



General Assembly

Substitute Bill No. 5936

January Session, 2003

**AN ACT CONCERNING TREATMENT OF MENTAL ILLNESS AT
CHRONIC DISEASE HOSPITALS.**

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

1 Section 1. Section 19a-490 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2003*):

3 As used in this chapter:

4 (a) "Institution" means a hospital, residential care home, health care
5 facility for the handicapped, nursing home, rest home, home health
6 care agency, homemaker-home health aide agency, mental health
7 facility, substance abuse treatment facility, chronic disease hospital, an
8 infirmary operated by an educational institution for the care of
9 students enrolled in, and faculty and employees of, such institution; a
10 facility engaged in providing services for the prevention, diagnosis,
11 treatment or care of human health conditions, including facilities
12 operated and maintained by any state agency, except facilities for the
13 care or treatment of mentally ill persons or persons with substance
14 abuse problems; and a residential facility for the mentally retarded
15 licensed pursuant to section 17a-227 and certified to participate in the
16 Title XIX Medicaid program as an intermediate care facility for the
17 mentally retarded;

18 (b) "Hospital" means an establishment for the lodging, care and
19 treatment of persons suffering from disease or other abnormal physical

20 or mental conditions and includes inpatient psychiatric services in
21 general hospitals;

22 (c) "Residential care home", "nursing home" or "rest home" means an
23 establishment which furnishes, in single or multiple facilities, food and
24 shelter to two or more persons unrelated to the proprietor and, in
25 addition, provides services which meet a need beyond the basic
26 provisions of food, shelter and laundry;

27 (d) "Home health care agency" means a public or private
28 organization, or a subdivision thereof, engaged in providing
29 professional nursing services and the following services, available
30 twenty-four hours per day, in the patient's home or a substantially
31 equivalent environment: Homemaker-home health aide services as
32 defined in this section, physical therapy, speech therapy, occupational
33 therapy or medical social services. The agency shall provide
34 professional nursing services and at least one additional service
35 directly and all others directly or through contract. An agency shall be
36 available to enroll new patients seven days a week, twenty-four hours
37 per day;

38 (e) "Homemaker-home health aide agency" means a public or
39 private organization, except a home health care agency, which
40 provides in the patient's home or a substantially equivalent
41 environment supportive services which may include, but are not
42 limited to, assistance with personal hygiene, dressing, feeding and
43 incidental household tasks essential to achieving adequate household
44 and family management. Such supportive services shall be provided
45 under the supervision of a registered nurse and, if such nurse
46 determines appropriate, shall be provided by a social worker, physical
47 therapist, speech therapist or occupational therapist. Such supervision
48 may be provided directly or through contract;

49 (f) "Homemaker-home health aide services" as defined in this
50 section shall not include services provided to assist individuals with
51 activities of daily living when such individuals have a disease or

52 condition that is chronic and stable as determined by a physician
53 licensed in the state of Connecticut;

54 (g) "Mental health facility" means any facility for the care or
55 treatment of mentally ill or emotionally disturbed adults, or any
56 mental health outpatient treatment facility that provides treatment to
57 persons sixteen years of age or older who are receiving services from
58 the Department of Mental Health and Addiction Services, but does not
59 include family care homes for the mentally ill;

60 (h) "Alcohol or drug treatment facility" means any facility for the
61 care or treatment of persons suffering from alcoholism or other drug
62 addiction;

63 (i) "Person" means any individual, firm, partnership, corporation,
64 limited liability company or association;

65 (j) "Commissioner" means the Commissioner of Public Health;

66 (k) "Home health agency" means an agency licensed as a home
67 health care agency or a homemaker-home health aide agency; [and]

68 (l) "Assisted living services agency" means an institution that
69 provides, among other things, nursing services and assistance with
70 activities of daily living to a population that is chronic and stable; and

71 (m) "Chronic disease hospital" means a long-term hospital having
72 facilities, medical staff and all necessary personnel for the diagnosis,
73 care and treatment of chronic physical or geriatric mental conditions
74 that require prolonged hospital or restorative care.

This act shall take effect as follows:	
Section 1	October 1, 2003

PH *Joint Favorable Subst.*