



General Assembly

January Session, 2003

Amendment

LCO No. 7031

HB0667607031HD0

Offered by:

REP. FELTMAN, 6th Dist.

To: Subst. House Bill No. 6676

File No. 534

Cal. No. 360

**"AN ACT CONCERNING PUBLIC HEALTH EMERGENCY
RESPONSE AUTHORITY."**

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- 1 In line 42, after "disease" insert "or are contaminated"
 - 2 In line 44, after "disease" insert "or to be contaminated"
 - 3 In line 45, after "disease" insert "or contamination"
 - 4 In line 52, strike "consult with" and insert in lieu thereof "inform"
 - 5 In line 70, strike "joint legislative"
 - 6 In line 87, strike "joint legislative"
 - 7 In line 94, strike "consultation with" and insert in lieu thereof
 - 8 "informing"
 - 9 In line 99, strike "Any" and insert in lieu thereof "The Governor shall
 - 10 ensure that any"

11 In line 101, strike "announced on radio and" and insert in lieu
12 thereof "provided to news media"

13 Strike lines 102 and 103 in their entirety

14 In line 104, strike "Commission"

15 In line 131, after "infected with" insert ", or exposed to,"

16 In line 132, after "contaminated" insert "or exposed to
17 contamination"

18 In line 190, strike "pursuant to" and insert in lieu thereof "meeting
19 the requirements of"

20 In line 195, after "section," insert "clear instructions on how to
21 request a hearing,"

22 In line 197, strike "and"

23 In line 198, after "counsel" insert ", and that if such a hearing is
24 requested, court fees shall be waived"

25 In line 216, strike "makes application to the court"

26 Strike line 217 in its entirety and insert in lieu thereof "asks the
27 court, in writing, including, but not limited to, by means of first class
28 mail, facsimile machine or the Internet, for a hearing, notwithstanding
29 the form of such request, the court shall hold a hearing not later than
30 seventy-"

31 In line 220, after "circumstances." insert the following:

32 "Court fees for such hearing shall be paid from funds appropriated
33 to the Judicial Department, but if funds have not been included in the
34 budget of the Judicial Department for such purpose, such fees shall be
35 waived by the court."

36 In line 287, after "(j)" insert "At such hearing, the commissioner shall

37 have the burden of showing, by a preponderance of the evidence, that
38 the conditions of this subsection are met."

39 In line 288, strike "may" and insert in lieu thereof "is reasonably
40 believed to"

41 In line 333, after "individuals" insert ", including family or
42 household members,"

43 In line 343, after "emergency" insert a period and strike ", provided"
44 and insert in lieu thereof:

45 "The commissioner shall inform individuals subject to such
46 vaccination order of the benefits and risks of the vaccine and an
47 individual's option to refuse to be vaccinated for any reason, including,
48 but not limited to, health, religious or conscientious objections. No
49 individual shall be vaccinated unless such individual or, if such
50 individual is a minor, such individual's parent or guardian has
51 provided written consent for such vaccination."

52 Strike lines 344 to 348, inclusive, in their entirety

53 In line 351, strike "reasons of" and insert in lieu thereof "any reason,
54 including, but not limited to,"

55 In line 359, strike "or become exposed"

56 In line 367, strike "makes application to the court requesting a"

57 Strike line 368 in its entirety and insert in lieu thereof, "asks the
58 court, in writing, including, but not limited to, by means of first class
59 mail, facsimile machine or the Internet, for a hearing, notwithstanding
60 the form of such request, the court shall hold a hearing not later than
61 seventy-two hours"

62 In line 373, after "circumstances." insert the following:

63 "Court fees for such hearing shall be paid from funds appropriated
64 to the Judicial Department, but if funds have not been included in the

65 budget of the Judicial Department for such purpose, such fees shall be
66 waived by the court."

67 In line 387, after "statutes;" insert "that court fees shall be waived;"

68 In line 434, after "(g)" insert "At such hearing, the commissioner
69 shall have the burden of showing, by a preponderance of the evidence,
70 that the conditions of subsection (a) of this section are met."

71 Strike section 8 in its entirety and insert the following in lieu thereof:

72 "Sec. 8. (NEW) (*Effective from passage*) The Commissioner of Public
73 Health shall establish a Public Health Preparedness Advisory
74 Committee. The advisory committee shall consist of the Commissioner
75 of Public Health, the president pro tempore of the Senate, the speaker
76 of the House of Representatives, the majority and minority leaders of
77 both houses of the General Assembly and the chairpersons and
78 ranking members of the joint standing committees of the General
79 Assembly having cognizance of matters relating to public health,
80 public safety and the judiciary, the director of the Office of Emergency
81 Management, and representatives of town, city, borough and district
82 directors of health, as appointed by the commissioner, and any other
83 organization or persons that the commissioner deems relevant to the
84 issues of public health preparedness. The Public Health Preparedness
85 Advisory Committee shall develop the plan for emergency responses
86 to a public health emergency. Such plan may include an emergency
87 notification service. Not later than January 1, 2004, and annually
88 thereafter, the committee shall submit a report, in accordance with
89 section 11-4a of the general statutes, to the Governor and the joint
90 standing committees of the General Assembly having cognizance of
91 matters relating to public health and public safety, on the status of a
92 public health emergency plan and the resources needed for
93 implementation of such plan."

94 Strike sections 10 and 11 in their entirety and insert the following in
95 lieu thereof:

96 "Sec. 10. (NEW) (*Effective from passage*) The provisions of sections 4-
97 165 and 5-141d of the general statutes shall apply to any person acting
98 on behalf of the state, within the scope of such person's practice or
99 profession, and pursuant to sections 1 to 9, inclusive, of this act. The
100 provisions of this section shall not apply if a vaccination has been
101 administered without consent.

102 Sec. 11. (NEW) (*Effective from passage*) The commissioner may issue
103 an order to temporarily suspend, for a period not to exceed sixty
104 consecutive days, the requirements for licensure, certification or
105 registration, pursuant to chapters 368d, 370, 376, 378, 378a, 381a, 383 to
106 383c, inclusive, 384d, 385, 395, 400a and 400j of the general statutes, to
107 allow persons who are appropriately licensed, certified or registered in
108 another state or territory of the United States or the District of
109 Columbia, to render temporary assistance within the scope of the
110 profession for which a person is licensed, certified or registered, in
111 managing a public health emergency in this state, declared by the
112 Governor pursuant to section 2 of this act. Nothing in this section shall
113 be construed to permit a person to provide services beyond the scope
114 allowed in the chapter specified in this section that pertains to such
115 person's profession. "

116 In line 689, bracket "clear and convincing" and insert in lieu thereof
117 "a preponderance of the"

118 In line 695, insert an opening bracket before "clear"

119 In line 696, insert a closing bracket after "convincing" and insert in
120 lieu thereof "a preponderance of the"

121 In line 704, bracket "substantial" and after the closing bracket insert
122 "reasonable"

123 After the last section, add the following and renumber sections and
124 internal references accordingly:

125 "Sec. 501. (NEW) (*Effective from passage*) (a) For purposes of this

126 section:

127 (1) "Child day care service" means a child day care center, group
128 day care home or family day care home, as defined in section 19a-77 of
129 the general statutes, and licensed pursuant to section 19a-80 or 19a-
130 87b of the general statutes;

131 (2) "Public health emergency" means a public health emergency, as
132 defined in section 1 of this act;

133 (3) "Commissioner" means the Commissioner of Public Health;

134 (4) "Nursing home facility" means any nursing home, as defined in
135 section 19a-521 of the general statutes, but shall not include residential
136 care homes; and

137 (5) "Youth camp" means any facility licensed pursuant to chapter
138 368r of the general statutes.

139 (b) Notwithstanding any provision of the general statutes, during a
140 public health emergency, the commissioner may authorize any nursing
141 home facility, child day care service or youth camp to provide
142 potassium iodide to residents, staff members, minors or other persons
143 present in such facility, day care service or camp, provided (1) prior
144 written permission has been obtained for such provision from each
145 resident or representative of a resident, staff member, or parent or
146 guardian of a minor, and (2) each such person providing permission
147 has been advised, in writing (A) that the ingestion of potassium iodide
148 is voluntary only, (B) about the contraindications of taking potassium
149 iodide, and (C) about the potential side effects of taking potassium
150 iodide.

151 (c) The commissioner shall adopt regulations, in accordance with
152 the provisions of chapter 54 of the general statutes, to establish criteria
153 and procedures for obtaining the required written permission, and for
154 the storage and distribution of potassium iodide to residents, staff
155 members, minors or other persons present in such facility, day care

156 service or camp."