



General Assembly

January Session, 2005

Committee Bill No. 5404

LCO No. 3350

03350HB05404LAB

Referred to Committee on Labor and Public Employees

Introduced by:
(LAB)

AN ACT PERMITTING FAMILY AND MEDICAL LEAVE FOR CARE OF AN ADULT CHILD.

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

1 Section 1. Section 31-51kk of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2005*):

3 As used in sections 31-51kk to 31-51qq, inclusive:

4 (1) "Eligible employee" means an employee who has been employed
5 (A) for at least twelve months by the employer with respect to whom
6 leave is requested; and (B) for at least one thousand hours of service
7 with such employer during the twelve-month period preceding the
8 first day of the leave;

9 (2) "Employ" includes to allow or permit to work;

10 (3) "Employee" means any person engaged in service to an employer
11 in the business of the employer;

12 (4) "Employer" means a person engaged in any activity, enterprise
13 or business who employs seventy-five or more employees, and

14 includes any person who acts, directly or indirectly, in the interest of
15 an employer to any of the employees of such employer and any
16 successor in interest of an employer, but shall not include the state, a
17 municipality, a local or regional board of education, or a private or
18 parochial elementary or secondary school. The number of employees
19 of an employer shall be determined on October first annually;

20 (5) "Employment benefits" means all benefits provided or made
21 available to employees by an employer, including group life insurance,
22 health insurance, disability insurance, sick leave, annual leave,
23 educational benefits and pensions, regardless of whether such benefits
24 are provided by practice or written policy of an employer or through
25 an "employee benefit plan", as defined in Section 1002(3) of Title 29 of
26 the United States Code;

27 (6) "Health care provider" means (A) a doctor of medicine or
28 osteopathy who is authorized to practice medicine or surgery by the
29 state in which the doctor practices; (B) a podiatrist, dentist,
30 psychologist, optometrist or chiropractor authorized to practice by the
31 state in which such person practices and performs within the scope of
32 the authorized practice; (C) an advanced practice registered nurse,
33 nurse practitioner, nurse midwife or clinical social worker authorized
34 to practice by the state in which such person practices and performs
35 within the scope of the authorized practice; (D) Christian Science
36 practitioners listed with the First Church of Christ, Scientist in Boston,
37 Massachusetts; (E) any health care provider from whom an employer
38 or a group health plan's benefits manager will accept certification of
39 the existence of a serious health condition to substantiate a claim for
40 benefits; (F) a health care provider as defined in subparagraphs (A) to
41 (E), inclusive, of this subdivision who practices in a country other than
42 the United States, who is licensed to practice in accordance with the
43 laws and regulations of that country; or (G) such other health care
44 provider as the Labor Commissioner determines, performing within
45 the scope of the authorized practice. The commissioner may utilize any
46 determinations made pursuant to chapter 568;

47 (7) "Parent" means a biological parent, foster parent, adoptive
48 parent, stepparent or legal guardian of an eligible employee or an
49 eligible employee's spouse, or an individual who stood in loco parentis
50 to an employee when the employee was a son or daughter;

51 (8) "Person" means one or more individuals, partnerships,
52 associations, corporations, business trusts, legal representatives or
53 organized groups of persons;

54 (9) "Reduced leave schedule" means a leave schedule that reduces
55 the usual number of hours per workweek, or hours per workday, of an
56 employee;

57 (10) "Serious health condition" means an illness, injury, impairment,
58 or physical or mental condition that involves (A) inpatient care in a
59 hospital, hospice, nursing home or residential medical care facility; or
60 (B) continuing treatment, including outpatient treatment, by a health
61 care provider;

62 (11) "Son or daughter" means a biological, adopted or foster child,
63 stepchild, legal ward, or child of a person standing in loco parentis;]
64 who is (A) under eighteen years of age; or (B) eighteen years of age or
65 older and incapable of self-care because of a mental or physical
66 disability;] and

67 (12) "Spouse" means a husband or wife, as the case may be.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2005	31-51kk

Statement of Purpose:

To allow parents to use family and medical leave to care for adult children who have serious health conditions.

[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.]

Co-Sponsors: REP. WINKLER, 41st Dist.

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