation related to this technology.

Under existing law, unchanged by the bill, the nursing home patients’ bill of rights states that residents of nursing homes and residential care homes (among other facility types) are entitled to purchase and use virtual visitation technology, so long as it does not violate other individuals’ right to privacy under state or federal law. Patients who are negligently deprived of these rights may bring a private cause of action in court (CGS § 19a-550(b)&(e)).

BACKGROUND

Nursing Home and Residential Care Home Violations

The law establishes two types of citations, which are based on the nature of the violation. Class A violations present an immediate danger of death or serious harm to a resident. They carry a civil penalty of up to \$20,000 for nursing homes and up to \$5,000 for residential care homes. Class B violations present a potential for death or serious harm in the reasonably foreseeable future. They carry a civil penalty of up to \$10,000 for nursing homes and up to \$3,000 for residential care homes. The Department of Public Health must include a notice of noncompliance with the citation (CGS §§ 19a-524, -527 & -527a).

COMMITTEE ACTION

Aging Committee

Joint Favorable
 Yea 14 Nay 0 (03/05/2026)