



General Assembly

January Session, 2009

Raised Bill No. 450

LCO No. 2388

02388 _____ AGE

Referred to Committee on Select Committee on Aging

Introduced by:
(AGE)

AN ACT CONCERNING NURSING HOME OVERSIGHT.

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

1 Section 1. Section 17b-339 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective July 1, 2009*):

3 (a) There is established a Nursing Home Financial Advisory
4 Committee to examine the financial solvency of nursing homes on an
5 ongoing basis and to support the Departments of Social Services and
6 Public Health in their mission to provide oversight to the nursing
7 home industry [which] that promotes the financial solvency of and
8 quality of care provided by nursing homes. The committee shall
9 consist of [seven] nine members: The Commissioner of Social Services,
10 or [his] the commissioner's designee; the Commissioner of Public
11 Health, or [his] the commissioner's designee; the Secretary of the Office
12 of Policy and Management, or [his] the secretary's designee; the State
13 Comptroller, or the Comptroller's designee; the director of the Office of
14 Fiscal Analysis, or [his] the director's designee; the State Ombudsman;
15 the executive director of the Connecticut Health and Education
16 Facilities Authority, or [his] the executive director's designee; and one

17 representative of nonprofit nursing homes and one representative of
18 for-profit nursing homes appointed by the Governor.

19 (b) The [Commissioner of Social Services and the Commissioner of
20 Public Health shall be the chairpersons] Comptroller, or the
21 Comptroller's designee, shall be the chairperson of the committee. Any
22 vacancy shall be filled by the appointing authority.

23 (c) The committee may examine and audit the financial and other
24 records related to the operation of any: (1) Nursing home facility, as
25 defined in section 19a-521; (2) parent company, subsidiary, affiliate or
26 joint venture, or any combination thereof, of any such nursing home
27 facility; and (3) nursing facility management services, as defined in
28 section 19a-561. In order to carry out the committee's prescribed
29 mission, as set forth in subsection (a) of this section, the committee
30 may issue subpoenas, order the production of books, records and other
31 documents, administer oaths and take testimony under oath. The
32 committee may request the Attorney General to petition the Superior
33 Court for such order as may be appropriate to enforce the provisions
34 of this section. The committee, upon receipt of a report relative to the
35 financial solvency of and quality of care provided by nursing homes in
36 the state, shall recommend appropriate action for improving the
37 financial condition of any nursing home that is in financial distress to
38 the Commissioner of Social Services. The committee may recommend
39 that the Commissioner of Social Services seek the appointment of a
40 receiver for a nursing home facility pursuant to section 19a-543.

41 (d) Not later than January 1, [1999] 2010, and annually thereafter,
42 the committee shall submit a report on its activities to the joint
43 standing committees of the General Assembly having cognizance of
44 matters relating to human services and public health and to the select
45 committee of the General Assembly having cognizance of matters
46 relating to aging, in accordance with the provisions of section 11-4a.

This act shall take effect as follows and shall amend the following sections:

Section 1	July 1, 2009	17b-339
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Statement of Purpose:

To provide greater oversight of nursing home facilities.

[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.]