



General Assembly

January Session, 2011

Raised Bill No. 6593

LCO No. 4243

04243_____PH_

Referred to Committee on Public Health

Introduced by:
(PH)

AN ACT CONCERNING RESIDENTIAL CARE HOMES.

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

1 Section 1. Subsection (c) of section 19a-490 of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective*
3 *October 1, 2011*):

4 (c) "Residential care home" [, "nursing home"] or "rest home" means
5 an establishment which furnishes, in single or multiple facilities, food
6 and shelter to two or more persons unrelated to the proprietor and, in
7 addition, provides services which meet a need beyond the basic
8 provisions of food, shelter and laundry;

9 Sec. 2. Section 19a-521 of the general statutes is repealed and the
10 following is substituted in lieu thereof (*Effective October 1, 2011*):

11 As used in this section and sections 19a-522 to 19a-534a, inclusive,
12 19a-536 to 19a-539, inclusive, 19a-550 to 19a-554, inclusive, and 19a-
13 562a, as amended by this act, unless the context otherwise requires:
14 "Nursing home facility" means any nursing home or [residential care
15 home as defined in section 19a-490 or] any rest home with nursing

16 supervision which provides, in addition to personal care required in a
17 residential care home, nursing supervision under a medical director
18 twenty-four hours per day, or any chronic and convalescent nursing
19 home which provides skilled nursing care under medical supervision
20 and direction to carry out nonsurgical treatment and dietary
21 procedures for chronic diseases, convalescent stages, acute diseases or
22 injuries; "department" means the Department of Public Health; and
23 "commissioner" means the Commissioner of Public Health or the
24 commissioner's designated representative.

25 Sec. 3. Subsection (a) of section 19a-131k of the general statutes is
26 repealed and the following is substituted in lieu thereof (*Effective*
27 *October 1, 2011*):

28 (a) For purposes of this section:

29 (1) "Child day care service" means a child day care center, group
30 day care home or family day care home, as defined in section 19a-77,
31 and licensed pursuant to section 19a-80 or 19a-87b;

32 (2) "Public health emergency" means a public health emergency, as
33 defined in section 19a-131;

34 (3) "Commissioner" means the Commissioner of Public Health;

35 (4) "Nursing home facility" means any nursing home, as defined in
36 section 19a-521, as amended by this act; [but shall not include
37 residential care homes;] and

38 (5) "Youth camp" means any facility licensed pursuant to chapter
39 368r.

40 Sec. 4. Subsection (a) of section 19a-562a of the general statutes is
41 repealed and the following is substituted in lieu thereof (*Effective*
42 *October 1, 2011*):

43 (a) Each nursing home facility [that is not a residential care home] or

44 [an] Alzheimer's special care unit or program shall annually provide a
45 minimum of two hours of training in pain recognition and
46 administration of pain management techniques to all licensed and
47 registered direct care staff and nurse's aides who provide direct patient
48 care to residents.

49 Sec. 5. Subdivision (4) of subsection (b) of section 19a-638 of the
50 general statutes is repealed and the following is substituted in lieu
51 thereof (*Effective October 1, 2011*):

52 (4) Residential care homes [, nursing homes] and rest homes, as
53 defined in subsection (c) of section 19a-490, as amended by this act;

54 Sec. 6. Section 19a-495a of the general statutes is repealed and the
55 following is substituted in lieu thereof (*Effective October 1, 2011*):

56 (a) (1) The Commissioner of Public Health shall adopt regulations,
57 [as provided in] pursuant to subsection (d) of this section, to require
58 each residential care home, as defined in section 19a-490, as amended
59 by this act, that admits residents requiring assistance with medication
60 administration, to (A) designate unlicensed personnel to obtain
61 certification for the administration of medication, [and] (B) [to] ensure
62 that such unlicensed personnel receive such certification, and (C)
63 ensure that a registered nurse, licensed in accordance with the
64 provisions of chapter 378, is on-site at the residential care home for not
65 less than five hours per month to supervise the administration of
66 medication by unlicensed personnel.

67 (2) The regulations shall establish criteria to be used by such homes
68 in determining (A) the appropriate number of unlicensed personnel
69 who shall obtain such certification, and (B) training requirements,
70 including on-going training requirements for such certification.
71 Training requirements shall include, but shall not be limited to: Initial
72 orientation, resident rights, identification of the types of medication
73 that may be administered by unlicensed personnel, behavioral
74 management, personal care, nutrition and food safety, and health and

75 safety in general.

76 (b) Each residential care home, as defined in section 19a-490, as
77 amended by this act, shall ensure that [, on or before January 1, 2010,]
78 an appropriate number of unlicensed personnel, as determined by the
79 residential care home, obtain certification for the administration of
80 medication. Certification of such personnel shall be in accordance with
81 regulations adopted pursuant to this section. Unlicensed personnel
82 obtaining such certification may administer medications that are not
83 administered by injection to residents of such homes, unless a
84 resident's physician specifies that a medication only be administered
85 by licensed personnel.

86 (c) [On and after October 1, 2007, unlicensed] Unlicensed assistive
87 personnel employed in residential care homes, as defined in section
88 19a-490, as amended by this act, may (1) obtain and document
89 residents' blood pressures and temperatures with digital medical
90 instruments that (A) contain internal decision-making electronics,
91 microcomputers or special software that allow the instruments to
92 interpret physiologic signals, and (B) do not require the user to employ
93 any discretion or judgment in their use; (2) obtain and document
94 residents' weight; and (3) assist residents in the use of glucose
95 monitors to obtain and document their blood glucose levels.

96 (d) The Commissioner of Public Health may implement policies and
97 procedures necessary to administer the provisions of this section while
98 in the process of adopting such policies and procedures as regulation,
99 provided the commissioner prints notice of intent to adopt regulations
100 in the Connecticut Law Journal not later than twenty days after the
101 date of implementation. Policies and procedures implemented
102 pursuant to this section shall be valid until the time final regulations
103 are adopted.

104 Sec. 7. (NEW) (*Effective July 1, 2011*) (a) On or before January 1, 2012,
105 the Commissioner of Public Health, in consultation with the
106 Commissioner of Social Services, shall establish and operate a medical

107 model pilot program that shall permit the operator of a residential care
108 home to utilize the services of a licensed registered nurse to provide
109 health care services to the residents of such homes. Pilot program
110 services may be offered in not more than ten residential care homes in
111 the state. In selecting residential care homes to participate in the pilot
112 program, the Commissioner of Public Health shall give due
113 consideration to implementation of the pilot program in various
114 geographic regions of the state.

115 (b) Under the pilot program, the operator of a residential care home
116 may utilize the services of a licensed registered nurse to provide not
117 more than twenty hours of health care services on a weekly basis to
118 residents of such home. Services provided under the pilot program
119 shall be for residents who are most at risk for nursing home placement.
120 Services provided under the pilot program may include, but shall not
121 be limited to, mobility assistance, incontinence care and specialized
122 services that assist persons with psychiatric illnesses, dementia or early
123 onset of Alzheimer's Disease. All services provided by a licensed
124 registered nurse shall be within such nurse's scope of practice as set
125 forth in section 20-87a of the general statutes.

126 (c) The Commissioner of Public Health shall ensure that the annual
127 per recipient cost to the state to provide pilot program services does
128 not exceed the annual per recipient cost to the state to provide nursing
129 home care to such residents. Not later than January 1, 2014, the
130 Commissioner of Public Health shall report, in accordance with section
131 11-4a of the general statutes, to the joint standing committees of the
132 General Assembly having cognizance of matters relating to public
133 health, human services and appropriations and the budgets of state
134 agencies on the pilot program.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2011</i>	19a-490(c)
Sec. 2	<i>October 1, 2011</i>	19a-521

Sec. 3	<i>October 1, 2011</i>	19a-131k(a)
Sec. 4	<i>October 1, 2011</i>	19a-562a(a)
Sec. 5	<i>October 1, 2011</i>	19a-638(b)(4)
Sec. 6	<i>October 1, 2011</i>	19a-495a
Sec. 7	<i>July 1, 2011</i>	New section

Statement of Purpose:

To: (1) Amend various statutes that include a residential care home within the definition of nursing home, (2) require that, for not less than five hours per month, a registered nurse shall supervise the administration of medication by unlicensed personnel in residential care homes, and (3) establish a medical model, residential care home pilot program that will allow persons in residential care homes to receive in-home health care services in order to avoid placement in nursing homes.

[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.]