



General Assembly

Substitute Bill No. 5004

February Session, 2004

* _____HB05004APP__032204_____*

AN ACT CONCERNING THE ADMISSION AND CARE OF PATIENTS IN NURSING HOMES.

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

1 Section 1. (*Effective from passage*) (a) There is established a task force
2 to study policies and procedures for evaluating and placing
3 individuals who (1) may pose a serious risk to others in the absence of
4 specific measures for their supervision, and (2) reside in, or seek
5 admission to, a nursing home. The task force shall develop policies and
6 procedures for: (A) Evaluating and placing such individuals; (B)
7 establishing and implementing an appropriate individualized care
8 plan that provides appropriate physical and program space, trained
9 staff and programming; and (C) assuring that such trained staff is
10 skilled in risk assessment and risk management appropriate for a
11 nursing home setting.

12 (b) The task force shall consist of the following members:

13 (1) One representative of the Department of Mental Health and
14 Addiction Services, appointed by the speaker of the House of
15 Representatives;

16 (2) One representative of the National Association for the Mentally
17 Ill, or a similar advocacy organization, appointed by the president pro
18 tempore of the Senate;

19 (3) One representative of a for-profit nursing home, appointed by
20 the majority leader of the House of Representatives;

21 (4) One representative of the Office of the Long-Term Care
22 Ombudsman, appointed by the majority leader of the Senate;

23 (5) One attorney employed by a legal aid office with experience
24 representing individuals with mental illness or experience with
25 geriatric psychiatric issues, appointed by the minority leader of the
26 House of Representatives;

27 (6) One representative of a nonprofit nursing home, appointed by
28 the minority leader of the Senate; and

29 (7) The chairpersons and ranking members of the select committee
30 of the General Assembly having cognizance of matters relating to
31 aging, or their designees.

32 (c) All appointments to the task force shall be made no later than
33 thirty days after the effective date of this section. If an appointment is
34 not made by the expiration of said thirty-day period, the chairpersons
35 and ranking members of the select committee of the General Assembly
36 having cognizance of matters relating to aging may make the
37 appointment. Any vacancy shall be filled by the appointing authority.

38 (d) The speaker of the House of Representatives and the president
39 pro tempore of the Senate shall select the chairpersons of the task
40 force, from among the members of the task force. Such chairpersons
41 shall schedule the first meeting of the task force, which shall be held no
42 later than sixty days after the effective date of this section.

43 (e) The administrative staff of the select committee of the General
44 Assembly having cognizance of matters relating to aging shall serve as
45 administrative staff of the task force.

46 (f) Not later than January 1, 2005, the task force shall submit a report
47 on its findings and recommendations to the select committee of the
48 General Assembly having cognizance of matters relating to aging, in

