



General Assembly

January Session, 2003

Raised Bill No. 6677

LCO No. 4433

Referred to Committee on Public Health

Introduced by:
(PH)

***AN ACT CONCERNING REVISIONS TO CERTAIN DEPARTMENT OF
PUBLIC HEALTH LICENSING STATUTES.***

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

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 Section 19a-2a of the general statutes is repealed and the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

3 The Commissioner of Public Health shall employ the most efficient
4 and practical means for the prevention and suppression of disease and
5 shall administer all laws under the jurisdiction of the Department of
6 Public Health and the Public Health Code. He shall have responsibility
7 for the overall operation and administration of the Department of
8 Public Health. The commissioner shall have the power and duty to: (1)
9 Administer, coordinate and direct the operation of the department; (2)
10 adopt and enforce regulations, in accordance with chapter 54, as are
11 necessary to carry out the purposes of the department as established
12 by statute; (3) establish rules for the internal operation and
13 administration of the department; (4) establish and develop programs
14 and administer services to achieve the purposes of the department as
15 established by statute; (5) contract for facilities, services and programs
16 to implement the purposes of the department as established by statute;

17 (6) designate a deputy commissioner or other employee of the
18 department to sign any license, certificate or permit issued by said
19 department; (7) conduct a hearing, issue subpoenas, administer oaths,
20 compel testimony and render a final decision in any case when a
21 hearing is required or authorized under the provisions of any statute
22 dealing with the Department of Public Health; (8) with the health
23 authorities of this and other states, secure information and data
24 concerning the prevention and control of epidemics and conditions
25 affecting or endangering the public health, and compile such
26 information and statistics and shall disseminate among health
27 authorities and the people of the state such information as may be of
28 value to them; (9) annually issue a list of reportable diseases and
29 reportable laboratory findings and amend such list as he deems
30 necessary and distribute such list as well as any necessary forms to
31 each licensed physician and clinical laboratory in this state. He shall
32 prepare printed forms for reports and returns, with such instructions
33 as may be necessary, for the use of directors of health, boards of health
34 and registrars of vital statistics; (10) specify uniform methods of
35 keeping statistical information by public and private agencies,
36 organizations and individuals, including a client identifier system, and
37 collect and make available relevant statistical information, including
38 the number of persons treated, frequency of admission and
39 readmission, and frequency and duration of treatment. The client
40 identifier system shall be subject to the confidentiality requirements set
41 forth in section 17a-688 and regulations adopted thereunder. [; (11)
42 make an inspection, at least once each year, of all public hospitals,
43 asylums, prisons, schools and other institutions, within available
44 appropriations.] The commissioner may designate any person to
45 perform any of the duties listed in subdivision (7) of this section. He
46 shall have authority over directors of health and may, for cause,
47 remove any such director; but any person claiming to be aggrieved by
48 such removal may appeal to the Superior Court which may affirm or
49 reverse the action of the commissioner as the public interest requires.
50 He shall assist and advise local directors of health in the performance

51 of their duties, and may require the enforcement of any law, regulation
52 or ordinance relating to public health. When requested by local
53 directors of health, he shall consult with them and investigate and
54 advise concerning any condition affecting public health within their
55 jurisdiction. He shall investigate nuisances and conditions affecting, or
56 that he has reason to suspect may affect, the security of life and health
57 in any locality and, for that purpose, he, or any person authorized by
58 him so to do, may enter and examine any ground, vehicle, apartment,
59 building or place, and any person designated by him shall have the
60 authority conferred by law upon constables. Whenever he determines
61 that any provision of the general statutes or regulation of the Public
62 Health Code is not being enforced effectively by a local health
63 department, he shall forthwith take such measures, including the
64 performance of any act required of the local health department, to
65 ensure enforcement of such statute or regulation and shall inform the
66 local health department of such measures. In September of each year
67 he shall certify to the Secretary of the Office of Policy and Management
68 the population of each municipality. The commissioner may solicit and
69 accept for use any gift of money or property made by will or
70 otherwise, and any grant of or contract for money, services or property
71 from the federal government, the state or any political subdivision
72 thereof or any private source, and do all things necessary to cooperate
73 with the federal government or any of its agencies in making an
74 application for any grant or contract. The commissioner may establish
75 state-wide and regional advisory councils.

76 Sec. 2. Section 19a-14b of the general statutes is repealed and the
77 following is substituted in lieu thereof (*Effective October 1, 2003*):

78 (a) For the purposes of this section and sections 20-420 and 20-432,
79 the following terms shall have the following meanings unless the
80 context clearly denotes otherwise:

81 (1) "Radon diagnosis" means evaluating buildings found to have
82 levels of radon gas that are higher than the guidelines promulgated by

83 this state or the United States Environmental Protection Agency and
84 recommending appropriate remedies to eliminate radon.

85 (2) "Radon mitigation" means taking steps including, but not limited
86 to, installing ventilation systems, sealing entry routes for radon gas
87 and installing subslab depressurization systems to reduce radon levels
88 in buildings.

89 (3) ["Primary testing companies"] "Analytical measurement service
90 providers" means companies or individuals that have their own
91 analysis capability for radon measurement but may or may not offer
92 measurement services directly to the public.

93 (4) ["Secondary testing companies"] "Residential measurement
94 service providers" means [companies] individuals that offer services
95 that include, but are not limited to, detector placement and home
96 inspection and consultation but do not have their own analysis
97 capability. Such [firms] providers must utilize the services of [a
98 primary testing company or laboratory] an analytical measurement
99 service provider for its detector analysis.

100 (5) "Residential mitigation service providers" means individuals that
101 offer services that include, but are not limited to, radon diagnosis or
102 radon mitigation.

103 [(b) The Department of Public Health shall publish a list from time
104 to time of: Companies that perform radon mitigation or diagnosis,
105 primary testing companies and secondary testing companies. A
106 company that performs radon mitigation shall appear on such list only
107 if evidence is presented, satisfactory to the Commissioner of Public
108 Health, that every employee that performs mitigation does so under
109 the direction of an onsite supervisor who is included in the current
110 proficiency report of the United States Environmental Protection
111 Agency National Radon Contractor Proficiency (RCP) Program. A
112 primary testing company and a secondary testing company shall
113 appear on such list only if evidence is presented, satisfactory to the

114 commissioner, that the company is included in the current proficiency
115 report of the United States Environmental Protection Agency National
116 Radon Measurement Proficiency (RMP) Program and persons or
117 companies performing radon diagnostic evaluation are included in the
118 current proficiency reports of both the National Radon Measurement
119 Proficiency (RMP) Program and the National Radon Contractor
120 Proficiency (RCP) Program.]

121 (b) The Department of Public Health shall maintain a list of
122 companies or individuals that offer analytical measurement services,
123 residential measurement services and residential mitigation services.
124 The list shall contain only the names of individuals and companies that
125 are included in current lists of national radon proficiency programs
126 that have been approved by the Commissioner of Public Health.

127 (c) The Department of Public Health shall adopt regulations, in
128 accordance with chapter 54, establishing safe levels of radon in potable
129 water.

130 Sec. 3. Subsection (a) of section 19a-36 of the general statutes is
131 repealed and the following is substituted in lieu thereof (*Effective*
132 *October 1, 2003*):

133 (a) The Commissioner of Public Health shall establish a Public
134 Health Code and, from time to time, amend the same. The Public
135 Health Code may provide for the preservation and improvement of
136 the public health. Said code may include regulations pertaining to
137 retail food establishments, including, but not limited to, food service
138 establishments, catering food service establishment and itinerant food
139 vending establishments. Drainage and toilet systems to be installed in
140 any house or building arranged or designed for human habitation, or
141 field sanitation provided for agricultural workers or migratory farm
142 laborers, shall conform to minimum requirements prescribed in said
143 code. Said code may include regulations requiring toilets and
144 handwashing facilities in large stores, as defined in such regulations,
145 in shopping centers and in places dispensing food or drink for

146 consumption on the premises, for the use of patrons of such
147 establishments, except that the provisions of such regulations shall not
148 apply to such establishments constructed or altered pursuant to plans
149 and specifications approved or building permits issued prior to
150 October 1, 1977. The provisions of such regulations (1) with respect to
151 the requirement of employing a qualified food operator and any
152 reporting requirements relative to such operator, shall not apply to an
153 owner or operator of a soup kitchen who relies exclusively on services
154 provided by volunteers, and (2) shall not prohibit the sale of food at a
155 noncommercial function such as an educational, religious, political or
156 charitable organization's bake sale or pot luck supper provided the
157 seller maintains such food under the temperature, pH level and water
158 activity level conditions which will inhibit the rapid and progressive
159 growth of infectious or toxigenic microorganisms. For the purposes of
160 this section, a "noncommercial function" means a function where food
161 is sold by a person not regularly engaged in the business of selling
162 such food. Each regulation adopted by the Commissioner of Public
163 Health shall state the date on which it shall take effect, and a copy
164 thereof, signed by the Commissioner of Public Health, shall be filed in
165 the office of the Secretary of the State and a copy sent by said
166 commissioner to each director of health, and such regulation shall be
167 published in such manner as the Commissioner of Public Health may
168 determine. Any person who violates any provision of the Public
169 Health Code shall be fined not more than one hundred dollars or
170 imprisoned not more than three months or both.

171 Sec. 4. Subdivision (3) of section 19a-111b of the general statutes is
172 repealed and the following is substituted in lieu thereof (*Effective*
173 *October 1, 2003*):

174 (3) The commissioner shall establish a program for the detection of
175 sources of lead poisoning. Within available appropriations, such
176 program shall include the identification of dwellings in which paint,
177 plaster or other accessible substances contain toxic levels of lead and
178 the inspection of areas surrounding such dwellings for lead-containing

179 materials. [Any person who detects a toxic level of lead, as defined by
180 the commissioner, shall report such findings to the commissioner. The
181 commissioner shall inform all interested parties, including but not
182 limited to, the owner of the building, the occupants of the building,
183 enforcement officials and other necessary parties.]

184 Sec. 5. Section 19a-229 of the general statutes is repealed and the
185 following is substituted in lieu thereof (*Effective October 1, 2003*):

186 [(a)] Any person aggrieved by an order issued by a town, city or
187 borough director of health may [, not later than forty-eight hours after
188 the making of such order,] appeal to the Commissioner of Public
189 Health not later than three business days after the date of such
190 person's receipt of such order, who shall thereupon immediately notify
191 the authority from whose order the appeal was taken, and examine
192 into the merits of such case, and may vacate, modify or affirm such
193 order.

194 [(b)] Notwithstanding the requirements of subsection (a) of this
195 section, any person aggrieved by an order regarding lead paint
196 abatement under section 19a-111c may appeal to the commissioner not
197 later than three business days after the receipt of such order.]

198 Sec. 6. Section 19a-269 of the general statutes is repealed and the
199 following is substituted in lieu thereof (*Effective October 1, 2003*):

200 (a) The Commissioner of Public Health shall: (1) Recommend
201 minimum criteria for dialysis facilities and transplantation centers; (2)
202 recommend medical criteria for eligibility of kidney disease patients
203 for any available state assistance; (3) recommend programs of
204 detection, prevention and public education concerning kidney disease;
205 (4) recommend research into problems associated with kidney disease;
206 (5) review all existing medical and social programs related to kidney
207 disease to assure that all patients shall receive, with a minimum of
208 duplication of financial and physical resources, the best possible health
209 care.

210 [(b) The Commissioner of Public Health shall, on or before
211 November 30, 1978, and annually thereafter, report to the Governor
212 and to the General Assembly the results of his studies and
213 recommendations for such executive and legislative action as he finds
214 beneficial to the public interest.]

215 [(c)] (b) In the performance of his duties, the Commissioner of
216 Public Health may order the preparation of books, reports and records
217 and may pay for the expert advisors and assistants for making his
218 studies and formulating his recommendations from funds made
219 available by the Department of Public Health from the appropriation
220 to said Department of Public Health.

221 Sec. 7. (NEW) (*Effective October 1, 2003*) (a) As used in this section,
222 "homeopathic physician" means a physician who prescribes the single
223 remedy in the minimum dose in potentized form, selected from the
224 law of similars.

225 (b) No person shall practice as a homeopathic physician until such
226 person has obtained a license to practice medicine and surgery from
227 the Department of Public Health in accordance with chapter 370 of the
228 general statutes. No license as a homeopathic physician shall be
229 required of a graduate of any school or institution giving instruction in
230 the healing arts who is completing a post-graduate medical training in
231 homeopathy pursuant to subsection (c) of this section.

232 (c) Applicants for licensure as a homeopathic physician shall, in
233 addition to meeting the requirements of section 20-10 of the general
234 statutes, have successfully completed not less than one hundred
235 twenty hours of post-graduate medical training in homeopathy offered
236 by an institution approved by the Connecticut Homeopathic Medical
237 Examining Board or the American Institute of Homeopathy, or one
238 hundred twenty hours of post-graduate medical training in
239 homeopathy under the direct supervision of a licensed homeopathic
240 physician, which shall consist of thirty hours of theory and ninety
241 hours of clinical practice. The Connecticut Homeopathic Medical

242 Examining Board shall approve any training completed under the
243 direction of a licensed homeopathic physician.

244 Sec. 8. (NEW) (*Effective October 1, 2003*) Notwithstanding the
245 provisions of section 20-37 of the general statutes, the Department of
246 Public Health may grant a license by endorsement to a natureopathic
247 physician who presents evidence satisfactory to the Commissioner of
248 Public Health that the applicant is licensed or certified as a
249 natureopathic physician, or as a person entitled to perform similar
250 services under a different designation, in another state or jurisdiction
251 whose requirements for practicing in such capacity are substantially
252 similar to or higher than those of this state. The department may
253 require such applicant to provide evidence satisfactory to the
254 commissioner that the applicant understands Connecticut laws and
255 regulations relating to the practice of natureopathy. The fee for such
256 license shall be four hundred fifty dollars. No license shall be issued
257 under this section to any applicant against whom professional
258 disciplinary action is pending or who is the subject of an unresolved
259 complaint.

260 Sec. 9. Subdivision (5) of subsection (b) of section 20-9 of the general
261 statutes is repealed and the following is substituted in lieu thereof
262 (*Effective October 1, 2003*):

263 (5) Any physician or surgeon [then actually] residing out of this
264 state who holds a current license in good standing in another state and
265 who is employed to come into this state to treat, operate or prescribe
266 for any injury, deformity, ailment or disease from which the person
267 who employed such physician, or the person on behalf of whom such
268 physician is employed, is suffering at the time when such nonresident
269 physician or surgeon is so employed, provided such physician or
270 surgeon may practice in this state without a Connecticut license for a
271 period not to exceed thirty consecutive days.

272 Sec. 10. Section 20-74c of the general statutes is repealed and the
273 following is substituted in lieu thereof (*Effective October 1, 2003*):

274 [The commissioner may waive the examination for any person
275 certified as an occupational therapist registered (OTR) or as a certified
276 occupational therapy assistant (COTA) by the American Occupational
277 Therapy Association, if the commissioner considers the requirements
278 for certification to be equivalent to the requirements for licensure in
279 this chapter. The commissioner may waive the examination for any
280 applicant who shall present proof of current licensure as an
281 occupational therapist or an occupational therapy assistant in another
282 state, the District of Columbia, or any territory of the United States
283 which requires standards for licensure considered by the
284 commissioner to be equivalent to the requirements for licensure of this
285 chapter in respect to examination, education, and experience.]
286 Notwithstanding the provisions of section 20-74b, the commissioner
287 may grant a license by endorsement to an occupational therapist or
288 occupational therapy assistant who presents evidence satisfactory to
289 the commissioner that the applicant is licensed or certified as an
290 occupational therapist or occupational therapy assistant, or as a person
291 entitled to perform similar services under a different designation, in
292 another state or jurisdiction whose requirements for practicing in such
293 capacity are substantially similar to those of this state. No license shall
294 be issued under this section to any applicant against whom
295 professional disciplinary action is pending or who is the subject of an
296 unresolved complaint.

297 Sec. 11. Section 20-90 of the general statutes is repealed and the
298 following is substituted in lieu thereof (*Effective October 1, 2003*):

299 (a) Said board may adopt a seal. The Commissioner of Public
300 Health, with advice and assistance from the board, and in consultation
301 with the State Board of Education, shall [promulgate] adopt
302 regulations, in accordance with the provisions of chapter 54,
303 permitting and setting standards for courses for the training of
304 practical nurses to be offered in high schools and vocational schools for
305 students who have not yet acquired a high school diploma. Students
306 who satisfactorily complete courses approved by said Board of

307 Examiners for Nursing, with the consent of the Commissioner of
308 Public Health, as meeting such standards shall be given credit for each
309 such course toward the requirements for a practical nurse's license. All
310 schools of nursing in this state, except such schools accredited by the
311 National League for Nursing or other [successor] professional
312 accrediting association approved by the United States Department of
313 Education and recognized by the Commissioner of Public Health, and
314 all schools for training licensed practical nurses and all hospitals
315 connected [therewith, which] to such schools that prepare persons for
316 examination under the provisions of this chapter, shall be visited
317 periodically by a representative of the Department of Public Health
318 who shall be a registered nurse or a person experienced in the field of
319 nursing education. The board shall keep a list of all nursing programs
320 and all programs for training licensed practical nurses [which] that are
321 approved by it, with the consent of the Commissioner of Public Health,
322 as maintaining the standard for the education of nurses and the
323 training of licensed practical nurses as established by the
324 commissioner. The board shall consult, where possible, with nationally
325 recognized accrediting agencies when approving schools.

326 Sec. 12. Subsection (a) of section 20-102cc of the general statutes is
327 repealed and the following is substituted in lieu thereof (*Effective*
328 *October 1, 2003*):

329 (a) The Department of Public Health shall receive, investigate and
330 prosecute complaints against individuals who are providing or have
331 provided services as a nurse's aide in a chronic and convalescent
332 nursing home or rest home with nursing supervision. The grounds for
333 complaint shall include resident abuse, resident neglect,
334 misappropriation of resident property, and fraud or deceit in obtaining
335 or attempting to obtain a registration as a nurse's aide. A nurse's aide
336 shall be given written notice by certified mail by the commissioner of
337 any complaint against him. [The] A nurse's aide [may, within thirty
338 days of the date of the notice, make] who wishes to appeal a complaint
339 against him shall, not later than thirty days after the date of the

340 mailing, file with the department a request in writing for a hearing to
341 contest the complaint. The commissioner shall render a finding on
342 such complaint, and, if a hearing is requested, it shall be conducted
343 pursuant to chapter 54. The commissioner shall have the authority to
344 render a finding and enter such finding on the registry against an
345 individual who is providing or has provided services as a nurse's aide
346 in a chronic and convalescent nursing home or rest home with nursing
347 supervision, without regard to whether such individual is on the
348 registry or has obtained registration as a nurse's aide from the
349 department.

350 Sec. 13. Section 20-195d of the general statutes is repealed and the
351 following is substituted in lieu thereof (*Effective October 1, 2003*):

352 The department is authorized to conduct investigations and take
353 disciplinary actions as set forth in section 19a-17 for any of the
354 following reasons: (1) Fraud or material deception in procuring or
355 attempting to procure licensure; (2) illegal conduct, incompetence or
356 negligence in carrying out professional functions; (3) any
357 occupationally disabling emotional disorder or mental illness; (4)
358 physical illness including, but not limited to, deterioration through the
359 aging process; (5) abuse or excessive use of drugs, including alcohol,
360 narcotics or chemicals; (6) fraud or material deception in the course of
361 professional activities; (7) wilful and significant falsification of entries
362 in any hospital, patient or other record; and (8) violation of any
363 provision of this chapter, any regulation adopted pursuant to this
364 chapter, or any provisions of subdivision (6) of subsection (a) of section
365 19a-14. The commissioner may order a license holder to submit to a
366 reasonable physical or mental examination if his physical or mental
367 capacity to practice safely is the subject of an investigation. The
368 commissioner may petition the superior court for the judicial district of
369 Hartford to enforce such order or any action taken pursuant to section
370 19a-17.

371 Sec. 14. Section 20-198 of the general statutes is repealed and the

372 following is substituted in lieu thereof (*Effective October 1, 2003*):

373 No person shall be granted such a license until the department finds
374 that [he] such person (1) was graduated with the degree of doctor of
375 veterinary medicine, or its equivalent, from a school of veterinary
376 medicine, surgery or dentistry which, at the time such person
377 graduated, was accredited by the American Veterinary Medical
378 Association if such school is located in the United States, its territories
379 or Canada, or (2) if graduated from a school located outside of the
380 United States, its territories or Canada, has demonstrated to the
381 satisfaction of the department that [he] such person has completed a
382 degree program equivalent in level, content and purpose to the degree
383 of doctor of veterinary medicine as granted by a school of veterinary
384 medicine, surgery or dentistry which is accredited by the American
385 Veterinary Medical Association. No person who was graduated from a
386 school of veterinary medicine, surgery or dentistry which is located
387 outside the United States, its territories or Canada shall be granted a
388 license unless [he] such person has also received certification from the
389 Educational Commission for Foreign Veterinary Graduates [of the
390 American Veterinary Medical Association] or Program for the
391 Assessment of Veterinary Education Equivalence. The department
392 may, under such regulations as the Commissioner of Public Health
393 may adopt, with the advice and assistance of the board, deny eligibility
394 for licensure to a graduate of a school which has been found to have
395 provided fraudulent or inaccurate documentation regarding either the
396 school's educational program or the academic credentials of graduates
397 of the school's program or to have failed to meet educational standards
398 prescribed in such regulations.

399 Sec. 15. Section 20-200 of the general statutes is repealed and the
400 following is substituted in lieu thereof (*Effective October 1, 2003*):

401 [The] Notwithstanding the provisions of section 20-198, as amended
402 by this act, the Department of Public Health may [without
403 examination] issue a license by endorsement to any veterinarian of

404 good professional character who is currently licensed and practicing in
405 some other state or territory, having requirements for admission
406 determined by the department to be at least equal to the requirements
407 of this state, [upon certificate from the board of examiners or like
408 board of the state or territory in which such veterinarian was a
409 practitioner certifying to his competency and that he is a veterinarian
410 of professional attainment and] upon the payment of a fee of four
411 hundred fifty dollars to said department. [The Department of Public
412 Health,] Notwithstanding the provisions of section 20-198, as amended
413 by this act, the department may, upon payment of a fee of four
414 hundred fifty dollars, issue a license without examination to a
415 currently practicing, competent veterinarian in another state or
416 territory who (1) [graduated with the degree of doctor of veterinary
417 medicine, or its equivalent, from a school of veterinary medicine,
418 surgery or dentistry which at the time he graduated was accredited by
419 the American Veterinary Medical Association; (2)] holds a current
420 valid license in good professional standing issued after examination by
421 another state or territory which maintains licensing standards which,
422 except for examination, are commensurate with this state's standards,
423 and [(3)] (2) has worked continuously as a licensed veterinarian in an
424 academic or clinical setting in another state or territory for a period of
425 not less than five years immediately preceding the application for
426 licensure without examination. No license shall be issued under this
427 section to any applicant against whom professional disciplinary action
428 is pending or who is the subject of an unresolved complaint. The
429 department shall inform the board annually of the number of
430 applications it receives for licensure under this section.

431 Sec. 16. Subsection (n) of section 25-32 of the general statutes is
432 repealed and the following is substituted in lieu thereof (*Effective*
433 *October 1, 2003*):

434 (n) (1) On and after the effective date of regulations adopted under
435 this subsection, no person may operate any water treatment plant or
436 water distribution system that treats or supplies water used or

437 intended for use by the public, test any backflow prevention device, or
438 perform a cross connection survey without a certificate issued by the
439 commissioner under this subsection. The commissioner shall adopt
440 regulations, in accordance with chapter 54, to provide: (A) Standards
441 for the operation of such water treatment plants and water distribution
442 systems; (B) standards and procedures for the issuance of certificates to
443 operators of such water treatment plants and water distribution
444 systems; (C) procedures for the renewal of such certificates every three
445 years; [and] (D) standards for training required for the issuance or
446 renewal of a certificate; and (E) standards and procedures for the
447 issuance and renewal of certificates to persons who test backflow
448 prevention devices or perform cross connection surveys. Such
449 regulations shall be consistent with applicable federal law and
450 guidelines for operator certification programs promulgated by the
451 United States Environmental Protection Agency, and shall be adopted
452 and filed with the Secretary of the State pursuant to section 4-172 not
453 later than February 1, 2001.

454 (2) The commissioner may take any disciplinary action set forth in
455 section 19a-17, except for the assessment of a civil penalty under
456 subdivision (6) of subsection (a) of [said] section 19a-17, against an
457 operator, a person who tests backflow prevention devices or a person
458 who performs cross connection surveys holding a certificate issued
459 under this subsection for any of the following reasons: (A) Fraud or
460 material deception in procuring a certificate, the renewal of a
461 certificate or the reinstatement of a certificate; (B) fraud or material
462 deception in the performance of the certified operator's professional
463 activities; (C) incompetent, negligent or illegal performance of the
464 certified operator's professional activities; (D) conviction of the
465 certified operator for a felony; or (E) failure of the certified operator to
466 complete the training required under subdivision (1) of this subsection.

467 Sec. 17. Section 20-478 of the general statutes is repealed and the
468 following is substituted in lieu thereof (*Effective October 1, 2003*):

469 The commissioner shall adopt regulations, in accordance with the
470 provisions of chapter 54, to administer the provisions of sections 20-
471 475 and 20-476. Such regulations shall include, but not be limited to,
472 [the following: (1) Standards] standards for licensure of lead abatement
473 contractors and lead consultant contractors [; (2) passing scores for
474 licensure examination of lead abatement contractors and lead
475 consultant contractor and (3)] and standards for certification of lead
476 consultants, lead abatement supervisors and lead abatement workers.

477 Sec. 18. Section 25-40 of the general statutes is repealed and the
478 following is substituted in lieu thereof (*Effective October 1, 2003*):

479 Town, city and borough directors of health shall, when in their
480 judgment health may be menaced or impaired through a water supply,
481 send, subject to the approval of the Department of Public Health,
482 samples of such water to said department for examination and
483 analysis. Said department shall perform such examination and analysis
484 without charge unless such town, city or borough is to be reimbursed
485 for the expense of any such examination and analysis, and in such
486 event a fee shall be charged in accordance with a schedule of fees
487 [directly related to operating costs] to be established by the
488 Commissioner of Public Health. Any person, firm or corporation
489 which operates or maintains a laboratory in which any determination,
490 examination or analysis is made of any sample of water or sewage as a
491 basis for advice as to the sanitary quality of such water or sewage or as
492 to any possible danger to health involved, unless such laboratory has
493 been approved specifically for that purpose by the Department of
494 Public Health, after meeting the requirements established by said
495 department, shall be fined not more than one hundred dollars.

496 Sec. 19. Subsection (b) of section 19a-111a of the general statutes is
497 repealed and the following is substituted in lieu thereof (*Effective*
498 *October 1, 2003*):

499 (b) Within available appropriations, the Commissioner of Public
500 Health may contract with individuals, groups or agencies for the

501 provision of necessary services and enter into assistance agreements
502 with municipalities, cities, boroughs or district departments of health
503 or special service districts for the development and implementation of
504 comprehensive lead poisoning prevention programs consistent with
505 the provisions of sections 19a-110 to [19a-111d] 19a-111c, inclusive.

506 Sec. 20. Section 19a-111b of the general statutes is repealed and the
507 following is substituted in lieu thereof (*Effective October 1, 2003*):

508 Within the lead poisoning prevention program established pursuant
509 to section 19a-111a, as amended by this act:

510 (1) The commissioner shall institute an educational and publicity
511 program in order to inform the general public, teachers, social workers
512 and other human services personnel; owners of residential property,
513 and in particular, buildings constructed prior to 1950; and health
514 services personnel of the danger, frequency and sources of lead
515 poisoning and methods of preventing such poisoning;

516 (2) The commissioner shall establish an early diagnosis program to
517 detect cases of lead poisoning. Such program shall include, but not be
518 limited to, the routine examination of children under the age of six in
519 accordance with protocols promulgated by the National Centers for
520 Disease Control. Results equal to or greater than the levels specified in
521 section 19a-110 from any examination pursuant to sections 19a-110 to
522 [19a-111d] 19a-111c, inclusive, shall be provided to the child's parent
523 or legal guardian, the local director of health and the commissioner;
524 and

525 (3) The commissioner shall establish a program for the detection of
526 sources of lead poisoning. Within available appropriations, such
527 program shall include the identification of dwellings in which paint,
528 plaster or other accessible substances contain toxic levels of lead and
529 the inspection of areas surrounding such dwellings for lead-containing
530 materials. Any person who detects a toxic level of lead, as defined by
531 the commissioner, shall report such findings to the commissioner. The

532 commissioner shall inform all interested parties, including but not
533 limited to, the owner of the building, the occupants of the building,
534 enforcement officials and other necessary parties.

535 Sec. 21. (*Effective October 1, 2003*) Section 19a-111d of the general
536 statutes is repealed.

This act shall take effect as follows:	
Section 1	<i>October 1, 2003</i>
Sec. 2	<i>October 1, 2003</i>
Sec. 3	<i>October 1, 2003</i>
Sec. 4	<i>October 1, 2003</i>
Sec. 5	<i>October 1, 2003</i>
Sec. 6	<i>October 1, 2003</i>
Sec. 7	<i>October 1, 2003</i>
Sec. 8	<i>October 1, 2003</i>
Sec. 9	<i>October 1, 2003</i>
Sec. 10	<i>October 1, 2003</i>
Sec. 11	<i>October 1, 2003</i>
Sec. 12	<i>October 1, 2003</i>
Sec. 13	<i>October 1, 2003</i>
Sec. 14	<i>October 1, 2003</i>
Sec. 15	<i>October 1, 2003</i>
Sec. 16	<i>October 1, 2003</i>
Sec. 17	<i>October 1, 2003</i>
Sec. 18	<i>October 1, 2003</i>
Sec. 19	<i>October 1, 2003</i>
Sec. 20	<i>October 1, 2003</i>
Sec. 21	<i>October 1, 2003</i>

Statement of Purpose:

To make various conforming and streamlining changes in Department of Public Health statutes, including allowing the department to license certain professionals who hold current licenses in good standing in another state with similar licensure standards, establishing uniformity in the regulation of health professions, allowing the department to license certain foreign-trained veterinarians, defining the scope of practice of homeopathic medicine and establishing minimum training requirements in that area.

[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.]