



General Assembly

January Session, 2011

**Raised Bill No. 6266**

LCO No. 2694

\*        HB06266GL        030311        \*

Referred to Committee on General Law

Introduced by:  
(GL)

**AN ACT CONCERNING AUTOMATIC EXTERNAL DEFIBRILLATORS  
IN HEALTH CLUBS.**

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

1 Section 1. Section 21a-223 of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective July 1, 2012*):

3 (a) Each individual place of business of each health club shall obtain  
4 a license from the Department of Consumer Protection prior to the sale  
5 of any health club contract. Application for such license shall be made  
6 on forms provided by the Commissioner of Consumer Protection and  
7 said commissioner shall require as a condition to the issuance and  
8 renewal of any license obtained under this chapter (1) that the  
9 applicant provide for and maintain on the premises of the health club  
10 sanitary facilities; (2) that the applicant (A) (i) provide and maintain in  
11 a readily accessible location on the premises of the health club at least  
12 one automatic external defibrillator, as defined in section 19a-175, and  
13 (ii) make such location known to employees of such health club, (B)  
14 ensure that at least one employee is on the premises of such health  
15 club during staffed business hours who is trained in cardiopulmonary  
16 resuscitation and the use of an automatic external defibrillator in

17 accordance with the standards set forth by the American Red Cross or  
18 American Heart Association, (C) maintain and test the automatic  
19 external defibrillator in accordance with the manufacturer's guidelines,  
20 and (D) promptly notify a local emergency medical services provider  
21 after each use of such automatic external defibrillator; (3) that the  
22 application be accompanied by (A) a license or renewal fee of two  
23 hundred fifty dollars, (B) a list of the equipment and each service  
24 [which] that the applicant intends to have available for use by buyers  
25 during the year of operations following licensure or renewal, and (C)  
26 two copies of each health club contract [which] that the applicant is  
27 currently using or intends to use; and [(3)] (4) compliance with the  
28 requirements of section 21a-226. Such licenses shall be renewed  
29 annually. The commissioner may impose a civil penalty of not more  
30 than three hundred dollars against any health club that continues to  
31 sell or offer for sale health club contracts for any location but fails to  
32 submit a license renewal and license renewal fee for such location not  
33 later than thirty days after such license's expiration date.

34 (b) No health club shall (1) engage in any act or practice [which] that  
35 is in violation of or contrary to the provisions of this chapter or any  
36 regulation adopted to carry out the provisions of this chapter,  
37 including the use of contracts [which] that do not conform to the  
38 requirements of this chapter, or (2) engage in conduct of a character  
39 likely to mislead, deceive or defraud the buyer, the public or the  
40 commissioner. The Commissioner of Consumer Protection may refuse  
41 to grant or renew a license to, or may suspend or revoke the license of,  
42 any health club which engages in any conduct prohibited by this  
43 chapter.

44 (c) If the commissioner refuses to grant or renew a license of any  
45 health club, the commissioner shall notify the applicant or licensee of  
46 the refusal, and of [his] the applicant's or licensee's right to request a  
47 hearing [within] not later than ten days [from] after the date of receipt  
48 of the notice of refusal. If the applicant or licensee requests a hearing  
49 within [ten days] such ten-day period, the commissioner shall give  
50 notice of the grounds for [his] the commissioner's refusal to grant or

51 renew such license and shall conduct a hearing concerning such  
52 refusal in accordance with the provisions of chapter 54 concerning  
53 contested matters.

54 (d) The Attorney General, at the request of the Commissioner of  
55 Consumer Protection, [is authorized to] may apply in the name of the  
56 state of Connecticut to the Superior Court for an order temporarily or  
57 permanently restraining and enjoining any health club from operating  
58 in violation of any provision of this chapter.

This act shall take effect as follows and shall amend the following sections:		
Section 1	July 1, 2012	21a-223

**GL**      *Joint Favorable*