



Senate

General Assembly

File No. 334

February Session, 2012

Senate Bill No. 314

Senate, April 10, 2012

The Committee on Public Health reported through SEN. GERRATANA of the 6th Dist., Chairperson of the Committee on the part of the Senate, that the bill ought to pass.

AN ACT CONCERNING ISSUES AFFECTING THE VETERANS' COMMUNITY.

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

1 Section 1. Section 27-140aa of the general statutes is repealed and
2 the following is substituted in lieu thereof (*Effective from passage*):

3 As used in this part:

4 (1) "Agent orange" means the herbicide composed of 2,4,5-
5 trichlorphenoxyacetic acid and 2,4-dichlorphenoxyacetic acid;

6 [(2) "Commission" means the Vietnam Herbicides Information
7 Commission established under this part;]

8 [(3)] (2) "Commissioner" means the Commissioner of Public Health;

9 [(4)] (3) "Department" means the Department of Public Health;

10 [(5)] (4) "Veteran" means a person who (A) was a resident of the

11 state at the time of his induction into the armed forces of the United
12 States or is currently a resident of the state and (B) served during the
13 Vietnam era, as defined in section 27-103; and

14 [(6)] (5) "Vietnam herbicide" means any herbicide, defoliant, or other
15 causative agent, including, but not limited to, agent orange, used in the
16 Vietnam conflict.

17 Sec. 2. Section 27-140ee of the general statutes is repealed and the
18 following is substituted in lieu thereof (*Effective from passage*):

19 (a) A physician who has primary responsibility for treating a
20 veteran who believes he may have been exposed to Vietnam herbicides
21 while serving in the armed forces of the United States, shall, at the
22 request of the veteran, submit a report to the Department of Veterans'
23 Affairs. If there is no physician having primary responsibility for
24 treating the veteran, the hospital treating the veteran shall, at the
25 request of the veteran, submit the report to the [commission]
26 Department of Veterans' Affairs. Any report of a physician or hospital
27 shall include: (1) Any symptoms of exposure to a Vietnam herbicide;
28 (2) diagnosis of the veteran; and (3) methods of treatment prescribed.

29 (b) The identity of a veteran about whom a report has been made
30 under this section may not be disclosed unless the veteran consents to
31 the disclosure. Any statistical information collected under this part
32 shall be public information.

33 (c) Any physician or hospital subject to this section who complies
34 with the provisions of this section may not be held civilly or criminally
35 liable for providing the information required by this section.

36 Sec. 3. Sections 27-140bb and 27-140cc of the general statutes are
37 repealed. (*Effective from passage*)

This act shall take effect as follows and shall amend the following sections:		
Section 1	from passage	27-140aa

Sec. 2	<i>from passage</i>	27-140ee
Sec. 3	<i>from passage</i>	Repealer section

VA *Joint Favorable C/R* PH

PH *Joint Favorable*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note***State Impact:*** None***Municipal Impact:*** None***Explanation***

There is no fiscal impact associated with eliminating references to the Vietnam Herbicides Information Commission.

The Out Years***State Impact:*** None***Municipal Impact:*** None

OLR Bill Analysis**SB 314*****AN ACT CONCERNING ISSUES AFFECTING THE VETERANS' COMMUNITY.*****SUMMARY:**

This bill eliminates references to the Vietnam Herbicides Information Commission, which completed its work and was terminated by law on June 30, 1990. It also makes a minor and conforming change.

EFFECTIVE DATE: Upon passage

BACKGROUND

By law, the Department of Public Health (DPH), in conjunction and consultation with the Department of Veterans' Affairs and within available appropriations, may (1) establish, promote, and maintain (a) a public information program on Vietnam herbicides, which must include an extensive effort to identify and contact veterans who may have been exposed to such herbicides and (b) a reporting process for veterans who were exposed to Vietnam herbicides; (2) initiate education for health professionals to assist them in understanding the potential risks and state-of-art knowledge regarding Vietnam herbicide exposure; and (3) refer veterans to appropriate state and federal agencies to file claims to remedy medical and financial problems caused by Vietnam herbicide exposure. The DPH commissioner may enter into agreements with state nonprofit veterans' organizations to provide these services (CGS § 27-140dd).

COMMITTEE ACTION

Select Committee on Veterans' Affairs

Joint Favorable Change of Reference

Yea 10 Nay 0 (03/13/2012)

Public Health Committee

Joint Favorable

Yea 24 Nay 0 (03/23/2012)