



House of Representatives

General Assembly

File No. 413

January Session, 2001

Substitute House Bill No. 5882

House of Representatives, April 23, 2001

The Committee on Public Health reported through REP. EBERLE of the 15th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

AN ACT CONCERNING THE REGULATION OF YOUTH CAMPS.

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

1 Section 1. Section 19a-420 of the general statutes is repealed and the
2 following is substituted in lieu thereof:

3 As used in this chapter:

4 [(a)] (1) "Youth camp" means any regularly scheduled program or
5 organized group activity advertised as a camp or operated by a
6 person, partnership, corporation, association, the state or a municipal
7 agency for recreational or educational purposes and accommodating
8 for profit or under philanthropic or charitable auspices five or more
9 children, under eighteen years of age, who are [(1)] (A) not bona fide
10 personal guests in the private home of an individual, and [(2)] (B)
11 living apart from their relatives, parents or legal guardian, for a period
12 of three days or more per week or portions of three or more days per
13 week, provided any such relative, parent or guardian who is an

14 employee of such camp shall not be considered to be in the position of
15 loco parentis to [his] such employee's child for the purposes of this
16 chapter, but does not include (i) classroom-based summer instructional
17 programs operated by any person, provided no activities that may
18 pose a health risk or hazard to participating children are conducted at
19 such programs, (ii) schools which operate a summer educational
20 program, or (iii) licensed day care centers;

21 [(b)] (2) "Resident camp" means any youth camp which is
22 established, conducted or maintained on any parcel or parcels of land
23 on which there are located dwelling units or buildings intended to
24 accommodate five or more children for at least seventy-two
25 consecutive hours and in which the campers attending such camps eat
26 and sleep;

27 [(c)] (3) "Day camp" means any youth camp which is established,
28 conducted or maintained on any parcel or parcels of land on which
29 there are located dwelling units or buildings intended to accommodate
30 five or more children during daylight hours for at least three days a
31 week with the campers eating and sleeping at home, except for one
32 meal per day, but does not include programs operated by a municipal
33 agency;

34 [(d)] (4) "Person" means any individual, partnership, association,
35 organization, limited liability company or corporation;

36 [(e)] (5) "Commissioner" means the Commissioner of Public Health;
37 and

38 [(f)] (6) "Department" means the Department of Public Health.

39 Sec. 2. Section 19a-426 of the general statutes is repealed and the
40 following is substituted in lieu thereof:

41 The Department of Public Health shall inspect or cause to be
42 inspected the facilities to be operated by an applicant for an original

43 license before the license shall be granted, and shall annually thereafter
44 inspect or cause to be inspected the facilities of all licensees. No annual
45 inspection shall be required under this section in the case of facilities of
46 a licensee located in any dormitory, classroom or other building or any
47 athletic facility owned and maintained by any college or university,
48 provided a timely safety inspection of such building or facility,
49 satisfactory to the department, is conducted by or on behalf of such
50 college or university.

51 Sec. 3. Subsection (b) of section 19a-428 of the general statutes is
52 repealed and the following is substituted in lieu thereof:

53 (b) The Commissioner of Public Health shall adopt regulations, in
54 accordance with the provisions of chapter 54, allowing physical
55 examinations or health status certifications required by youth camps
56 prior to the date of arrival at youth camps to be made by a physician,
57 an advanced practice registered nurse or registered nurse licensed
58 pursuant to chapter 378 or a physician assistant licensed pursuant to
59 chapter 370. Such regulations shall permit a physical examination that
60 is required for school purposes to also be used to satisfy any such
61 required youth camp examination or certification, subject to such
62 conditions regarding the timeliness of such examination as the
63 commissioner deems appropriate.

PH *Joint Favorable Subst.*

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

OFA Fiscal Note

- State Impact:** Revenue Loss
- Affected Agencies:** Department of Public Health
- Municipal Impact:** None

Explanation

State Impact:

A revenue loss of \$15,500 will occur as the bill exempts classroom-based summer instructional programs from licensure as youth camps. The Department of Public Health will cease to collect \$650 from each of twenty (20) for-profit programs and \$250 from each of ten (10) non-profit programs.

The agency will be able to conduct investigations of complaints involving these organizations within its anticipated budgetary resources. A workload reduction will result from eliminating annual inspections of youth camps operating on college or university grounds.

It is anticipated that the department can amend its regulations to allow school physical examinations to be adequate for youth camp attendance within its anticipated budgetary resources.

OLR Bill Analysis

sHB 5882

AN ACT CONCERNING THE REGULATION OF YOUTH CAMPS.

SUMMARY:

This bill:

1. exempts classroom-based summer instructional programs from having to be licensed as youth camps in certain circumstances,
2. exempts college facilities used by camps from annual safety inspection requirements in certain circumstances, and
3. allows required school physical examinations to satisfy any camp physical exam requirements.

EFFECTIVE DATE: October 1, 2001

CLASSROOM-BASED PROGRAMS

The bill exempts classroom-based summer instructional programs that are not operated by schools from licensing by the Department of Public Health (DPH) if they do not conduct any activities that could pose a health risk or hazard to the children enrolled in them. The law already exempts schools that operate summer education programs from licensing.

FACILITY SAFETY INSPECTION

The bill exempts from DPH's annual camp facility safety inspection college dorms, classrooms, athletic facilities, and other buildings as long as the college has had them inspected within a time period that satisfies DPH.

PHYSICAL EXAMS

DPH regulations require camps to have on file a physical examination or health status certification for each camper dated within 36 months of the child's arrival at camp. The bill requires those regulations to permit the use of required school physicals for this purpose, subject to conditions of timeliness the commissioner believes appropriate.

By law, schools must require children to have a health assessment before they enroll in school and in either sixth or seventh grade and in either 10th or 11th grade. The assessments must include a physical examination; immunization updates; and, depending on the child's age, vision, hearing, speech, dental, and posture screenings.

COMMITTEE ACTION

Public Health Committee

Joint Favorable Substitute

Yea 25 Nay 0