



Senate

General Assembly

File No. 458

February Session, 2004

Substitute Senate Bill No. 569

Senate, April 5, 2004

The Committee on Public Health reported through SEN. MURPHY of the 16th Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

AN ACT CONCERNING REVISIONS TO THE PUBLIC HEALTH STATUTES.

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

1 Section 1. Subsection (b) of section 20-12b of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective*
3 *October 1, 2004*):

4 (b) The department may, upon receipt of a fee of seventy-five
5 dollars, issue a temporary permit to an applicant who (1) is a graduate
6 of an accredited physician assistant program; (2) has completed not
7 less than sixty hours of didactic instruction in pharmacology for
8 physician assistant practice approved by the department; and (3) if
9 applying for such permit on and after September 30, 1991, holds a
10 baccalaureate or higher degree in any field from a regionally
11 accredited institution of higher education. Such temporary permit shall
12 authorize the holder to practice as a physician assistant only in those
13 settings where the supervising physician is physically present on the

14 premises and is immediately available to the physician assistant when
15 needed, but shall not authorize the holder to prescribe or dispense
16 drugs. Such temporary permit shall be valid [from the date of issuance
17 of same until the date of issuance of the results of the first certification
18 examination scheduled by the national commission following the
19 applicant's graduation from an accredited physician assistant
20 program] for a period not to exceed one hundred twenty calendar days
21 after the date of graduation and shall not be renewable. Such permit
22 shall become void and shall not be reissued in the event that the
23 applicant fails to pass [such examination] the first certification
24 examination scheduled by the national commission following the
25 applicant's graduation from an accredited physician assistant program.
26 Violation of the restrictions on practice set forth in this subsection may
27 constitute a basis for denial of licensure as a physician assistant.

28 Sec. 2. Subsection (b) of section 20-70 of the general statutes is
29 repealed and the following is substituted in lieu thereof (*Effective*
30 *October 1, 2004*):

31 (b) Any person who is a graduate of an approved United States
32 physical therapy school and who has filed an application with the
33 department may [, between the dates of filing and the publication of
34 the results of the next succeeding examination,] practice as a physical
35 therapist under the direct and immediate supervision of a licensed
36 physical therapist in this state for a period not to exceed one hundred
37 twenty calendar days after the date of application. If the person
38 practicing pursuant to this section fails to pass the licensure
39 examination, all privileges under this section shall automatically cease.

40 Sec. 3. Subsection (b) of section 20-70 of the general statutes, as
41 amended by section 13 of public act 00-226, is repealed and the
42 following is substituted in lieu thereof (*Effective on and after the later of*
43 *the effective date of this act, or the date notice is published by the*
44 *Commissioner of Public Health in the Connecticut Law Journal indicating*
45 *that the licensing of athletic trainers and physical therapist assistants is being*
46 *implemented by the commissioner*):

47 (b) (1) Any person who is a graduate of an approved United States
48 physical therapy school and who has filed an application with the
49 department may [, between the dates of filing and the publication of
50 the results of the next succeeding examination,] practice as a physical
51 therapist under the direct and immediate supervision of a licensed
52 physical therapist in this state for a period not to exceed one hundred
53 twenty calendar days after the date of application. If the person
54 practicing pursuant to this subdivision fails to pass the licensure
55 examination, all privileges under this subdivision shall automatically
56 cease.

57 (2) Any person who is a graduate of an approved United States
58 physical therapist assistant school or an approved physical therapy
59 school and who has filed an application with the department may [,
60 between the dates of filing and the publication of the results of the next
61 succeeding examination,] practice as a physical therapist assistant
62 under the direct and immediate supervision of a licensed physical
63 therapist in this state for a period not to exceed one hundred twenty
64 calendar days after the date of application. If the person practicing
65 pursuant to this subdivision fails to pass the licensure examination, all
66 privileges under this subdivision shall automatically cease.

67 Sec. 4. Section 20-70a of the general statutes is repealed and the
68 following is substituted in lieu thereof (*Effective October 1, 2004*):

69 Any applicant for examination for licensure as a physical therapist
70 whose application is based on a diploma issued to [him] the applicant
71 by a foreign physical therapy school shall furnish documentary
72 evidence, satisfactory to the department that the requirements for
73 graduation are similar to or higher than those required of graduates of
74 approved United States schools of therapy. Any applicant under this
75 section whose application has been filed and approved by said
76 department may [, between the dates of filing and the publication of
77 the results of the next succeeding examination,] practice as a physical
78 therapist under the continuous direction and immediate supervision of
79 a physical therapist licensed to practice in this state, in a licensed

80 health care facility, for a period not to exceed one hundred twenty
81 calendar days after the date of application, provided this privilege
82 shall automatically cease on failure of an applicant to pass the
83 examination.

84 Sec. 5. Section 20-74d of the general statutes is repealed and the
85 following is substituted in lieu thereof (*Effective October 1, 2004*):

86 [Permits limited as to eligibility, practice and duration, shall be
87 issued by the commissioner to any eligible applicant] The department
88 may issue a temporary permit to an applicant who is a graduate of an
89 educational program in occupational therapy who meets the
90 educational and field experience requirements of section 20-74b and
91 has not yet taken the licensure examination. [, except that such permit
92 shall only be effective until the results of the examination next
93 following the issuance of such permit are announced. A permittee shall
94 be authorized to practice occupational therapy only under the direct
95 supervision of a licensed occupational therapist and shall practice only
96 in a public, voluntary or proprietary facility] Such temporary permit
97 shall authorize the holder to practice occupational therapy only under
98 the direct supervision of a licensed occupational therapist and in a
99 public, voluntary or proprietary facility. Such temporary permit shall
100 be valid for a period not to exceed one hundred twenty calendar days
101 after the date of application and shall not be renewable. Such permit
102 shall become void and shall not be reissued in the event that the
103 applicant fails to pass such examination. The fee for a limited permit
104 shall be twenty-five dollars.

105 Sec. 6. Subsection (f) of section 20-74bb of the general statutes is
106 repealed and the following is substituted in lieu thereof (*Effective*
107 *October 1, 2004*):

108 (f) Notwithstanding the provisions of subsection (a) of this section, a
109 graduate of a course of study approved pursuant to subdivision (1) of
110 said subsection may operate a medical x-ray system [pending the
111 results of the first examination for licensure scheduled following his or
112 her] for a period not to exceed one hundred twenty calendar days after

113 the date of graduation, provided such graduate is working in a
114 hospital or similar organization where adequate supervision is
115 provided. If the person practicing pursuant to this subsection fails to
116 pass the licensure examination, all privileges under this subsection
117 shall cease.

118 Sec. 7. Section 20-94 of the general statutes is repealed and the
119 following is substituted in lieu thereof (*Effective October 1, 2004*):

120 (a) (1) Any [licensed nurse registered in another state or territory]
121 registered nurse who is licensed at the time of application in another
122 state of the United States, the District of Columbia or a commonwealth
123 or territory subject to the laws of the United States, which has licensure
124 requirements that are substantially similar to or higher than those of
125 this state shall be eligible for licensure in this state and entitled to a
126 license without examination upon payment of a fee of ninety dollars.
127 No license shall be issued under this section to any applicant against
128 whom professional disciplinary action is pending or who is the subject
129 of an unresolved complaint. The department shall inform the board
130 annually of the number of applications it receives for licenses under
131 this section.

132 (2) For the period from the effective date of this section to one year
133 after said date, any advanced practice registered nurse licensed
134 pursuant to section 20-94a, as amended by this act, whose license as a
135 registered nurse pursuant to section 20-93 has become void pursuant
136 to section 19a-88, shall be eligible for licensure and entitled to a license
137 without examination upon receipt of a completed application form and
138 payment of a fee of ninety dollars.

139 (b) The Department of Public Health may issue a temporary permit
140 to an applicant for licensure without examination or to an applicant
141 previously licensed in Connecticut whose license has become void
142 pursuant to section 19a-88, upon receipt of a completed application
143 form, accompanied by the fee for licensure without examination, a
144 copy of a current license from another state [or territory which has
145 licensure requirements that are substantially similar to or higher than

146 those of this state] of the United States, the District of Columbia or a
147 commonwealth or territory subject to the laws of the United States,
148 and a notarized affidavit attesting that said license is valid and belongs
149 to the person requesting notarization. Such temporary permit shall be
150 valid for a period not to exceed [one hundred twenty] ninety calendar
151 days and shall not be renewable. No temporary permit shall be issued
152 under this section to any applicant against whom professional
153 disciplinary action is pending or who is the subject of an unresolved
154 complaint.

155 Sec. 8. Subsection (a) of section 20-94a of the general statutes is
156 repealed and the following is substituted in lieu thereof (*Effective*
157 *October 1, 2004*):

158 (a) The Department of Public Health may issue an advanced
159 practice registered nurse license to a person seeking to perform the
160 activities described in subsection (b) of section 20-87a, as amended,
161 upon receipt of a fee of one hundred dollars, to an applicant who: (1)
162 [Is eligible for] Maintains a license as a registered nurse in this state, as
163 provided by section 20-93 or 20-94, as amended by this act; (2) holds
164 and maintains current certification as a nurse practitioner, a clinical
165 nurse specialist or a nurse anesthetist from one of the following
166 national certifying bodies that certify nurses in advanced practice: The
167 American Nurses' Association, the Nurses' Association of the
168 American College of Obstetricians and Gynecologists Certification
169 Corporation, the National Board of Pediatric Nurse Practitioners and
170 Associates or the American Association of Nurse Anesthetists, their
171 successors or other appropriate national certifying bodies approved by
172 the Board of Examiners for Nursing; (3) has completed thirty hours of
173 education in pharmacology for advanced nursing practice; and (4) if
174 first certified by one of the foregoing certifying bodies after December
175 31, 1994, holds a master's degree in nursing or in a related field
176 recognized for certification as either a nurse practitioner, a clinical
177 nurse specialist, or a nurse anesthetist by one of the foregoing
178 certifying bodies. No license shall be issued under this section to any
179 applicant against whom professional disciplinary action is pending or

180 who is the subject of an unresolved complaint.

181 Sec. 9. Section 20-97 of the general statutes is repealed and the
182 following is substituted in lieu thereof (*Effective October 1, 2004*):

183 (a) Any person [certified] who is licensed at the time of application
184 as a licensed practical nurse, or as a person entitled to perform similar
185 services under a different designation, in another state of the United
186 States, the District of Columbia or a commonwealth or territory subject
187 to the laws of the United States whose requirements for [certification]
188 licensure in such capacity are substantially similar to or higher than
189 those of this state, shall be eligible for licensure in this state and
190 entitled to a license without examination upon payment of a fee of
191 seventy-five dollars. No license shall be issued under this section to
192 any applicant against whom professional disciplinary action is
193 pending or who is the subject of an unresolved complaint. The
194 department shall inform the board annually of the number of
195 applications it receives for licenses under this section.

196 (b) The Department of Public Health may issue a temporary permit
197 to an applicant for licensure without examination or to an applicant
198 previously licensed in Connecticut whose license has become void
199 pursuant to section 19a-88, upon receipt of a completed application
200 form, accompanied by the appropriate fee for licensure without
201 examination, a copy of a current license from another state [or territory
202 which has licensure requirements that are substantially similar to or
203 higher than those of this state] of the United States, the District of
204 Columbia or a commonwealth or territory subject to the laws of the
205 United States and a notarized affidavit attesting that the license is valid
206 and belongs to the person requesting notarization. Such temporary
207 permit shall be valid for a period not to exceed one hundred twenty
208 calendar days and shall not be renewable. No temporary permit shall
209 be issued under this section to any applicant against whom
210 professional disciplinary action is pending or who is the subject of an
211 unresolved complaint.

212 Sec. 10. Section 20-101 of the general statutes is repealed and the

213 following is substituted in lieu thereof (*Effective October 1, 2004*):

214 No provision of this chapter shall confer any authority to practice
215 medicine or surgery nor shall this chapter prohibit any person from
216 the domestic administration of family remedies or the furnishing of
217 assistance in the case of an emergency; nor shall it be construed as
218 prohibiting persons employed in state hospitals and state sanatoriums
219 and subsidiary workers in general hospitals from assisting in the
220 nursing care of patients if adequate medical and nursing supervision is
221 provided; nor shall it be construed as prohibiting students who are
222 enrolled in schools of nursing approved pursuant to section 20-90, as
223 amended, and students who are enrolled in schools for licensed
224 practical nurses approved pursuant to section 20-90, as amended, from
225 performing such work as is incidental to their respective courses of
226 study; nor shall it prohibit graduates of schools of nursing or schools
227 for licensed practical nurses approved pursuant to section 20-90, as
228 amended, from nursing the sick [pending the results of the first
229 examination for licensure scheduled following their] for a period not to
230 exceed one hundred twenty calendar days after the date of graduation,
231 provided such graduate nurses are working in hospitals or
232 organizations where adequate supervision is provided, [; nor shall it
233 prohibit graduates of schools for licensed practical nurses approved
234 pursuant to section 20-90 from caring for the sick pending the results
235 of the first examination for licensure scheduled following their
236 graduation, provided such licensed practical nurses are working in
237 hospitals or nursing homes where adequate supervision is provided;
238 nor shall it prohibit any licensed nurse who is registered in another
239 state or territory and who] and such hospital or other organization has
240 verified that the graduate nurse has successfully completed a nursing
241 program. Upon notification that the graduate nurse has failed the
242 licensure examination, all privileges under this section shall
243 automatically cease. No provision of this chapter shall prohibit any
244 registered nurse who has been issued a temporary permit by the
245 department, pursuant to subsection (b) of section 20-94, as amended by
246 this act, from caring for the sick pending the issuance of a license
247 without examination; nor shall it prohibit any licensed practical nurse

248 who [is licensed in another state or territory and who] has been issued
249 a temporary permit by the department, pursuant to subsection (b) of
250 section 20-97, as amended by this act, from caring for the sick pending
251 the issuance of a license without examination; nor shall it prohibit any
252 qualified registered nurse or any qualified licensed practical nurse of
253 another state from caring for a patient temporarily in this state,
254 provided such nurse has been granted a temporary permit from said
255 department and provided such nurse shall not represent or hold
256 himself or herself out as a nurse licensed to practice in this state; nor
257 shall it prohibit registered nurses or licensed practical nurses from
258 other states from doing such nursing as is incident to their course of
259 study when taking postgraduate courses in this state; nor shall it
260 prohibit nursing or care of the sick, with or without compensation or
261 personal profit, in connection with the practice of the religious tenets
262 of any church by adherents thereof, provided such persons shall not
263 otherwise engage in the practice of nursing within the meaning of this
264 chapter. This chapter shall not prohibit the care of persons in their
265 homes by domestic servants, housekeepers, nursemaids, companions,
266 attendants or household aides of any type, whether employed
267 regularly or because of an emergency of illness, if such persons are not
268 initially employed in a nursing capacity.

269 Sec. 11. Subsection (c) of section 20-195bb of the general statutes is
270 repealed and the following is substituted in lieu thereof (*Effective*
271 *October 1, 2004*):

272 (c) No license as a professional counselor shall be required of the
273 following: (1) A person who furnishes uncompensated assistance in an
274 emergency; (2) a clergyman, priest, minister, rabbi or practitioner of
275 any religious denomination accredited by the religious body to which
276 the person belongs and settled in the work of the ministry, provided
277 the activities that would otherwise require a license as a professional
278 counselor are within the scope of ministerial duties; (3) a sexual assault
279 counselor, as defined in section 52-146k; (4) a person participating in
280 uncompensated group or individual counseling; (5) a person with a
281 master's degree in a health-related or human services-related field

282 employed by a hospital, as defined in subsection (b) of section 19a-490,
283 as amended, performing services in accordance with section 20-195aa
284 under the supervision of a person licensed by the state in one of the
285 professions identified in subparagraphs (A) to (F), inclusive, of
286 subdivision (2) of subsection (a) of section 20-195dd; (6) a person
287 licensed or certified by any agency of this state and performing
288 services within the scope of practice for which licensed or certified; (7)
289 a student, intern or trainee pursuing a course of study in counseling in
290 a regionally accredited institution of higher education, provided the
291 activities that would otherwise require a license as a professional
292 counselor are performed under supervision and constitute a part of a
293 supervised course of study; (8) a person employed by an institution of
294 higher education to provide academic counseling in conjunction with
295 the institution's programs and services; [or] (9) a vocational
296 rehabilitation counselor, job counselor, credit counselor, consumer
297 counselor or any other counselor or psychoanalyst who does not
298 purport to be a counselor whose primary service is the application of
299 established principles of psycho-social development and behavioral
300 science to the evaluation, assessment, analysis and treatment of
301 emotional, behavioral or interpersonal dysfunction or difficulties that
302 interfere with mental health and human development; or (10) a person
303 holding a graduate degree in the discipline of professional counseling,
304 provided such activities and services constitute a part of such person's
305 postgraduate degree supervised experience required by section 20-
306 195dd.

307 Sec. 12. Subsection (a) of section 20-195 of the general statutes is
308 repealed and the following is substituted in lieu thereof (*Effective*
309 *October 1, 2004*):

310 (a) Nothing in this chapter shall be construed to limit the activities
311 and services of a graduate student, intern or resident in psychology,
312 pursuing a course of study in an educational institution registered
313 under the provisions of section 20-189, if such activities constitute a
314 part of a supervised course of study. No license as a psychologist shall
315 be required of a person holding a doctoral degree based on a program

316 of studies whose content was primarily psychological from an
317 educational institution approved under the provisions of section 20-
318 189, provided such activities and services are necessary to satisfy the
319 postdoctoral work experience as required by section 20-188. The
320 provisions of this chapter shall not apply to any person in the salaried
321 employ of any person, firm, corporation, educational institution or
322 governmental agency when acting within the person's own
323 organization. Nothing in this chapter shall be construed to prevent the
324 giving of accurate information concerning education and experience
325 by any person in any application for employment. Nothing in this
326 chapter shall be construed to prevent physicians, optometrists,
327 chiropractors, members of the clergy, attorneys-at-law or social
328 workers from doing work of a psychological nature consistent with
329 accepted standards in their respective professions.

330 Sec. 13. Section 20-206e of the general statutes is repealed and the
331 following is substituted in lieu thereof (*Effective October 1, 2004*):

332 The department may, upon receipt of an application for massage
333 therapist licensure, accompanied by the licensure application fee of
334 three hundred dollars, issue a temporary permit to a person who has
335 met the requirements of subsection (a) of section 20-206b, as amended,
336 except that the applicant has not yet sat for or received the results of
337 the examination required under said subsection (a). Such temporary
338 permit shall authorize the permittee to practice as a massage therapist
339 under the supervision of a person licensed pursuant to section 20-206b,
340 as amended. Such practice shall be limited to those settings where the
341 licensed supervisor is physically present on the premises and is
342 immediately available to render assistance and supervision, as needed,
343 to the permittee. Such temporary permit shall be valid [from the date
344 of issuance until the date of the results of the first licensure
345 examination scheduled following the permittee's] for a period not to
346 exceed one hundred twenty calendar days after the date of completion
347 of the required course of study in massage therapy and shall not be
348 renewable. Such permit shall become void and shall not be reissued in
349 the event that the permittee fails to pass [such] the examination for

350 licensure. No permit shall be issued to any person who has previously
351 failed the examination for licensure prescribed pursuant to section 20-
352 206b, as amended, or who is the subject of an unresolved complaint or
353 pending professional disciplinary action. Violation of the restrictions
354 on practice set forth in this section may constitute a basis for denial of
355 licensure as a massage therapist.

356 Sec. 14. Subsection (a) of section 20-236 of the general statutes is
357 repealed and the following is substituted in lieu thereof (*Effective*
358 *October 1, 2004*):

359 [(a) The Department of Public Health shall hold at least four
360 examinations each year, at such times as it may determine and in such
361 locations as may be convenient, notice of each examination to be given
362 at least ten days before such examination to individual applicants. Any
363 person desiring to obtain a license shall make application to said
364 department therefor, shall pay to the department an examination fee of
365 fifty dollars and shall present himself at the next regular examination.
366 Thereupon, the Department of Public Health shall examine such
367 person, and, being satisfied that he possesses a diploma, certificate or
368 other evidence satisfactory to said department, showing graduation
369 from the eighth grade of grammar school, or possesses an equivalent
370 education to be determined on examination, is free from any
371 communicable disease, has successfully completed a course of not less
372 than fifteen hundred hours of study, both of theory and practice, at
373 any Connecticut barber school or barber college, or any barber school
374 or barber college whose requirements are equivalent to those of a
375 Connecticut barber school or barber college, and are approved by the
376 board with the consent of the Commissioner of Public Health, or is a
377 currently practicing, competent barber who holds a license to practice
378 the occupation of barber in any other state having equivalent or higher
379 entry standards, has the requisite skill in said trade to perform all the
380 duties thereof, including the preparation of the tools, shaving,
381 haircutting and all services incident thereto, and has sufficient
382 knowledge concerning the common diseases of the face and skin to
383 avoid the aggravation and spreading of such diseases in the practice of

384 said trade, shall thereupon issue to such person a license entitling him
385 to practice the occupation of master barber in this state for one year.
386 Said department may declare forfeited the application fee of any
387 applicant who has failed to appear at three successive examinations.
388 No license shall be issued without examination under this section to
389 any applicant against whom professional disciplinary action is
390 pending or who is the subject of an unresolved complaint. The
391 department shall inform the board annually of the number of
392 applications it receives for licensure without examination under this
393 section. Examinations required for licensure under this chapter shall be
394 prescribed by the department with the advice and assistance of the
395 board. The department shall establish a passing score for examinations
396 required under this chapter with the advice and assistance of the
397 board. Any person who holds a license to practice the occupation of
398 barbering in any other state or territory having licensure standards
399 similar to or higher than those of this state or any person who holds a
400 license to practice the occupation of barbering in any other state or
401 territory for a period of not less than forty years shall be eligible for
402 licensure without examination.]

403 (a) (1) Any person desiring to obtain a license as a barber shall apply
404 in writing on forms furnished by the Department of Public Health and
405 shall pay to the department a fee of fifty dollars. The department shall
406 not issue a license until the applicant has made written application to
407 the department, setting forth by affidavit that the applicant has (A)
408 successfully completed the eighth grade or has passed an equivalency
409 examination evidencing such education, prepared by the
410 Commissioner of Education, (B) completed a course of not less than
411 fifteen hundred hours of study in a school approved in accordance
412 with the provisions of this chapter, or, if trained outside of
413 Connecticut, in a barber school or college whose requirements are
414 equivalent to those of a Connecticut barber school or college, and (C)
415 passed a written examination satisfactory to the department.
416 Examinations required for licensure under this chapter shall be
417 prescribed by the department with the advice and assistance of the
418 board. The department shall establish a passing score for examinations

419 required under this chapter with the advice and assistance of the
420 board.

421 (2) Any person who (A) holds a license at the time of application to
422 practice the occupation of barbering in any other state, the District of
423 Columbia or in a commonwealth or territory of the United States, (B)
424 has completed not less than fifteen hundred hours of formal education
425 and training in barbering, and (C) was issued such license on the basis
426 of successful completion of an examination, shall be eligible for
427 licensing in this state and entitled to a license without examination
428 upon payment of a fee of fifty dollars. Applicants who trained in
429 another state, district, commonwealth or territory which required less
430 than fifteen hundred hours of formal education and training, may
431 substitute no more than five hundred hours of licensed work
432 experience in such other state, district, commonwealth or territory
433 toward meeting the training requirement. If the examination was taken
434 in a language other than English, the applicant shall demonstrate
435 successful completion of an English proficiency examination as
436 prescribed by the department.

437 (3) Any person who holds a license to practice the occupation of
438 barbering in any other state, the District of Columbia, or in a
439 commonwealth or territory of the United States, and has held such
440 license for a period of not less than forty years, shall be eligible for
441 licensure without examination. No license shall be issued under this
442 section to any applicant against whom professional disciplinary action
443 is pending or who is the subject of an unresolved complaint.

444 Sec. 15. Section 20-250 of the general statutes is repealed and the
445 following is substituted in lieu thereof (*Effective October 1, 2004*):

446 As used in this chapter, unless the context otherwise requires:

447 (1) "Board" means the Connecticut Examining Board for Barbers,
448 Hairdressers and Cosmeticians established under section 20-235a;

449 (2) "Commissioner" means the Commissioner of Public Health;

450 (3) "Department" means the Department of Public Health;

451 (4) "Hairdressing and cosmetology" means the art of dressing,
452 arranging, curling, waving, weaving, cutting, singeing, bleaching and
453 coloring the hair and treating the scalp of any person, and massaging,
454 cleansing, stimulating, manipulating, exercising or beautifying with
455 the use of the hands, appliances, cosmetic preparations, antiseptics,
456 tonics, lotions, creams, powders, oils or clays and doing similar work
457 on the face, neck and arms, and manicuring the fingernails [and, for
458 cosmetic purposes only, trimming, filing and painting the healthy
459 toenails, excluding cutting nail beds, corns and calluses or other
460 medical treatment involving the foot or ankle,] of any person for
461 compensation, provided nothing in this subdivision shall prohibit an
462 unlicensed person from performing facials, eyebrow arching,
463 shampooing, manicuring of the fingernails or, for cosmetic purposes
464 only, trimming, filing and painting the healthy toenails, excluding
465 cutting nail beds, corns and calluses or other medical treatment
466 involving the foot or ankle, or braiding hair;

467 (5) "Registered hairdresser and cosmetician" means any person who
468 (A) has successfully completed the ninth grade or has passed an
469 equivalency examination, evidencing such education, prepared by the
470 Commissioner of Education and conducted by the Department of
471 Public Health, and (B) holds a license to practice as a registered
472 hairdresser and cosmetician; and

473 (6) "Student" means any person who is engaged in learning or
474 acquiring a knowledge of hairdressing and cosmetology at a school
475 approved in accordance with the provisions of this chapter who has
476 successfully completed ninth grade or its equivalent. The provisions of
477 this subdivision shall not apply to schools conducted by the State
478 Board of Education.

479 Sec. 16. Section 20-252 of the general statutes is repealed and the
480 following is substituted in lieu thereof (*Effective October 1, 2004*):

481 No person shall engage in the occupation of registered hairdresser

482 and cosmetician without having obtained a license from the
483 department. Persons desiring such licenses shall apply in writing on
484 forms furnished by the department. No license shall be issued, except a
485 renewal of a license, to a registered hairdresser and cosmetician unless
486 the applicant has shown to the satisfaction of the department that the
487 applicant has complied with the laws and the regulations administered
488 or adopted by the department. No applicant shall be licensed as a
489 registered hairdresser and cosmetician, except by renewal of a license,
490 until the applicant has made written application to the department,
491 setting forth by affidavit that the applicant has successfully completed
492 the eighth grade or has passed an equivalency examination,
493 evidencing such education, prepared by the Commissioner of
494 Education and [conducted by the Department of Public Health and]
495 that the applicant has completed a course of not less than fifteen
496 hundred hours of study in a school approved in accordance with the
497 provisions of this chapter, [or] in a school teaching hairdressing and
498 cosmetology under the supervision of the State Board of Education, or,
499 if trained outside of Connecticut, in a school teaching hairdressing and
500 cosmetology whose requirements are equivalent to those of a
501 Connecticut school and until the applicant has passed a written
502 examination satisfactory to the department. Examinations required for
503 licensure under this chapter shall be prescribed by the department
504 with the advice and assistance of the board, [and shall be administered
505 by the department under the supervision of the board] The department
506 shall establish a passing score for examinations with the advice and
507 assistance of the board which shall be the same as the passing score
508 established in section 20-236, as amended by this act.

509 Sec. 17. Section 20-254 of the general statutes, as amended by section
510 1 of public act 03-32, is repealed and the following is substituted in lieu
511 thereof (*Effective October 1, 2004*):

512 Any person [licensed] who holds a license at the time of application
513 as a registered hairdresser and cosmetician, or as a person entitled to
514 perform similar services under different designations in any other
515 state, in the District of Columbia, or in a commonwealth or territory of

516 the United States, [whose requirements for licensing in such capacities
517 are equivalent to or higher than those of this state, upon furnishing
518 satisfactory evidence to the department that such person was licensed
519 in such other state, district, commonwealth or territory, and is a
520 currently practicing, competent practitioner] and who (1) has
521 completed not less than fifteen hundred hours of formal education and
522 training in hairdressing and cosmetology, and (2) was issued such
523 license on the basis of successful completion of an examination shall be
524 eligible for licensing in this state and entitled to a license without
525 examination upon payment of a fee of fifty dollars. [; provided such
526 state, district, commonwealth or territory shall accord a like privilege
527 to holders of licenses issued by this state.] Applicants who trained in
528 another state, district, commonwealth or territory which required less
529 than fifteen hundred hours of formal education and training may
530 substitute no more than five hundred hours of licensed work
531 experience in such other state, district, commonwealth or territory
532 toward meeting the training requirement. If the examination was taken
533 in a language other than English, the applicant shall demonstrate
534 successful completion of an English proficiency examination as
535 prescribed by the department. No license shall be issued under this
536 section to any applicant against whom professional disciplinary action
537 is pending or who is the subject of an unresolved complaint. The
538 department shall inform the board annually of the number of
539 applications it receives for licensure without examination under this
540 section.

541 Sec. 18. Section 19a-420 of the general statutes is repealed and the
542 following is substituted in lieu thereof (*Effective October 1, 2004*):

543 As used in this chapter:

544 (1) "Youth camp" means any regularly scheduled program or
545 organized group activity advertised as a camp or operated by a
546 person, partnership, corporation, association, the state or a municipal
547 agency for recreational or educational purposes and accommodating
548 for profit or under philanthropic or charitable auspices five or more

549 children, under eighteen years of age, who are (A) not bona fide
550 personal guests in the private home of an individual, and (B) living
551 apart from their relatives, parents or legal guardian, for a period of
552 three days or more per week or portions of three or more days per
553 week, provided any such relative, parent or guardian who is an
554 employee of such camp shall not be considered to be in the position of
555 loco parentis to such employee's child for the purposes of this chapter,
556 but does not include (i) classroom-based summer instructional
557 programs operated by any person, provided no activities that may
558 pose a health risk or hazard to participating children are conducted at
559 such programs, (ii) schools which operate a summer educational
560 program, or (iii) licensed day care centers;

561 (2) "Resident camp" means any youth camp which is established,
562 conducted or maintained on any parcel or parcels of land on which
563 there are located dwelling units or buildings intended to accommodate
564 five or more children under sixteen years of age for at least seventy-
565 two consecutive hours and in which the campers attending such
566 camps eat and sleep;

567 (3) "Day camp" means any youth camp which is established,
568 conducted or maintained on any parcel or parcels of land on which
569 there are located dwelling units or buildings intended to accommodate
570 five or more children under sixteen years of age during daylight hours
571 for at least three days a week with the campers eating and sleeping at
572 home, except for one meal per day, but does not include programs
573 operated by a municipal agency;

574 (4) "Person" means any individual, partnership, association,
575 organization, limited liability company or corporation;

576 (5) "Commissioner" means the Commissioner of Public Health; and

577 (6) "Department" means the Department of Public Health.

578 Sec. 19. Section 19a-515 of the general statutes, as amended by
579 section 4 of public act 03-118 and section 20 of public act 03-3 of the

580 June 30 special session, is repealed and the following is substituted in
581 lieu thereof (*Effective October 1, 2004*):

582 (a) Each nursing home administrator's license issued pursuant to the
583 provisions of sections 19a-511 to 19a-520, inclusive, shall be renewed
584 once every two years, in accordance with section 19a-88, as amended,
585 except for cause, by the Department of Public Health, upon forms to be
586 furnished by said department and upon the payment to said
587 department, by each applicant for license renewal, of the sum of one
588 hundred dollars. Each such fee shall be remitted to the Department of
589 Public Health on or before the date prescribed under section 19a-88, as
590 amended. Such renewals shall be granted unless said department finds
591 the applicant has acted or failed to act in such a manner or under such
592 circumstances as would constitute grounds for suspension or
593 revocation of such license.

594 (b) Each licensee shall complete a minimum of forty hours of
595 continuing education every two years. Such two-year period shall
596 commence on the first date of renewal of the licensee's license after
597 October 1, [2004] 2005. The continuing education shall be in areas
598 related to the licensee's practice. Qualifying continuing education
599 activities are courses offered or approved by the Connecticut
600 Association of Healthcare Facilities, the Connecticut Association of
601 Not-For-Profit Providers For the Aging, the Connecticut Chapter of the
602 American College of Health Care Administrators, any accredited
603 college or university, or programs presented or approved by the
604 National Continuing Education Review Service of the National
605 Association of Boards of Examiners of Long Term Care
606 Administrators, or by federal or state departments or agencies.

607 (c) Each licensee shall obtain a certificate of completion from the
608 provider of the continuing education for all continuing education
609 hours that are successfully completed and shall retain such certificate
610 for a minimum of three years. Upon request by the department, the
611 licensee shall submit the certificate to the department. A licensee who
612 fails to comply with the continuing education requirements shall be

613 subject to disciplinary action pursuant to section 19a-517.

614 (d) The continuing education requirements shall be waived for
615 licensees applying for licensure renewal for the first time. The
616 department may, for a licensee who has a medical disability or illness,
617 grant a waiver of the continuing education requirements for a specific
618 period of time or may grant the licensee an extension of time in which
619 to fulfill the requirements.

620 Sec. 20. Section 20-195n of the general statutes is repealed and the
621 following is substituted in lieu thereof (*Effective October 1, 2004*):

622 (a) No person shall practice clinical social work unless [he] such
623 person has obtained a license pursuant to this section. Applicants for
624 licensure as a clinical social worker shall: (1) Hold a doctorate or
625 master's degree from a social work program accredited by the Council
626 on Social Work Education or, if educated outside the United States or
627 its territories, have completed an educational program deemed
628 equivalent by said council; (2) have three thousand hours
629 [~~postmaster's~~] post-master's social work experience which shall
630 include not less than one hundred hours of work under professional
631 supervision by a licensed clinical or certified independent social
632 worker; and (3) pass the clinical level examination of the American
633 Association of State Social Work Boards or any other examination
634 prescribed by the commissioner. On and after October 1, 1995, any
635 person certified as an independent social worker prior to October 1,
636 1995, shall be deemed licensed as a clinical social worker pursuant to
637 this section, except a person certified as an independent social worker
638 on and after October 1, 1990, shall not be deemed licensed as a clinical
639 social worker pursuant to this chapter unless such person has satisfied
640 the requirements of subdivision (3) of this section.

641 (b) An applicant for licensure by endorsement shall present
642 evidence satisfactory to the commissioner that (1) the applicant is
643 licensed or certified as a clinical social worker, or as a person entitled
644 to perform similar services under a different designation, in another
645 state or jurisdiction whose requirements for practicing in such capacity

646 are substantially similar to or higher than those of this state, and (2)
647 there are no disciplinary actions or unresolved complaints pending
648 against such applicant.

649 Sec. 21. (NEW) (*Effective October 1, 2004*) For the school year
650 commencing in 2005, and each school year thereafter, each public or
651 independent institution of higher education shall provide (1)
652 information about hepatitis B and the risks of contracting hepatitis B
653 by college-age individuals, to all prospective students prior to their
654 matriculation, and (2) notice of the availability and benefits of a
655 hepatitis B vaccine.

656 Sec. 22. Subsection (a) of section 20-12d of the general statutes is
657 repealed and the following is substituted in lieu thereof (*Effective*
658 *October 1, 2004*):

659 (a) A physician assistant who has complied with the provisions of
660 sections 20-12b and 20-12c may perform medical functions delegated
661 by a supervising physician when: (1) The supervising physician is
662 satisfied as to the ability and competency of the physician assistant; (2)
663 such delegation is consistent with the health and welfare of the patient
664 and in keeping with sound medical practice; and (3) when such
665 functions are performed under the oversight, control and direction of
666 the supervising physician. The functions that may be performed under
667 such delegation are those that are within the scope of the supervising
668 physician's license, within the scope of such physician's competence as
669 evidenced by such physician's postgraduate education, training and
670 experience and within the normal scope of such physician's actual
671 practice. Delegated functions shall be implemented in accordance with
672 written protocols established by the supervising physician. All orders
673 written by physician assistants shall be followed by the signature of
674 the physician assistant and the printed name of the supervising
675 physician. A physician assistant may, as delegated by the supervising
676 physician within the scope of such physician's license, (A) prescribe
677 and administer drugs, including controlled substances in schedule IV
678 or V in all settings, (B) renew prescriptions for controlled substances in

679 schedule II or III in outpatient settings, and (C) prescribe and
680 administer controlled substances in schedule II or III to an inpatient in
681 a short-term hospital, chronic disease hospital, emergency room
682 satellite of a general hospital, or, after an admission evaluation by a
683 physician, in a chronic and convalescent nursing home, as defined in
684 the regulations of Connecticut state agencies and licensed pursuant to
685 subsection (a) of section 19a-491, as amended, provided in all cases
686 where the physician assistant prescribes a controlled substance in
687 schedule II or III, the physician under whose supervision the physician
688 assistant is prescribing shall cosign the order not later than
689 twenty-four hours thereafter. The physician assistant may, as
690 delegated by the supervising physician within the scope of such
691 physician's license, request, sign for, receive and dispense drugs to
692 patients, in the form of professional samples as defined in section
693 20-14c or when dispensing in an outpatient clinic as defined in the
694 regulations of Connecticut state agencies and licensed pursuant to
695 subsection (a) of section 19a-491, as amended, that operates on a
696 not-for-profit basis, or when dispensing in a clinic operated by a state
697 agency or municipality. Nothing in this subsection shall be construed
698 to allow the physician assistant to request, sign for, receive or dispense
699 any drug the physician assistant is not authorized under this
700 subsection to prescribe.

701 Sec. 23. Section 20-65j of the general statutes is repealed and the
702 following is substituted in lieu thereof (*Effective the later of October 1,*
703 *2000, or the date notice is published by the Commissioner of Public Health in*
704 *the Connecticut Law Journal indicating that the licensing of athletic trainers*
705 *and physical therapist assistants is being implemented by the commissioner):*

706 (a) Except as provided in subsections (b) and (c) of this section, an
707 applicant for a license to practice athletic training shall have: (1) A
708 baccalaureate degree from a regionally accredited institution of higher
709 education, or from an institution of higher learning located outside of
710 the United States that is legally chartered to grant postsecondary
711 degrees in the country in which such institution is located; [(2)
712 successfully completed (A) a course of study in athletic training in a

713 program that, at the time of the applicant's completion, is accredited by
714 the National Athletic Trainers' Association, the Committee on Allied
715 Health Education and Accreditation, or the Commission on
716 Accreditation of Allied Health Education Programs, or (B) a program
717 of study in athletic training during a period of at least two calendar
718 years, a minimum of one thousand five hundred hours of athletic
719 training experience under the supervision of an athletic trainer
720 certified by the National Athletic Trainers' Association Board of
721 Certification, Inc., or its successor organization, of which a minimum
722 of one thousand hours shall be attained at the interscholastic,
723 intercollegiate or professional sports level, and a minimum of three
724 semester credits of formal education in each of the following areas: (i)
725 Health, (ii) nutrition, (iii) psychology, (iv) human anatomy, (v)
726 kinesiology or biomechanics, (vi) human physiology, (vii) physiology
727 of exercise, (viii) basic athletic training, and (ix) advanced athletic
728 training or therapeutic modalities and rehabilitative exercise; and (3)
729 passed the national certification examination sponsored by the
730 National Athletic Trainers' Association or the National Athletic
731 Trainers' Association Board of Certification, Inc., or their successor
732 organizations] and (2) current certification as an athletic trainer by the
733 National Athletic Trainers' Association Board of Certification, Inc., or
734 its successor organization.

735 (b) An applicant for licensure to practice athletic training by
736 endorsement shall present evidence satisfactory to the commissioner
737 (1) of licensure or certification as an athletic trainer, or as a person
738 entitled to perform similar services under a different designation, in
739 another state having requirements for practicing in such capacity that
740 are substantially similar to or higher than the requirements in force in
741 this state, and (2) that there is no disciplinary action or unresolved
742 complaint pending against such applicant.

743 (c) [Before January 1, 2001, an applicant for a license to practice
744 athletic training may, in lieu of the requirements set forth in subsection
745 (a) of this section, present] For the period from the effective date of this
746 section to five years from said date, the commissioner shall grant a

747 license as an athletic trainer to any applicant who presents evidence
748 satisfactory to the commissioner of (1) the continuous providing of
749 services as an athletic trainer since October 1, 1979, or (2) certification
750 as an athletic trainer by the National Athletic Trainers' Association
751 Board of Certification, Inc.

752 Sec. 24. Subsection (b) of section 20-65k of the general statutes is
753 repealed and the following is substituted in lieu thereof (*Effective the*
754 *later of October 1, 2000, or the date notice is published by the Commissioner*
755 *of Public Health in the Connecticut Law Journal indicating that the licensing*
756 *of athletic trainers and physical therapist assistants is being implemented by*
757 *the commissioner*):

758 (b) A license to practice athletic training may be renewed in
759 accordance with the provisions of section 19a-88, as amended,
760 providing any licensee applying for license renewal shall maintain
761 certification as an athletic trainer by the National Athletic Trainers'
762 Association Board of Certification, Inc., or its successor organization.
763 The fee for such renewal shall be one hundred dollars.

764 Sec. 25. Subsection (a) of section 19a-79 of the general statutes is
765 repealed and the following is substituted in lieu thereof (*Effective*
766 *October 1, 2004*):

767 (a) The Commissioner of Public Health shall adopt regulations, in
768 accordance with the provisions of chapter 54, to carry out the purposes
769 of sections 19a-77 to 19a-80, inclusive, as amended, and 19a-82 to 19a-
770 87, inclusive, and to assure that child day care centers and group day
771 care homes shall meet the health, educational and social needs of
772 children utilizing such child day care centers and group day care
773 homes. Such regulations shall (1) specify that before being permitted to
774 attend any child day care center or group day care home, each child
775 shall be protected as age-appropriate by adequate immunization
776 against diphtheria, pertussis, tetanus, poliomyelitis, measles, mumps,
777 rubella, hemophilus influenzae type B and any other vaccine required
778 by the schedule of active immunization adopted pursuant to section
779 19a-7f, including appropriate exemptions for children for whom such

780 immunization is medically contraindicated and for children whose
781 parents object to such immunization on religious grounds, (2) specify
782 conditions under which child day care center directors and teachers
783 and group day care home providers may administer tests to monitor
784 glucose levels in a child with diagnosed diabetes mellitus, and
785 administer medicinal preparations, including controlled drugs
786 specified in the regulations by the commissioner, to a child receiving
787 child day care services at such child day care center or group day care
788 home pursuant to the written order of a physician licensed to practice
789 medicine or a dentist licensed to practice dental medicine in this or
790 another state, or an advanced practice registered nurse licensed to
791 prescribe in accordance with section 20-94a, or a physician assistant
792 licensed to prescribe in accordance with section 20-12d, and the written
793 authorization of a parent or guardian of such child, (3) specify that an
794 operator of a child day care center or group day care home, licensed
795 before January 1, 1986, or an operator who receives a license after
796 January 1, 1986, for a facility licensed prior to January 1, 1986, shall
797 provide a minimum of thirty square feet per child of total indoor
798 usable space, free of furniture except that needed for the children's
799 purposes, exclusive of toilet rooms, bathrooms, coatrooms, kitchens,
800 halls, isolation room or other rooms used for purposes other than the
801 activities of the children, (4) specify that a child day care center or
802 group day care home licensed after January 1, 1986, shall provide
803 thirty-five square feet per child of total indoor usable space, (5)
804 establish appropriate child day care center staffing requirements for
805 employees certified in cardiopulmonary resuscitation by the American
806 Red Cross, [or] the American Heart Association, the National Safety
807 Council or Medic First Aid International, Inc., (6) specify that on and
808 after January 1, 2003, a child day care center or group day care home
809 (A) shall not deny services to a child on the basis of a child's known or
810 suspected allergy or because a child has a prescription for an
811 automatic prefilled cartridge injector or similar automatic injectable
812 equipment used to treat an allergic reaction, (B) shall, within three
813 weeks of such child's enrollment in such a center or home, have staff
814 trained in the use of such equipment on-site during all hours when

815 such a child is on-site, (C) shall require such child's parent or guardian
 816 to provide the injector or injectable equipment and a copy of the
 817 prescription for such medication and injector or injectable equipment
 818 upon enrollment of such child, and (D) shall require a parent or
 819 guardian enrolling such a child to replace such medication and
 820 equipment prior to its expiration date.

821 Sec. 26. (*Effective October 1, 2004*) Section 20-252a of the general
 822 statutes is repealed.

This act shall take effect as follows:	
Section 1	<i>October 1, 2004</i>
Sec. 2	<i>October 1, 2004</i>
Sec. 3	<i>on and after the later of the effective date of this act, or the date notice is published by the Commissioner of Public Health in the Connecticut Law Journal indicating that the licensing of athletic trainers and physical therapist assistants is being implemented by the commissioner</i>
Sec. 4	<i>October 1, 2004</i>
Sec. 5	<i>October 1, 2004</i>
Sec. 6	<i>October 1, 2004</i>
Sec. 7	<i>October 1, 2004</i>
Sec. 8	<i>October 1, 2004</i>
Sec. 9	<i>October 1, 2004</i>
Sec. 10	<i>October 1, 2004</i>
Sec. 11	<i>October 1, 2004</i>
Sec. 12	<i>October 1, 2004</i>
Sec. 13	<i>October 1, 2004</i>
Sec. 14	<i>October 1, 2004</i>
Sec. 15	<i>October 1, 2004</i>
Sec. 16	<i>October 1, 2004</i>
Sec. 17	<i>October 1, 2004</i>
Sec. 18	<i>October 1, 2004</i>
Sec. 19	<i>October 1, 2004</i>
Sec. 20	<i>October 1, 2004</i>
Sec. 21	<i>October 1, 2004</i>
Sec. 22	<i>October 1, 2004</i>

Sec. 23	<i>the later of October 1, 2000, or the date notice is published by the Commissioner of Public Health in the Connecticut Law Journal indicating that the licensing of athletic trainers and physical therapist assistants is being implemented by the commissioner</i>
Sec. 24	<i>the later of October 1, 2000, or the date notice is published by the Commissioner of Public Health in the Connecticut Law Journal indicating that the licensing of athletic trainers and physical therapist assistants is being implemented by the commissioner</i>
Sec. 25	<i>October 1, 2004</i>
Sec. 26	<i>October 1, 2004</i>

PH *Joint Favorable Subst.*

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 05 \$	FY 06 \$
Public Health, Dept.	GF - Revenue Gain	at least \$17,550	at least \$17,550
UConn	Various - Cost	5,000	5,000
CT State Univ.	Various - Cost	10,000	10,000
Colleges, Regional Comm.-Tech.	Various - Cost	15,000	15,000

Note: GF=General Fund

Municipal Impact: None

Explanation

This bill makes various changes, which have fiscal impacts as follows:

Sections 1 - 6 modify the expiration dates of temporary permits issued to physician assistants, physical therapists, physical therapist assistants, occupational therapists and radiology technicians. There is no fiscal impact associated with these sections.

A minimal number of additional persons may seek licensure as a registered nurse due to provisions in **Section 7**. A minimal revenue gain would result, as each applicant would pay a \$90 initial and \$50 renewal license fee. Other changes in this section have no associated fiscal impact.

Section 8 requires Advanced Practice Registered Nurses to also hold a license as a Registered Nurse. A revenue gain of \$17,550 would result to the extent that a \$50 fee is collected from 351 APRNs with lapsed RN licenses.

A minimal number of additional persons may seek licensure as a licensed practical nurse (LPN) or a LPN temporary permit due to

provisions in **Section 9**. A minimal revenue gain would result, as each applicant would pay a \$75 initial and a \$30 renewal license fee, or a \$75 temporary permit fee.

Section 10 modifies the length of time that supervised graduates of nursing schools may work without a license. There is no fiscal impact associated with this section.

Section 11 allows a person holding a graduate degree in professional counseling while performing services during his or her postgraduate degree supervised experience to be exempt from professional counselor licensure requirements. No fiscal impact is associated with this section.

Section 12 allows a person holding a doctoral degree from an approved educational institution during his or her postdoctoral work experience to be exempt from psychologist licensure requirements. No fiscal impact is associated with this section.

Section 13 modifies the expiration dates of temporary permits issued to massage therapists and specifies that they shall not be renewable. There is no fiscal impact associated with this section.

A minimal number of additional persons may seek licensure as a registered nurse due to provisions in **Section 14**. A minimal revenue gain would result, as each applicant would pay a \$50 initial and \$25 renewal license fee. Other changes in this section have no associated fiscal impact.

Section 15 removes a mandatory licensure requirement for persons performing pedicures not involving the cutting of nail beds, corns and calluses or other medical treatment involving the foot or ankle. No fiscal impact is associated with this section.

A minimal number of additional persons may seek licensure as a hairdresser/cosmetician due to provisions in **Sections 16 & 17**. A minimal revenue gain would result, as each applicant would pay a \$50 initial and \$25 renewal license fee. Other changes in these sections

have no associated fiscal impact.

Section 18 exempts programs serving youth seventeen or older from mandatory licensure as a youth camp. A workload decrease and minimal revenue loss will result since a small number of such organizations would cease to be inspected and no longer pay annual licensure fees of \$650 (for profit) or \$250 (not for profit).

Section 19 delays a continuing education requirement for nursing home administrators from October 1, 2004 to October 1, 2005. No fiscal impact is associated with this change.

Section 20 establishes the authority for certain clinical social workers to gain licensure by endorsement. A minimal revenue gain would result to the extent that initial fees of \$250 and renewal fees of \$150 are collected from additional persons seeking licensure.

Section 21 of the bill results in a cost to the University of Connecticut, the Connecticut State University System and the Regional Community-Technical Colleges through the requirement that information concerning hepatitis B and the hepatitis B vaccine be provided to prospective students. These costs would be related to the printing and dispersal of pamphlets or other printed material to prospective students. The costs are expected to be \$5,000 for the University of Connecticut, \$10,000 for the Connecticut State University System and \$15,000 for the Regional Community-Technical Colleges each fiscal year. Such costs are not included in the FY 05 budget as currently in place or in the FY 05 budget as passed by the Appropriations Committee.

Section 22 makes changes related to the scope of practice of physician assistants that result in no associated fiscal impact.

Sections 23-24 make changes regarding the licensure of athletic trainers that result in no associated fiscal impact.

Section 25 adds two organizations to the list of entities eligible to certify day care employees in cardiopulmonary resuscitation. No fiscal

impact is associated with this section.

Section 26 repeals an obsolete section of statute authorizing the crediting of hours of training or study completed by an applicant for a hairdresser/cosmetician license outside Connecticut. No fiscal impact is associated with this change.

OLR Bill Analysis

sSB 569

AN ACT CONCERNING REVISIONS TO THE PUBLIC HEALTH STATUTES**SUMMARY:**

This bill makes numerous changes in the licensing laws governing health and other professions regulated by the Public Health Department (DPH). It affects nurses, hairdressers and cosmeticians, barbers, physical therapists and physical therapy assistants, radiology technicians, massage therapists, clinical social workers, physician assistants, professional counselors, psychologists, nursing home administrators, and athletic trainers. It also makes changes in laws concerning child day care centers and youth camps.

The bill establishes a uniform 120-day temporary permit for several DPH-regulated professions. Under current law, these permits are typically valid from the time a person graduates a training program until the results of the licensing exam are reported, although some are valid from permit filing or issue date until the exam. The 120-day standard affects physician assistants, physical therapists, graduates of foreign physical therapy schools, and physical therapy assistants; occupational therapists; radiology technicians; most registered nurses (RNs) and licensed practical nurses (LPNs); and massage therapists. But the bill reduces, from 120 to 90 days, the period for which a temporary permit is valid for RNs seeking license by endorsement.

It provides for licensure by endorsement (i.e., without examination for people licensed in another jurisdiction) for clinical social workers and modifies existing licensure by endorsement laws for RNs and LPNs, barbers, hairdressers, and athletic trainers.

The bill exempts pedicurists from licensure as hairdressers and cosmeticians, if they do not cut nail beds, corns, or calluses or provide medical treatment for feet or ankles.

It allows physician assistants to request, sign for, and receive

professional samples of drugs that they are authorized by law to prescribe, and it specifies that they can dispense them only to patients.

Beginning in the 2005 academic year, the bill requires public and private colleges and universities annually to provide (1) information about hepatitis B and the risks people of college age face of contracting it and (2) notice of the availability and benefits of vaccination. They must provide the information about the disease to all prospective students before they matriculate, but the bill does not specify who receives the vaccination notice.

EFFECTIVE DATE: October 1, 2004, except for the provisions concerning physical therapy assistants and athletic trainers, which take effect when DPH publishes notice that it is implementing regulations governing these occupations.

TEMPORARY PERMITS (§§ 1-6, 13)

The bill establishes 120-day temporary permits for recent graduates of occupational programs whose licensure DPH regulates. Current law provides for various durations and conditions for voiding them. Table 1 shows these. (The bill also deals with temporary permits for nurses, hairdressers and cosmeticians, and barbers, which are treated in a separate section, below.)

Occupation	Current Permit Duration	Conditions For Voiding Or Nonrenewal	
		Current	Bill
Physician Ass't	Date of permit issue until results of 1 st exam after graduation are issued	Void if applicant fails exam	Same; permit is not renewable
Physical Therapist (PT)	Date of permit filing until results of next exam issued	Void if applicant fails exam	Same
PT Ass't	Date of permit filing until results of next exam issued	Void if applicant fails exam	Same
Foreign PT School Grad	Date of permit filing until results of next exam issued	Void if applicant fails exam	Same

Occupational Therapist	Date of permit issue until results of next exam are issued	None	Void if applicant fails exam; permit is not renewable
Radiology Tech	No start date, valid until results of 1 st exam after graduation are issued	None	Void if applicant fails exam
Massage Therapist	Date of permit issue until results of 1 st exam after graduation are issued	Void if applicant fails exam	Same; permit is not renewable

NURSES (§§ 7 – 10)

License by Endorsement

The bill extends licensure by endorsement to (1) registered RNs and LPNs licensed in the District of Columbia and Puerto Rico (and other U.S. commonwealths). They can obtain a license without examination as long as they are not the subject of a professional disciplinary action or unresolved complaint and those jurisdictions' licensing standards are at least equal to Connecticut's. RNs and LPNs licensed in other states and U.S. territories can already obtain a license by endorsement. The bill specifies that RNs or LPNs must be licensed in the other jurisdiction when they apply for a Connecticut license.

From October 1, 2004 to October 1, 2005, the bill makes an advanced practice registered nurse (APRN) whose RN license was voided because of failure to renew it on time eligible for license by endorsement. The nurse must submit \$90 and a completed application form. The bill specifies that an APRN must maintain an RN license, not just be eligible for one, in order to obtain an APRN license.

Temporary Permits

The bill reduces, from 120 to 90 days, the period for which a temporary

permit for RN licensure by endorsement applicants is valid. (Temporary permits for LPN licensure by endorsement applicants remain valid for 120 days.) It allows DPH to issue temporary permits to (1) licensure by endorsement applicants from the District of Columbia and Puerto Rico and (2) nurses whose Connecticut licenses were voided for failure to renew on time. The bill prohibits DPH from issuing a temporary permit to any nurse who is the subject of a professional disciplinary action or unresolved complaint.

The bill allows graduates from DPH-approved nursing programs to work as RNs and LPNs for up to 120 days after graduation. Under current law, they can work until results of the first licensing exam scheduled after graduation are issued as long as their employer provides adequate supervision. The bill also requires employers to verify that graduate nurses have successfully completed a nursing program. It terminates their ability to work immediately if they fail the licensing exam.

HAIRDRESSERS AND COSMETICIANS (§§ 15–17, 26)

License by Endorsement

The bill allows license by endorsement applicants who trained in a state that requires fewer than the 1,500 hours that Connecticut requires to substitute up to 500 hours of work while licensed. If the licensing test they took in their other jurisdiction was not in English, the bill requires them to pass an English proficiency exam DPH prescribes.

The bill removes requirements that (1) a license by endorsement applicant be currently practicing and competent and (2) the other jurisdiction extend licensure by endorsement to Connecticut hairdressers and cosmeticians.

Other Provisions

The bill allows people who are not licensed as hairdressers and cosmeticians to trim, file, and paint healthy toenails for cosmetic purposes only. No one, licensed or unlicensed, may cut nail beds, corns, or calluses or provide medical treatment for feet or ankles.

The bill specifies that hairdressing and cosmetician schools outside Connecticut must have requirements at least equal to those required by Connecticut schools. It repeals a provision that grants license

applicants who trained in out-of-state schools equivalent to Connecticut's credit for that training and for their licensed work. And it removes a requirement that DPH conduct hairdressing and cosmetician licensing exams.

BARBERS

License by Endorsement

The bill explicitly authorizes DPH to grant a license by endorsement to applicants from the District of Columbia, Puerto Rico, and other U.S. commonwealths. (DPH already does this.) It requires license by endorsement applicants to hold a license from another jurisdiction when they apply in Connecticut. It allows applicants who trained in states that require fewer than the 1,500 hours of training that Connecticut requires to substitute up to 500 hours of licensed work. And if the licensing test they took in their other jurisdiction was not in English, the bill requires them to pass an English proficiency exam DPH prescribes.

Other Provisions

The bill removes requirements that (1) DPH hold at least four licensing exams a year, (2) license applicants be free of communicable disease, and (3) barber training cover both theory and practice. It specifies that applicants must pass a written exam; current law does not specify the form of the test. The bill also eliminates some obsolete language specifying barber skills.

CLINICAL SOCIAL WORKERS (§ 20)

The bill provides for licensure by endorsement for clinical social workers. Applicants must present evidence to DPH that (1) they are licensed in another state or jurisdiction (including other nations) with requirements similar to, or higher than, Connecticut's and (2) are not the subject of a pending disciplinary action or unresolved complaint.

PHYSICIAN ASSISTANTS (§ 22)

The bill permits physician assistants (PAs) to request, sign for, and receive professional samples of drugs that they are authorized by law to prescribe, and it specifies that they can dispense them only to patients. Their supervising physician must delegate them to do any of

these tasks.

The law allows PAs to prescribe various categories of drugs, depending on the situation. They can prescribe schedules IV and V controlled substances (the lowest categories) in any setting when authorized by a supervising doctor. They can prescribe schedules II and III drugs (schedule II is the highest level normally available for prescription) only in hospitals; emergency rooms; and nursing homes, under certain conditions.

PROFESSIONAL COUNSELORS (§ 11)

The bill exempts from licensing as a professional counselor someone with a graduate degree in counseling who is performing counseling as part of the 3,000 of post-graduate supervised experience required by law.

PSYCHOLOGISTS (§ 12)

The bill exempts from licensing as a psychologist a graduate of a doctoral program approved by the Board of Psychology Examiners who is fulfilling the one year of post-doctoral experience required by law.

NURSING HOME ADMINISTRATORS (§ 19)

The bill postpones, from October 1, 2004 to October 1, 2005, the beginning of the requirement that nursing home administrators complete 40 hours of continuing education every two years.

ATHLETIC TRAINERS (§§ 23 & 24)

The bill requires athletic trainer license applicants to be certified by the National Athletic Trainers' Association (NATA) Board of Certification, Inc. or its successor organization. It substitutes this requirement for the existing one that specifies the coursework and duration of training an applicant must successfully complete and the bodies that can accredit such coursework. And, once licensed, it requires them to maintain that certification athletic

For the five years after the bill takes effect, the bill requires DPH to license as an athletic trainer anyone who presents satisfactory evidence of (1) working continuously as a trainer since October 1, 1979 or (2)

certification as a trainer by the NATA Board of Certification, Inc. (although not any successor organization). Current law allowed DPH to license people under these conditions if they presented evidence before January 1, 2001.

CHILD DAY CARE CENTERS (§ 25)

The bill adds the National Safety Council and Medic First Alert International, Inc to the list of organizations that can certify day care employees in cardiopulmonary resuscitation.

YOUTH CAMPS

The bill specifies that it applies to residential and day camps that house children under age 16.

BACKGROUND

Hepatitis B

Hepatitis B is a liver infection caused by viruses. It is spread by contact with infected blood or other body fluids of infected people. For example, a person can get hepatitis B by having sex with an infected person. People who use intravenous drugs can get hepatitis B by sharing needles with someone who has the virus. Health care workers can become infected if they are accidentally stuck with a needle used on an infected patient.

Two hepatitis B vaccines are approved for use in the United States. Each is usually given in three doses over a 6-month period. A 2-dose regimen (the second dose is given 4-6 months after the first) for one of the vaccines has been approved for use in 11-15 year olds.

COMMITTEE ACTION

Public Health Committee

Joint Favorable Substitute

Yea 22 Nay 0