



Senate

General Assembly

File No. 417

January Session, 2003

Substitute Senate Bill No. 1152

Senate, April 16, 2003

The Committee on Public Health reported through SEN. MURPHY of the 16th Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

AN ACT CONCERNING GYNECOLOGICAL SERVICES FOR WOMEN WITH DISABILITIES.

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

1 Section 1. (*Effective from passage*) (a) The Department of Public
2 Health, in consultation with the Office of Protection and Advocacy for
3 Persons with Disabilities, shall develop recommendations concerning
4 the provision of gynecological services for women with mental and
5 physical disabilities. The recommendations shall include, but need not
6 be limited to: (1) Procedures for gynecological services for women with
7 disabilities, including a description of services and accommodations
8 available, and procedures governing confidentiality and consent; and
9 (2) policies and procedures regarding the use of sedation for
10 gynecological and routine examinations that include provision for
11 informed consent and limit the use of sedation when not medically
12 necessary. The department, in consultation with the office, shall
13 develop a plan for public education regarding such recommendations.

14 (b) On or before January 1, 2004, the department shall report, in
 15 accordance with section 11-4a of the general statutes, to the joint
 16 standing committee of the General Assembly having cognizance of
 17 matters relating to public health on the recommendations and
 18 education plan developed pursuant to subsection (a) of this section.

19 Sec. 2. (NEW) (*Effective from passage*) The Commissioners of Mental
 20 Health and Addiction Services and Mental Retardation shall provide
 21 mammographic and pelvic examinations, as needed, according to the
 22 standards set by the American College of Obstetricians and
 23 Gynecology, to patients being cared for in state-operated facilities, as
 24 defined in subsection (c) of section 17a-458 of the general statutes, or in
 25 any institution or facility operated by the Department of Mental
 26 Retardation.

This act shall take effect as follows:	
Section 1	<i>from passage</i>
Sec. 2	<i>from passage</i>

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: None

Municipal Impact: None

Explanation

It is anticipated that both the Department of Public Health and the Office of Protection and Advocacy will be able to collaborate on the development of the required recommendations and education plan and submit a report on the same to the Public Health Committee by January 1, 2004, within each agency's respective anticipated budgetary resources.

The Departments of Mental Retardation and Mental Health and Addiction Services will incur no additional costs as a result of passage of the bill. Current practices of both departments are consistent with its provisions.

OLR Bill Analysis

sSB 1152

AN ACT CONCERNING GYNECOLOGICAL SERVICES FOR WOMEN WITH DISABILITIES**SUMMARY:**

This bill requires the commissioners of mental health and addiction services and mental retardation to provide pelvic exams and mammographies as needed by women placed in the facilities and institutions they operate. They must provide these services according to the American College of Obstetricians and Gynecology's standards.

The bill also requires the Public Health Department (DPH) to develop recommendations on providing gynecological services to women with mental and physical disabilities. It must do this in consultation with the Office of Protection and Advocacy for Persons with Disabilities (OPA). The recommendations must include (1) a description of available services and accommodations; (2) procedures for such services, consent to them, and confidentiality; and (3) policies and procedures for using sedation during routine and gynecological exams, informed consent to sedation, and limiting the use of sedation when not medically necessary. DPH and OPA must develop a plan to educate the public about their recommendations. DPH must report to the Public Health Committee by January 1, 2004 on its recommendations and education plan.

EFFECTIVE DATE: Upon passage

COMMITTEE ACTION

Public Health Committee

Joint Favorable Substitute

Yea 19 Nay 2