



General Assembly

Substitute Bill No. 6713

January Session, 2005

* HB06713HS 060305 *

AN ACT CONCERNING REVISIONS TO DEPARTMENT OF PUBLIC HEALTH STATUTES.

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

1 Section 1. Section 7-48a of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2005*):

3 On and after January 1, 2002, each birth certificate shall [contain the
4 name of the birth mother, except by the order of a court of competent
5 jurisdiction, and] be filed with the name of the birth mother recorded.
6 Not later than forty-five days after receipt of an order from a court of
7 competent jurisdiction, the Department of Public Health shall create a
8 replacement certificate in accordance with the court's order. Such
9 replacement certificate shall include all information required to be
10 included in a certificate of birth of this state as of the date of the birth.
11 When a certified copy of such certificate of birth is requested by an
12 eligible party, as provided in section 7-51, a copy of the replacement
13 certificate shall be provided. The department shall seal the original
14 certificate of birth in accordance with the provisions of subsection (c)
15 of section 19a-42. Immediately after a replacement certificate has been
16 prepared, the department shall transmit an exact copy of such
17 certificate to the registrar of vital statistics of the town of birth and to
18 any other registrar as the department deems appropriate. The town
19 shall proceed in accordance with the provisions of section 19a-42.

20 Sec. 2. Subsection (f) of section 10-206 of the general statutes is
21 repealed and the following is substituted in lieu thereof (*Effective*
22 *October 1, 2005*):

23 (f) On and after February 1, 2004, each local or regional board of
24 education shall report to the local health department and the
25 Department of Public Health, on an annual basis, the total number of
26 pupils per school and per school district having a diagnosis of asthma
27 [recorded on such health assessment forms to the local health
28 department and the Department of Public Health] (1) at the time of
29 public school enrollment, (2) in grade six or seven, and (3) in grade ten
30 or eleven. The report shall contain the asthma information collected as
31 required under subsections (b) and (c) of this section and shall include
32 pupil age, gender, race, ethnicity and school. Beginning on October 1,
33 2004, and every three years thereafter, the Department of Public Health
34 shall review the asthma screening information reported pursuant to
35 this section and shall submit a report to the joint standing committees
36 of the General Assembly having cognizance of matters relating to
37 public health and education concerning asthma trends and
38 distributions among pupils enrolled in the public schools. The report
39 shall be submitted in accordance with the provisions of section 11-4a
40 and shall include, but not be limited to, trends and findings based on
41 pupil age, gender, race, ethnicity, school and the education reference
42 group, as determined by the Department of Education for the town or
43 regional school district in which such school is located.

44 Sec. 3. Subsection (b) of section 17b-90 of the general statutes is
45 repealed and the following is substituted in lieu thereof (*Effective*
46 *October 1, 2005*):

47 (b) No person shall, except for purposes directly connected with the
48 administration of programs of the Department of Social Services and in
49 accordance with the regulations of the commissioner, solicit, disclose,
50 receive or make use of, or authorize, knowingly permit, participate in
51 or acquiesce in the use of, any list of the names of, or any information
52 concerning, persons applying for or receiving assistance from the

53 Department of Social Services or persons participating in a program
54 administered by said department, directly or indirectly derived from
55 the records, papers, files or communications of the state or its
56 subdivisions or agencies, or acquired in the course of the performance
57 of official duties. The Commissioner of Social Services shall disclose (1)
58 to any authorized representative of the Labor Commissioner such
59 information directly related to unemployment compensation,
60 administered pursuant to chapter 567 or information necessary for
61 implementation of sections 17b-688b, 17b-688c and 17b-688h and
62 section 122 of public act 97-2 of the June 18 special session*, (2) to any
63 authorized representative of the Commissioner of Mental Health and
64 Addiction Services any information necessary for the implementation
65 and operation of the basic needs supplement program or for the
66 management of and payment for behavioral health services for
67 applicants for and recipients of state-administered general assistance,
68 (3) to any authorized representative of the Commissioner of
69 Administrative Services, or the Commissioner of Public Safety such
70 information as the state Commissioner of Social Services determines is
71 directly related to and necessary for the Department of Administrative
72 Services or the Department of Public Safety for purposes of performing
73 their functions of collecting social services recoveries and
74 overpayments or amounts due as support in social services cases,
75 investigating social services fraud or locating absent parents of public
76 assistance recipients, (4) to any authorized representative of the
77 Commissioner of Children and Families necessary information
78 concerning a child or the immediate family of a child receiving services
79 from the Department of Social Services, including safety net services, if
80 the Commissioner of Children and Families or the Commissioner of
81 Social Services has determined that imminent danger to such child's
82 health, safety or welfare exists to target the services of the family
83 services programs administered by the Department of Children and
84 Families, (5) to a town official or other contractor or authorized
85 representative of the Labor Commissioner such information
86 concerning an applicant for or a recipient of financial or medical
87 assistance under state-administered general assistance deemed

88 necessary by said commissioners to carry out their respective
89 responsibilities to serve such persons under the programs
90 administered by the Labor Department that are designed to serve
91 applicants for or recipients of state-administered general assistance, (6)
92 to any authorized representative of the Commissioner of Mental
93 Health and Addiction Services for the purposes of the behavioral
94 health managed care program established by section 17a-453, [or] (7) to
95 any authorized representative of the Commissioner of Public Health to
96 carry out his or her respective responsibilities under programs that
97 regulate child day care services or youth camps, or (8) to a health
98 insurance provider, in IV-D support cases, as defined in section 46b-
99 231, information concerning a child and the custodial parent of such
100 child that is necessary to enroll such child in a health insurance plan
101 available through such provider when the noncustodial parent of such
102 child is under court order to provide health insurance coverage but is
103 unable to provide such information, provided the Commissioner of
104 Social Services determines, after providing prior notice of the
105 disclosure to such custodial parent and an opportunity for such parent
106 to object, that such disclosure is in the best interests of the child. No
107 such representative shall disclose any information obtained pursuant
108 to this section, except as specified in this section. Any applicant for
109 assistance provided through said department shall be notified that, if
110 and when such applicant receives benefits, the department will be
111 providing law enforcement officials with the address of such applicant
112 upon the request of any such official pursuant to section 17b-16a.

113 Sec. 4. Subsection (b) of section 19a-179 of the general statutes is
114 repealed and the following is substituted in lieu thereof (*Effective*
115 *October 1, 2005*):

116 (b) The commissioner may issue an emergency medical technician
117 certificate to an applicant who presents evidence satisfactory to the
118 commissioner that the applicant (1) is currently certified as an
119 emergency medical technician in good standing in any New England
120 state, New York or New Jersey, (2) has completed an initial training
121 program consistent with the United States Department of

122 Transportation, National Highway Traffic Safety Administration
123 [paramedic] emergency medical technician curriculum, and (3) has no
124 pending disciplinary action or unresolved complaint against him or
125 her.

126 Sec. 5. Section 19a-490b of the general statutes is amended by
127 adding subsection (e) as follows (*Effective October 1, 2005*):

128 (NEW) (e) Each institution licensed pursuant to this chapter that
129 ceases to operate shall, at the time it relinquishes its license to the
130 department, provide to the department a certified document
131 specifying the location at which patient health records will be stored
132 and the procedure that has been established for patients, former
133 patients or their authorized representatives to secure access to such
134 health records.

135 Sec. 6. Subsection (a) of section 19a-493 of the general statutes is
136 repealed and the following is substituted in lieu thereof (*Effective*
137 *October 1, 2005*):

138 (a) Upon receipt of an application for an initial license, the
139 Department of Public Health, subject to the provisions of section 19a-
140 491a, shall issue such license if, upon conducting a scheduled
141 inspection and investigation, it finds that the applicant and facilities
142 meet the requirements established under section 19a-495, provided a
143 license shall be issued to or renewed for an institution, as defined in
144 subsection (d), (e) or (f) of section 19a-490, only if such institution is not
145 otherwise required to be licensed by the state. Upon receipt of an
146 application for an initial license to establish, conduct, operate or
147 maintain an institution, as defined in subsection (d), (e) or (f) of section
148 19a-490, and prior to the issuance of such license, the commissioner
149 may issue a provisional license for a term not to exceed twelve months
150 upon such terms and conditions as the commissioner may require. If
151 an institution, as defined in subsections (b), (c), (d), (e) and (f) of
152 section 19a-490, applies for license renewal and has been certified as a
153 provider of services by the United States Department of Health and

154 Human Resources under Medicare or Medicaid programs within the
155 immediately preceding twelve-month period, or if an institution, as
156 defined in subsection (b) of section 19a-490, is currently certified, the
157 commissioner or the commissioner's designee may waive the
158 inspection and investigation of such facility required by this section
159 and, in such event, any such facility shall be deemed to have satisfied
160 the requirements of section 19a-495 for the purposes of licensure. Such
161 license shall be valid for two years or a fraction thereof and shall
162 terminate on March thirty-first, June thirtieth, September thirtieth or
163 December thirty-first of the appropriate year. A license issued
164 pursuant to this chapter, other than a provisional license or a nursing
165 home license, unless sooner suspended or revoked, shall be renewable
166 biennially [, without charge,] after an unscheduled inspection is
167 conducted by the department, and upon the filing by the licensee, and
168 approval by the department, of a report upon such date and containing
169 such information in such form as the department prescribes and
170 satisfactory evidence of continuing compliance with requirements, and
171 in the case of an institution, as defined in subsection (d), (e) or (f) of
172 section 19a-490, after inspection of such institution by the department.
173 Each license shall be issued only for the premises and persons named
174 in the application and shall not be transferable or assignable. Licenses
175 shall be posted in a conspicuous place in the licensed premises.

176 Sec. 7. Section 20-11a of the general statutes is repealed and the
177 following is substituted in lieu thereof (*Effective October 1, 2005*):

178 (a) No person shall participate in an intern or resident physician
179 program or United States medical officer candidate training program
180 until such person has received a permit issued by the Department of
181 Public Health. The permit shall be issued solely for purposes of
182 participation in graduate education as an intern, resident or medical
183 officer candidate in a hospital or hospital-based program. No person
184 shall receive a permit until a statement has been filed with the
185 department on the applicant's behalf by the hospital administrator
186 certifying that the applicant is to be appointed an intern, resident or
187 medical officer candidate in the hospital or hospital-based program

188 and that the applicant has received the degree of doctor of medicine,
189 osteopathic medicine or its equivalent and, if educated outside the
190 United States or Canada (1) has successfully completed all components
191 of a "fifth pathway program" conducted by an American medical
192 school accredited by the Liaison Committee on Medical Education or
193 the American Osteopathic Association, (2) received certification from
194 the Educational Commission for Foreign Medical Graduates, (3) has
195 successfully completed the examination for licensure prescribed by the
196 department pursuant to section 20-10, or (4) holds a current valid
197 license in another state or territory.

198 (b) No person shall participate in a clinical clerkship program unless
199 such person is (1) a student in a medical school located in the United
200 States or Canada accredited by the Liaison Committee on Medical
201 Education or the American Osteopathic Association; or (2) is a third or
202 fourth year student in a medical school located outside the United
203 States or Canada, provided the clerkship is conducted within a
204 program that is based in a hospital that has a residency program
205 accredited by the Accreditation Council for Graduate Medical
206 Education or the American Osteopathic Association in the clinical area
207 of the clerkship or within a program that is based in a hospital that is a
208 primary affiliated teaching hospital of a medical school accredited by
209 the Liaison Committee on Medical Education.

210 Sec. 8. Section 20-198 of the general statutes is repealed and the
211 following is substituted in lieu thereof (*Effective October 1, 2005*):

212 (a) No person shall be granted [such] a license to practice veterinary
213 medicine, surgery or dentistry until the department finds that such
214 person (1) was graduated with the degree of doctor of veterinary
215 medicine, or its equivalent, from a school of veterinary medicine,
216 surgery or dentistry which, at the time such person graduated, was
217 accredited by the American Veterinary Medical Association, [if such
218 school is located in the United States, its territories or Canada,] or (2) if
219 graduated from a school located outside of the United States, its
220 territories or Canada, has demonstrated to the satisfaction of the

221 department that such person has completed a degree program
222 equivalent in level, content and purpose to the degree of doctor of
223 veterinary medicine as granted by a school of veterinary medicine,
224 surgery or dentistry [which] that is accredited by the American
225 Veterinary Medical Association. No person who was graduated from a
226 school of veterinary medicine, surgery or dentistry [which] that is not
227 accredited by the American veterinary Medical Association and that is
228 located outside the United States, its territories or Canada shall be
229 granted a license unless such person has also received certification
230 from the Educational Commission for Foreign Veterinary Graduates or
231 Program for the Assessment of Veterinary Education Equivalence.

232 (b) The department may, under such regulations as the
233 Commissioner of Public Health may adopt, in accordance with chapter
234 54, with the advice and assistance of the board, deny eligibility for
235 licensure to a graduate of a school [which] that has been found to have
236 provided fraudulent or inaccurate documentation regarding either the
237 school's educational program or the academic credentials of graduates
238 of the school's program or to have failed to meet educational standards
239 prescribed in such regulations.

240 Sec. 9. Section 20-200 of the general statutes is repealed and the
241 following is substituted in lieu thereof (*Effective October 1, 2005*):

242 (a) Notwithstanding the provisions of section 20-198, as amended
243 by this act, the Department of Public Health may issue a license by
244 endorsement to any veterinarian of good professional character who is
245 currently licensed and practicing in some other state or territory,
246 having requirements for admission determined by the department to
247 be at least equal to the requirements of this state, upon the payment of
248 a fee of four hundred fifty dollars to said department.
249 Notwithstanding the provisions of section 20-198, as amended by this
250 act, the department may, upon payment of a fee of four hundred fifty
251 dollars, issue a license without examination to a currently practicing,
252 competent veterinarian in another state or territory who (1) holds a
253 current valid license in good professional standing issued after

254 examination by another state or territory [which] that maintains
255 licensing standards which, except for examination, are commensurate
256 with this state's standards, and (2) has worked continuously as a
257 licensed veterinarian in an academic or clinical setting in another state
258 or territory for a period of not less than five years immediately
259 preceding the application for licensure without examination. No
260 license shall be issued under this section to any applicant against
261 whom professional disciplinary action is pending or who is the subject
262 of an unresolved complaint. The department shall inform the board
263 annually of the number of applications it receives for licensure under
264 this section.

265 (b) The Department of Public Health may issue a temporary permit
266 to an applicant for licensure without examination upon receipt of a
267 completed application form, accompanied by the fee for licensure
268 without examination, a copy of a current license from another state of
269 the United States, the District of Columbia or a commonwealth or
270 territory subject to the laws of the United States, and a notarized
271 affidavit attesting that the license is valid and belongs to the person
272 requesting notarization. Such temporary permit shall be valid for a
273 period not to exceed one hundred twenty calendar days and shall not
274 be renewable. The department shall not issue a temporary permit
275 under this section to any applicant against whom professional
276 disciplinary action is pending, or who is the subject of an unresolved
277 complaint.

278 Sec. 10. Subdivision (1) of subsection (a) of section 20-236 of the
279 general statutes is repealed and the following is substituted in lieu
280 thereof (*Effective October 1, 2005*):

281 (a) (1) Any person desiring to obtain a license as a barber shall apply
282 in writing on forms furnished by the Department of Public Health and
283 shall pay to the department a fee of fifty dollars. The department shall
284 not issue a license until the applicant has made written application to
285 the department, setting forth by affidavit that the applicant has (A)
286 successfully completed the eighth grade, [or has passed an equivalency

287 examination evidencing such education, prepared by the
288 Commissioner of Education,] (B) completed a course of not less than
289 fifteen hundred hours of study in a school approved in accordance
290 with the provisions of this chapter, or, if trained outside of
291 Connecticut, in a barber school or college whose requirements are
292 equivalent to those of a Connecticut barber school or college, and (C)
293 passed a written examination satisfactory to the department.
294 Examinations required for licensure under this chapter shall be
295 prescribed by the department with the advice and assistance of the
296 board. The department shall establish a passing score for examinations
297 required under this chapter with the advice and assistance of the
298 board.

299 Sec. 11. Subsection (a) of section 20-411 of the general statutes is
300 repealed and the following is substituted in lieu thereof (*Effective*
301 *October 1, 2005*):

302 (a) Except as provided in subsection (b) of this section no person
303 shall be licensed under this chapter until [he] such person has
304 successfully passed a written examination, the subject and scope of
305 which shall be determined by the commissioner. Application for such
306 examination shall be on forms prescribed and furnished by the
307 department and accompanied by satisfactory proof that [he] the
308 applicant: (1) Is of good professional character; (2) possesses a master's
309 or doctorate degree in speech pathology or audiology from a program
310 accredited, at the time of the applicant's graduation, by the educational
311 standards board of the American Speech-Language Hearing
312 Association or such successor organization as may be approved by the
313 department, or has completed an integrated educational program
314 which, at the time of the applicant's completion, satisfied the
315 educational requirements of said organization for the award of a
316 certificate of clinical competence; (3) has had a minimum of thirty-six
317 weeks and one thousand eighty hours of full-time or a minimum of
318 forty-eight weeks and one thousand four hundred forty hours of part-
319 time professional employment in speech pathology or audiology
320 under the supervision of a licensed or certified speech pathologist or

321 audiologist. Such employment shall follow the completion of the
322 educational requirements of subdivision (2) of this subsection. Persons
323 engaged in such employment under the direct supervision of a person
324 holding a valid hearing instrument specialist's license or as an
325 audiologist under this chapter who is authorized to fit and sell hearing
326 aids pursuant to section 20-398 shall not be required to obtain a
327 temporary permit pursuant to section 20-400. [Full-time employment]
328 "Full-time employment" means a minimum of thirty hours a week and
329 [part-time employment] "part-time employment" means a minimum of
330 fifteen hours a week. The postgraduate supervised employment
331 requirements of subdivision (3) of this subsection shall be waived for
332 persons who meet the January 1, 2007, Standards for the Certificate of
333 Clinical Competence in Audiology of the American Speech-Language
334 Hearing Association, or its successor organization.

335 Sec. 12. Section 20-250 of the general statutes is repealed and the
336 following is substituted in lieu thereof (*Effective October 1, 2005*):

337 As used in this chapter, unless the context otherwise requires:

338 (1) "Board" means the Connecticut Examining Board for Barbers,
339 Hairdressers and Cosmeticians established under section 20-235a;

340 (2) "Commissioner" means the Commissioner of Public Health;

341 (3) "Department" means the Department of Public Health;

342 (4) "Hairdressing and cosmetology" means the art of dressing,
343 arranging, curling, waving, weaving, cutting, singeing, bleaching and
344 coloring the hair and treating the scalp of any person, and massaging,
345 cleansing, stimulating, manipulating, exercising or beautifying with
346 the use of the hands, appliances, cosmetic preparations, antiseptics,
347 tonics, lotions, creams, powders, oils or clays and doing similar work
348 on the face, neck and arms, and manicuring the fingernails of any
349 person for compensation, provided nothing in this subdivision shall
350 prohibit an unlicensed person from performing facials, eyebrow
351 arching, shampooing, manicuring of the fingernails or, for cosmetic

352 purposes only, trimming, filing and painting the healthy toenails,
353 excluding cutting nail beds, corns and calluses or other medical
354 treatment involving the foot or ankle, or braiding hair;

355 (5) "Registered hairdresser and cosmetician" means any person who
356 (A) has successfully completed the ninth grade, [or has passed an
357 equivalency examination, evidencing such education, prepared by the
358 Commissioner of Education and conducted by the Department of
359 Public Health,] and (B) holds a license to practice as a registered
360 hairdresser and cosmetician; and

361 (6) "Student" means any person who is engaged in learning or
362 acquiring a knowledge of hairdressing and cosmetology at a school
363 approved in accordance with the provisions of this chapter who has
364 successfully completed ninth grade or its equivalent. The provisions of
365 this subdivision shall not apply to schools conducted by the State
366 Board of Education.

367 Sec. 13. Section 20-252 of the general statutes is repealed and the
368 following is substituted in lieu thereof (*Effective October 1, 2005*):

369 No person shall engage in the occupation of registered hairdresser
370 and cosmetician without having obtained a license from the
371 department. Persons desiring such licenses shall apply in writing on
372 forms furnished by the department. No license shall be issued, except a
373 renewal of a license, to a registered hairdresser and cosmetician unless
374 the applicant has shown to the satisfaction of the department that the
375 applicant has complied with the laws and the regulations administered
376 or adopted by the department. No applicant shall be licensed as a
377 registered hairdresser and cosmetician, except by renewal of a license,
378 until the applicant has made written application to the department,
379 setting forth by affidavit that the applicant has successfully completed
380 the eighth grade [or has passed an equivalency examination,
381 evidencing such education, prepared by the Commissioner of
382 Education] and that the applicant has completed a course of not less
383 than fifteen hundred hours of study in a school approved in

384 accordance with the provisions of this chapter, in a school teaching
 385 hairdressing and cosmetology under the supervision of the State Board
 386 of Education, or, if trained outside of Connecticut, in a school teaching
 387 hairdressing and cosmetology whose requirements are equivalent to
 388 those of a Connecticut school and until the applicant has passed a
 389 written examination satisfactory to the department. Examinations
 390 required for licensure under this chapter shall be prescribed by the
 391 department with the advice and assistance of the board. The
 392 department shall establish a passing score for examinations with the
 393 advice and assistance of the board which shall be the same as the
 394 passing score established in section 20-236, as amended by this act.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2005</i>	7-48a
Sec. 2	<i>October 1, 2005</i>	10-206(f)
Sec. 3	<i>October 1, 2005</i>	17b-90(b)
Sec. 4	<i>October 1, 2005</i>	19a-179(b)
Sec. 5	<i>October 1, 2005</i>	19a-490b
Sec. 6	<i>October 1, 2005</i>	19a-493(a)
Sec. 7	<i>October 1, 2005</i>	20-11a
Sec. 8	<i>October 1, 2005</i>	20-198
Sec. 9	<i>October 1, 2005</i>	20-200
Sec. 10	<i>October 1, 2005</i>	20-236(a)(1)
Sec. 11	<i>October 1, 2005</i>	20-411(a)
Sec. 12	<i>October 1, 2005</i>	20-250
Sec. 13	<i>October 1, 2005</i>	20-252

PH *Joint Favorable Subst.*

JUD *Joint Favorable*

HED *Joint Favorable*

PD *Joint Favorable*

ED *Joint Favorable*

HS *Joint Favorable*

