



General Assembly

**Substitute Bill No. 5291**

*February Session, 2002*

**AN ACT CONCERNING DEPARTMENT OF PUBLIC HEALTH  
DISCIPLINARY ACTION REGARDING HOSPITALS.**

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

1 Section 1. Section 19a-494 of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective October 1, 2002*):

3 (a) The Commissioner of Public Health, after a hearing held in  
4 accordance with the provisions of chapter 54, may take any of the  
5 following actions, singly or in combination, in any case in which he  
6 finds that there has been a substantial failure to comply with the  
7 requirements established under this chapter, the Public Health Code  
8 and licensing regulations:

9 (1) Revoke a license or certificate;

10 (2) Suspend a license or certificate;

11 (3) Censure a licensee or certificate holder;

12 (4) Issue a letter of reprimand to a licensee or certificate holder;

13 (5) Place a licensee or certificate holder on probationary status and  
14 require him to report regularly to the department on the matters which  
15 are the basis of the probation;

16 (6) Restrict the acquisition of other facilities for a period of time set

17 by the commissioner; [and]

18 (7) Issue an order compelling compliance with applicable statutes or  
19 regulations of the department; or

20 (8) Impose a civil penalty.

21 (b) Notice of the hearing to the holder of a license or certificate shall  
22 be effected by registered or certified mail or by personal service,  
23 setting forth the particular reasons for the proposed action and fixing a  
24 date, not less than thirty days from the date of such mailing or service,  
25 at which the holder of such license or certificate shall be given an  
26 opportunity for a prompt and fair hearing, and witnesses may be  
27 subpoenaed by either party for such hearing. Such hearing may be  
28 conducted by the Commissioner of Public Health, a deputy  
29 commissioner, or by a member of the Department of Public Health,  
30 designated by said commissioner. On the basis of such hearing, or  
31 upon default of the holder of such license or certificate, the person  
32 conducting such hearing shall specify his findings and conclusions,  
33 and said department may, upon the basis of such findings and  
34 conclusions take any action authorized by this section that it deems  
35 necessary. A copy of such decision shall be sent by registered or  
36 certified mail or served personally upon the holder of such license or  
37 certificate.

38 (c) The commissioner shall adopt regulations, in accordance with  
39 the provisions of chapter 54, for the purpose of establishing standards  
40 for the imposition of civil penalties in accordance with subdivision (8)  
41 of subsection (a) of this section.

This act shall take effect as follows:	
Section 1	October 1, 2002

**PH** Joint Favorable Subst.