



General Assembly

February Session, 2004

**Raised Bill No. 165**

LCO No. 604

\*00604\_\_\_\_\_HS\_\*

Referred to Committee on Human Services

Introduced by:  
(HS)

**AN ACT CONCERNING EMERGENCY SAFETY INTERVENTIONS FOR CHILDREN.**

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

1 Section 1. Section 46a-150 of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective October 1, 2004*):

3 For purposes of this section and sections 46a-151 to 46a-154,  
4 inclusive:

5 (1) "Provider of care, education or supervision of a person at risk"  
6 and "provider" mean a person who provides direct care, education or  
7 supervision of a person at risk.

8 (2) "Assistant provider of care, education or supervision of a person  
9 at risk" and "assistant" mean a person assigned to provide, or who may  
10 be called upon in an emergency to provide, assistance or security to a  
11 provider of care, education or supervision of a person at risk.

12 (3) "Person at risk" means a person receiving care, education or  
13 supervision in an institution or facility (A) operated by, licensed or  
14 authorized to operate by or operating pursuant to a contract with the

15 Departments of Public Health, Mental Retardation, Children and  
16 Families, Mental Health and Addiction Services or a regional  
17 education service center established under section 10-66a, or (B)  
18 operating under contract with a local or regional board of education  
19 pursuant to subsection (d) of section 10-76d, as amended. The term  
20 does not include (i) a person in the custody of the Commissioner of  
21 Correction, or (ii) a resident or patient of a nursing home subject to  
22 federal regulations concerning restraint of residents or patients.

23 (4) "Life-threatening physical restraint" means any physical restraint  
24 or hold of a person that restricts the flow of air into a person's lungs,  
25 whether by chest compression or any other means.

26 (5) "Physical restraint" means any mechanical or personal restriction  
27 that immobilizes or reduces the free movement of a person's arms, legs  
28 or head. The term does not include: (A) Briefly holding a person in  
29 order to calm or comfort the person; (B) restraint involving the  
30 minimum contact necessary to safely escort a person from one area to  
31 another; (C) medical devices, including, but not limited to, supports  
32 prescribed by a health care provider to achieve proper body position  
33 or balance; (D) helmets or other protective gear used to protect a  
34 person from injuries due to a fall; or (E) helmets, mitts and similar  
35 devices used to prevent self injury when the device is part of a  
36 documented treatment plan and is the least restrictive means available  
37 to prevent such self-injury.

38 (6) "Psychopharmacologic agent" means any medication that affects  
39 the central nervous system, influencing thinking, emotion or behavior.

40 (7) "Seclusion" means the confinement of a person in a room,  
41 whether alone or with staff supervision, in a manner that physically  
42 prevents the person from leaving, except that in the case of seclusion at  
43 [Long Lane School] the Connecticut Juvenile Training School, the term  
44 does not include the placing of a single child or youth in a secure room  
45 for the purpose of sleeping.

This act shall take effect as follows:	
Section 1	<i>October 1, 2004</i>

**Statement of Purpose:**

To amend the definition of seclusion and replace an obsolete reference to Long Lane School with the Connecticut Juvenile Training School.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*