



General Assembly

February Session, 2006

Raised Bill No. 5244

LCO No. 1510

01510_____PH_

Referred to Committee on Public Health

Introduced by:
(PH)

AN ACT CONCERNING LICENSURE OF PUBLIC HEALTH FACILITIES.

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

1 Section 1. (NEW) (*Effective July 1, 2006*) (a) As used in this section,
2 "nursing home management services" means services provided in a
3 nursing home to manage the operations of such facility, including the
4 provision of care and services.

5 (b) On and after October 1, 2006, no person or entity shall provide
6 nursing home management services in this state without obtaining a
7 certificate from the Department of Public Health.

8 (c) Any person or entity seeking a certificate to provide nursing
9 home management services shall apply to the department, in writing,
10 on a form prescribed by the department. Such application shall include
11 the following information:

12 (1) The name and business address of the applicant and whether the
13 applicant is an individual, partnership, corporation or other legal
14 entity;

15 (2) A description of the applicant's nursing home management

16 experience;

17 (3) An affidavit signed by the applicant disclosing any matter in
18 which the applicant has been convicted of an offense classified as a
19 felony under section 53a-25 of the general statutes or pleaded nolo
20 contendere to a felony charge, or held liable or enjoined in a civil
21 action by final judgment, if the felony or civil action involved fraud,
22 embezzlement, fraudulent conversion or misappropriation of
23 property; or is subject to a currently effective injunction or restrictive
24 or remedial order of a court of record at the time of application, within
25 the past five years has had any state or federal license or permit
26 suspended or revoked as a result of an action brought by a
27 governmental agency or department, arising out of or relating to
28 business activity or health care, including, but not limited to, actions
29 affecting the operation of a nursing home, retirement home, residential
30 care home or any facility subject to sections 17b-520 to 17b-535,
31 inclusive, of the general statutes, or a similar statute in another state or
32 country;

33 (4) The location and description of any other health care facility in
34 which the applicant currently provides management services or has
35 provided such services within the past five years.

36 (b) In addition to the information provided pursuant to subsection
37 (a) of this section, the department may reasonably require an applicant
38 for a certificate to provide nursing home management services or
39 renewal of such certificate to submit additional information, including
40 the applicant's audited and certified financial statements.

41 (c) Each application for a certificate to provide nursing home
42 management services shall be accompanied by an application fee of
43 three hundred dollars.

44 (d) Renewal applications shall be made biennially after (1)
45 submission of the information required by subsection (a) of this section
46 and any other information required by the department pursuant to

47 subsection (b) of this section, and (2) submission of evidence
48 satisfactory to the department that any nursing home at which the
49 applicant provides nursing home management services is in
50 compliance with the provisions of chapter 368v of the general statutes,
51 the Public Health Code and licensing regulations, and (3) payment of a
52 three-hundred-dollar fee.

53 Sec. 2. Section 19a-127m of the general statutes is repealed and the
54 following is substituted in lieu thereof (*Effective October 1, 2006*):

55 All hospitals, licensed pursuant to provisions of the general statutes,
56 shall be required to implement performance improvement plans. Such
57 plans shall be [submitted on or before June 30, 2003, and annually
58 thereafter by each hospital] made available upon request to the
59 Department of Public Health. [as a condition of licensure.]

60 Sec. 3. Subsection (b) of section 19a-127n of the general statutes is
61 repealed and the following is substituted in lieu thereof (*Effective*
62 *October 1, 2006*):

63 (b) On and after October 1, 2002, a hospital or outpatient surgical
64 facility shall report adverse events to the Department of Public Health
65 on a form prescribed by the Commissioner of Public Health as follows:
66 (1) A written report and the status of any corrective steps shall be
67 submitted not later than seven days after the adverse event occurred;
68 and (2) a corrective action plan shall be filed not later than thirty days
69 after the adverse event occurred. Emergent reports, as defined in the
70 regulations adopted pursuant to subsection (c) of this section, shall be
71 made to the department immediately. Failure to implement a
72 corrective action plan may result in disciplinary action by the
73 [Commissioner of Public Health] commissioner, pursuant to section
74 19a-494.

75 Sec. 4. Subsection (c) of section 19a-127n of the general statutes is
76 repealed and the following is substituted in lieu thereof (*Effective*
77 *October 1, 2006*):

78 (c) The Commissioner of Public Health shall adopt regulations, in
79 accordance with chapter 54, to carry out the provisions of this section.
80 Such regulations shall include, but shall not be limited to, a list of
81 adverse events that are in addition to those contained in the National
82 Quality Forum's List of Serious Reportable Events, [and a prescribed
83 form for the reporting of adverse events pursuant to subsection (b) of
84 this section. The commissioner may require the use of said form prior
85 to the adoption of said regulations.]

86 Sec. 5. Section 19a-490h of the general statutes is repealed and the
87 following is substituted in lieu thereof (*Effective October 1, 2006*):

88 (a) Each hospital licensed by the Department of Public Health as a
89 short-term general hospital, outpatient surgical facility or outpatient
90 clinic shall include in the record of each trauma patient a notation
91 indicating the extent and outcome of screening for alcohol and
92 substance abuse. For purposes of this section, "trauma patient" means a
93 patient of sufficient age to be at risk of alcohol and substance abuse
94 with a traumatic injury, as defined in the most recent edition of the
95 International Classification of Disease, who is admitted to the hospital
96 on an inpatient basis, is transferred to or from an acute care setting,
97 dies or requires emergent trauma team activation.

98 (b) Each such hospital shall establish protocols for screening
99 patients for alcohol and substance abuse and shall annually submit to
100 the [Departments of Public Health and] Department of Mental Health
101 and Addiction Services a copy of such protocols and a report on their
102 implementation.

103 (c) The Department of Mental Health and Addiction Services, after
104 consultation with the Department of Public Health, shall assist each
105 hospital required to conduct alcohol and substance abuse screening
106 pursuant to subsections (a) and (b) of this section with the
107 development and implementation of alcohol and substance abuse
108 screening protocols.

109 Sec. 6. Section 19a-521 of the general statutes is repealed and the
 110 following is substituted in lieu thereof (*Effective October 1, 2006*):

111 As used in this section and sections 19a-522 to [19a-534] 19a-534a,
 112 inclusive, 19a-536 to 19a-539, inclusive, and 19a-550 to 19a-554,
 113 inclusive, unless the context otherwise requires: "Nursing home
 114 facility" means any nursing home or residential care home as defined
 115 in section 19a-490, as amended, or any rest home with nursing
 116 supervision which provides, in addition to personal care required in a
 117 residential care home, nursing supervision under a medical director
 118 twenty-four hours per day, or any chronic and convalescent nursing
 119 home which provides skilled nursing care under medical supervision
 120 and direction to carry out nonsurgical treatment and dietary
 121 procedures for chronic diseases, convalescent stages, acute diseases or
 122 injuries; "department" means the Department of Public Health and
 123 "commissioner" means the Commissioner of Public Health or the
 124 commissioner's designated representative.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2006</i>	New section
Sec. 2	<i>October 1, 2006</i>	19a-127m
Sec. 3	<i>October 1, 2006</i>	19a-127n(b)
Sec. 4	<i>October 1, 2006</i>	19a-127n(c)
Sec. 5	<i>October 1, 2006</i>	19a-490h
Sec. 6	<i>October 1, 2006</i>	19a-521

Statement of Purpose:

To establish a certification process for persons or entities that provide nursing home management services and to make technical revisions to sections 19a-127m, 19a-127n and 19a-490h.

[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.]