



General Assembly

January Session, 2003

Raised Bill No. 6454

LCO No. 3238

Referred to Committee on Public Health

Introduced by:
(PH)

AN ACT REPEALING CERTAIN STATUTES REGARDING HOSPITALS.

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

1 Section 1. Section 19a-637 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective from passage*):

3 (a) In any of its deliberations involving a proposal, request or
4 submission regarding rates or services by a health care facility or
5 institution, the office shall take into consideration and make written
6 findings concerning each of the following principles and guidelines:
7 The relationship of the proposal, request or submission to the state
8 health plan; the relationship of the proposal, request or submission to
9 the applicant's long-range plan; the financial feasibility of the proposal,
10 request or submission and its impact on the applicant's rates and
11 financial condition; the impact of such proposal, request or submission
12 on the interests of consumers of health care services and the payers for
13 such services; the contribution of such proposal, request or submission
14 to the quality, accessibility and cost-effectiveness of health care
15 delivery in the region; whether there is a clear public need for any
16 proposal or request; whether the health care facility or institution is
17 competent to provide efficient and adequate service to the public in

18 that such health care facility or institution is technically, financially
19 and managerially expert and efficient; that rates be sufficient to allow
20 the health care facility or institution to cover its reasonable capital and
21 operating costs; the relationship of any proposed change to the
22 applicant's current utilization statistics; the teaching and research
23 responsibilities of the applicant; the special characteristics of the
24 patient-physician mix of the applicant; the voluntary efforts of the
25 applicant in improving productivity and containing costs; and any
26 other factors which the office deems relevant, including, in the case of
27 a facility or institution as defined in subsection (c) of section 19a-490,
28 such factors as, but not limited to, the business interests of all owners,
29 partners, associates, incorporators, directors, sponsors, stockholders
30 and operators and the personal backgrounds of such persons.
31 Whenever the granting, modification or denial of a request is
32 inconsistent with the state health plan, a written explanation of the
33 reasons for the inconsistency shall be included in the decision.

34 (b) Any data submitted to or obtained or compiled by the office
35 with respect to its deliberations under sections 19a-637 to [19a-640]
36 19a-639e, inclusive, with respect to nursing homes, licensed under
37 chapter 368v, shall be made available to the Department of Public
38 Health.

39 [(c) Notwithstanding the provisions of subsection (a) of this section,
40 the office in its deliberations under section 19a-640, shall not direct or
41 control the use of the following resources of the hospital concerned:
42 The principal and all income from restricted and unrestricted grants,
43 gifts, contributions, bequests and endowments.]

44 Sec. 2. Section 19a-641 of the general statutes is repealed and the
45 following is substituted in lieu thereof (*Effective from passage*):

46 Any health care facility or institution and any state health care
47 facility or institution aggrieved by any final decision of said office
48 under the provisions of sections 19a-630 to [19a-640] 19a-639e,
49 inclusive, or section 19a-648 or 19a-650, may appeal therefrom in

50 accordance with the provisions of section 4-183, except venue shall be
51 in the judicial district in which it is located. Such appeal shall have
52 precedence in respect to order of trial over all other cases except writs
53 of habeas corpus, actions brought by or on behalf of the state,
54 including informations on the relation of private individuals, and
55 appeals from awards or decisions of workers' compensation
56 commissioners.

57 Sec. 3. Subsection (a) of section 19a-643 of the general statutes is
58 repealed and the following is substituted in lieu thereof (*Effective from*
59 *passage*):

60 (a) The office shall adopt regulations, in accordance with the
61 provisions of chapter 54, to carry out the provisions of sections 19a-630
62 to [19a-640] 19a-639e, inclusive, and sections 19a-644, 19a-645 and 19a-
63 648, concerning the submission of data by health care facilities and
64 institutions, including data on dealings between health care facilities
65 and institutions and their affiliates, and, with regard to requests or
66 proposals pursuant to sections 19a-638 and 19a-639, by state health
67 care facilities and institutions, the ongoing inspections by the office of
68 operating budgets of health care facilities and institutions, [after their
69 approval,] standard reporting forms and standard accounting
70 procedures to be utilized by health care facilities and institutions and
71 the transferability of line items in the approved operating budgets of
72 the health care facilities and institutions, except that any health care
73 facility or institution may transfer any amounts among items in its
74 operating budget. [, provided such facility or institution is not
75 exceeding and will not exceed its overall operating budget.] All such
76 transfers shall be reported to the office within thirty days of the
77 transfer or transfers.

78 Sec. 4. Section 19a-645 of the general statutes is repealed and the
79 following is substituted in lieu thereof (*Effective from passage*):

80 A nonprofit hospital, licensed by the Department of Public Health,
81 which provides lodging, care and treatment to members of the public,

82 and which wishes to enlarge its public facilities by adding contiguous
83 land and buildings thereon, if any, the title to which it cannot
84 otherwise acquire, may prefer a complaint for the right to take such
85 land to the superior court for the judicial district in which such land is
86 located, provided such hospital shall have received the approval of the
87 Office of Health Care Access under section 19a-639. [or 19a-640.] Said
88 court shall appoint a committee of three disinterested persons, who,
89 after examining the premises and hearing the parties, shall report to
90 the court as to the necessity and propriety of such enlargement and as
91 to the quantity, boundaries and value of the land and buildings
92 thereon, if any, which they deem proper to be taken for such purpose
93 and the damages resulting from such taking. If such committee reports
94 that such enlargement is necessary and proper and the court accepts
95 such report, the decision of said court thereon shall have the effect of a
96 judgment and execution may be issued thereon accordingly, in favor of
97 the person to whom damages may be assessed, for the amount thereof;
98 and, on payment thereof, the title to the land and buildings thereon, if
99 any, for such purpose shall be vested in the complainant, but such land
100 and buildings thereon, if any, shall not be taken until such damages
101 are paid to such owner or deposited with said court, for such owner's
102 use, within thirty days after such report is accepted. If such application
103 is denied, the owner of the land shall recover costs of the applicant, to
104 be taxed by said court, which may issue execution therefor. Land so
105 taken shall be held by such hospital and used only for the public
106 purpose stated in its complaint to the superior court. No land
107 dedicated or otherwise reserved as open space or park land or for
108 other recreational purposes and no land belonging to any town, city or
109 borough shall be taken under the provisions of this section.

110 Sec. 5. (*Effective from passage*) Sections 19a-640, 19a-673a and 19a-682
111 of the general statutes are repealed.

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

Sec. 2	<i>from passage</i>
Sec. 3	<i>from passage</i>
Sec. 4	<i>from passage</i>
Sec. 5	<i>from passage</i>

Statement of Purpose:

To repeal statutes relating to hospital budget systems, to regulations for debt collection practices, and to obsolete billing practices.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]