



General Assembly

**Substitute Bill No. 165**

February Session, 2004

\* \_\_\_\_\_SB00165HS\_JUD031104\_\_\_\_\_\*

**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 Section 46a-150 of the general statutes is repealed and the  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 prevents the  
42 person from leaving, except that in the case of seclusion at [Long Lane  
43 School] the Connecticut Juvenile Training School or any other secure  
44 facility housing convicted delinquent children or youth, in accordance  
45 with the Manual of Standards for Juvenile Training Schools published  
46 by the American Correctional Association, the term does not include  
47 the [placing] temporary placement of a single child or youth in a  
48 secure room, for a period of less than sixty minutes in response to an  
49 episode of minor misbehavior or for the purpose of sleeping.

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

**HS**

*Joint Favorable Subst. C/R*

JUD