



Senate Bill No. 1092

Public Act No. 05-150

AN ACT CONCERNING MEDICATION ADMINISTRATION IN DEPARTMENT OF MENTAL RETARDATION RESIDENTIAL FACILITIES AND PROGRAMS.

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

Section 1. Section 20-14h of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2005*):

As used in sections 20-14h to 20-14j, inclusive:

(1) "Administration" means the direct application of a medication by means other than injection to the body of a person.

(2) "Day programs", [and] "residential facilities" and "individual and family support" include only those programs, [and] facilities and support services designated in the regulations adopted pursuant to section 20-14j, as amended by this act.

(3) "Juvenile detention centers" include only those centers operated under the jurisdiction of the Judicial Department.

(4) "Medication" means any medicinal preparation, and includes any controlled substances specifically designated in the regulations or policies adopted pursuant to section 20-14j, as amended by this act.

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(5) "Trained person" means a person who has successfully completed training prescribed by the regulations or policies adopted pursuant to section 20-14j, as amended by this act.

Sec. 2. Section 20-14i of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2005*):

Any provisions to the contrary notwithstanding, chapter 378 shall not prohibit the administration of medication to persons attending day programs, [or] residing in residential facilities or receiving individual and family support, under the jurisdiction of the Departments of Children and Families, Correction, Mental Retardation and Mental Health and Addiction Services, or being detained in juvenile detention centers, when such medication is administered by trained persons, pursuant to the written order of a physician licensed under this chapter, a dentist licensed under chapter 379, an advanced practice registered nurse licensed to prescribe in accordance with section 20-94a or a physician assistant licensed to prescribe in accordance with section 20-12d, authorized to prescribe such medication. The provisions of this section shall not apply to institutions, facilities or programs licensed pursuant to chapter 368v.

Sec. 3. Section 20-14j of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2005*):

(a) The commissioners of the departments which license the residential facilities, [or] day programs or individual and family support services in which the administration of medication in accordance with section 20-14i, as amended by this act, is appropriate shall adopt regulations, in accordance with the provisions of chapter 54, to carry out the provisions of sections 20-14h and 20-14i, as amended by this act. If licensing is not required, the regulations shall be adopted by the commissioners of the departments having authority over the persons served in such facilities or programs, or receiving

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individual and family support. Such regulations shall be adopted by each affected department in consultation with an advisory task force which shall include the Commissioner of Public Health, the Commissioner of Mental Health and Addiction Services, the Commissioner of Mental Retardation, the Commissioner of Correction and the Commissioner of Children and Families, or their designees. The task force shall submit a report to the joint standing committee of the General Assembly having cognizance of matters relating to public health by November 1, 1988.

(b) The Chief Court Administrator shall (1) establish ongoing training programs for personnel who are to administer medications to detainees in juvenile detention centers, and (2) adopt policies to carry out the provisions of sections 20-14h and 20-14i, as amended by this act, concerning the administration of medication to detainees in juvenile detention centers.

Approved June 24, 2005