



General Assembly

February Session, 2006

Raised Bill No. 5497

LCO No. 2056

02056 _____ AGE

Referred to Committee on Select Committee on Aging

Introduced by:
(AGE)

**AN ACT CONCERNING ACCESS TO THE LONG-TERM CARE
OMBUDSMAN'S PROGRAM IN LONG-TERM CARE SETTINGS.**

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

1 Section 1. (NEW) (*Effective October 1, 2006*) (a) As used in this
2 section:

3 (1) "Assisted living services agency" means an institution that
4 provides, among other things, nursing services and assistance with
5 activities of daily living to a population that is chronic and stable.

6 (2) "Managed residential community" means a facility consisting of
7 private residential units that provides a managed group living
8 arrangement, including housing and services for persons fifty-five
9 years of age or older.

10 (b) Any assisted living services agency or managed residential
11 community shall post or caused to be posted in a conspicuous place
12 therein a notice that provides, at a minimum: (1) A summary of the
13 mission and statutory duties of the Office of the Long-Term Care
14 Ombudsman, and (2) the name, address and telephone number of the

15 ombudsman who serves the region in which the assisted living
16 services agency or managed residential community is located.

17 (c) Any person who violates subsection (b) of this section may be
18 assessed a civil penalty in an amount not to exceed five thousand
19 dollars. The Attorney General, upon complaint of the Commissioner of
20 Public Health, shall institute a civil action to recover such civil penalty.
21 Any amount recovered shall be deposited in the General Fund and
22 credited to a separate nonlapsing account to be used by the
23 Department of Public Health, to enforce the provisions of this section
24 and to promote greater public awareness of the Office of the Long-
25 Term Care Ombudsman, and the role of residents' advocates and
26 private citizen advocacy groups.

27 (d) The Commissioner of Public Health, in consultation with the
28 State Ombudsman, shall adopt regulations, in accordance with the
29 provisions of chapter 54 of the general statutes, to implement the
30 provisions of this section.

31 Sec. 2. Subsection (d) of section 19a-533 of the general statutes is
32 repealed and the following is substituted in lieu thereof (*Effective*
33 *October 1, 2006*):

34 (d) The Department of Social Services is authorized to: (1) Impose a
35 civil penalty in an amount not to exceed five thousand dollars, or (2)
36 decrease the daily reimbursement rate to a nursing home for one year
37 for a violation of this section which occurred during the twelve-month
38 period covered by the cost report upon which the per diem rate is
39 calculated. The per diem rate shall be reduced by one-quarter of one
40 per cent for an initial violation of this section and one per cent for each
41 additional violation.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2006</i>	New section

Sec. 2	October 1, 2006	19a-533(d)
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Statement of Purpose:

To: (1) Require assisted living services agencies and managed residential communities to post notice in a conspicuous place concerning the role and duties of the Office of the Long-Term Care Ombudsman, including contact information for the regional ombudsman, and (2) impose civil penalties on facilities that fail to comply with such posting requirements.

[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.]