



General Assembly

January Session, 2003

Amendment

LCO No. 6950

HB0667606950HDO

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 216, strike "makes application to the court"

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

28 In line 287, after "(j)" insert "At such hearing, the commissioner shall
29 have the burden of showing, by a preponderance of the evidence, that
30 the conditions of this subsection are met."

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

33 In line 333, after "individuals" insert ", including family or
34 household members,"

35 Strike lines 345 and 346 in their entirety and insert the following in
36 lieu thereof:

37 "risks of the vaccine, of the individual's option to refuse to be
38 vaccinated for any reason, including, but not limited to, health,
39 religious or conscientious objections. Such individuals, or, in the"

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

42 In line 359, strike "or become exposed"

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

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

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

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

53 "Sec. 8. (NEW) (*Effective from passage*) The Commissioner of Public
54 Health shall establish a Public Health Preparedness Advisory
55 Committee. The advisory committee shall consist of the Commissioner
56 of Public Health, the president pro tempore of the Senate, the speaker
57 of the House of Representatives, the majority and minority leaders of
58 both houses of the General Assembly and the chairpersons and
59 ranking members of the joint standing committees of the General
60 Assembly having cognizance of matters relating to public health,
61 public safety and the judiciary, the director of the Office of Emergency
62 Management, and representatives of town, city, borough and district
63 directors of health, as appointed by the commissioner, and any other
64 organization or persons that the commissioner deems relevant to the
65 issues of public health preparedness. The Public Health Preparedness
66 Advisory Committee shall develop the plan for emergency responses

67 to a public health emergency. Such plan may include an emergency
68 notification service. Not later than January 1, 2004, and annually
69 thereafter, the committee shall submit a report, in accordance with
70 section 11-4a of the general statutes, to the Governor and the joint
71 standing committees of the General Assembly having cognizance of
72 matters relating to public health and public safety, on the status of a
73 public health emergency plan and the resources needed for
74 implementation of such plan."

75 Strike section 10 in its entirety and insert the following in lieu
76 thereof:

77 "Sec. 10. (NEW) (*Effective from passage*) Any person acting under the
78 authority of the commissioner pursuant to sections 1 to 9, inclusive, of
79 this act, shall be immune from liability to the same extent as provided
80 to state officers and employees pursuant to section 4-165 of the general
81 statutes. The provisions of this section shall not apply if a vaccination
82 has been administered without consent."

83 In line 505, after the period, insert "Nothing in this section shall
84 enable such persons to provide services beyond the scope allowed in
85 the chapter specified in this subsection that pertains to such person's
86 profession."

87 In line 689, strike "clear and convincing" and insert in lieu thereof "a
88 preponderance of the"

89 In line 695, strike "clear and"

90 In line 696, strike "convincing" and insert in lieu thereof "a
91 preponderance of the"

92 In line 704, bracket "substantial" and after the closing bracket insert
93 "reasonable"

94 After the last section, add the following and renumber sections and
95 internal references accordingly:

96 "Sec. 501. (NEW) (*Effective from passage*) (a) For purposes of this
97 section:

98 (1) "Child day care service" means a child day care center, group
99 day care home or family day care home, as defined in section 19a-77 of
100 the general statutes, and licensed pursuant to section 19a-80 or 19a-
101 87b of the general statutes;

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

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

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

108 (5) "Youth camp" means any facility licensed pursuant to chapter
109 368r of the general statutes.

110 (b) Notwithstanding any provision of the general statutes, during a
111 public health emergency, the commissioner may authorize any nursing
112 home facility, child day care service or youth camp to provide
113 potassium iodide to residents, staff members, minors or other persons
114 present in such facility, day care service or camp, provided (1) prior
115 written permission has been obtained for such provision from each
116 resident or representative of a resident, staff member, or parent or
117 guardian of a minor, and (2) each such person providing permission
118 has been advised, in writing (A) that the ingestion of potassium iodide
119 is voluntary only, (B) about the contraindications of taking potassium
120 iodide, and (C) about the potential side effects of taking potassium
121 iodide.

122 (c) The commissioner shall adopt regulations, in accordance with
123 the provisions of chapter 54 of the general statutes, to establish criteria
124 and procedures for obtaining the required written permission, and for
125 the storage and distribution of potassium iodide to residents, staff

126 members, minors or other persons present in such facility, day care
127 service or camp."