



General Assembly

February Session, 2012

Raised Bill No. 5514

LCO No. 2321

02321_____PH_

Referred to Committee on Public Health

Introduced by:
(PH)

AN ACT CONCERNING VARIOUS REVISIONS TO THE PUBLIC HEALTH STATUTES.

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

1 Section 1. Subdivision (10) of section 7-36 of the 2012 supplement to
2 the general statutes is repealed and the following is substituted in lieu
3 thereof (*Effective October 1, 2012*):

4 (10) "Amendment" means to (A) change or enter new information
5 on a certificate of birth, marriage, death or fetal death, more than one
6 year after the date of the vital event recorded in such certificate, in
7 order to accurately reflect the facts existing at the time of the recording
8 of the event, (B) create a replacement certificate of birth for matters
9 pertaining to parentage and gender change, or (C) [change a certificate
10 of birth, marriage, death or fetal death to reflect facts that have
11 changed since the time the certificate was prepared, including, but not
12 limited to, a legal name change or a modification to a cause of death]
13 create a replacement certificate of death to modify the cause or manner
14 of death;

15 Sec. 2. Subsection (a) of section 7-60 of the general statutes is

16 repealed and the following is substituted in lieu thereof (*Effective*
17 *October 1, 2012*):

18 (a) Each case of fetal death shall be registered and a fetal death
19 certificate shall be filed with the registrar of vital statistics in the
20 manner required by sections 7-48, [7-50,] 7-51 and 7-52 with respect to
21 the filing, content and issuance of birth certificates. A fetus born after a
22 period of gestation of not less than twenty weeks in which there is no
23 attempt at respiration, no action of heart and no movement of
24 voluntary muscle, shall be recorded as a fetal death. A fetal death
25 certificate shall be signed by a physician or, when no physician was in
26 attendance, by the nurse-midwife in attendance at the birth, the Chief
27 Medical Examiner, Deputy Chief Medical Examiner, an associate
28 medical examiner or an authorized assistant medical examiner.

29 Sec. 3. Section 46b-25 of the general statutes is repealed and the
30 following is substituted in lieu thereof (*Effective October 1, 2012*):

31 No license may be issued by the registrar until both persons have
32 appeared before the registrar and made application for a license. The
33 registrar shall issue a license to any two persons eligible to marry
34 under this chapter. The license shall be completed in its entirety, dated,
35 signed and sworn to by each applicant and shall state each applicant's
36 name, age, race, birthplace, residence, whether single, widowed or
37 divorced and whether under the supervision or control of a
38 conservator or guardian. The Social Security numbers of both persons
39 shall be recorded in the "administrative purposes" section of the
40 license. If the license is signed and sworn to by the applicants on
41 different dates, the [earlier] later date shall be deemed the date of
42 application.

43 Sec. 4. Section 46b-30 of the general statutes is repealed and the
44 following is substituted in lieu thereof (*Effective October 1, 2012*):

45 (a) No license may be issued to any applicant under sixteen years of
46 age, unless the judge of probate for the district in which the minor

47 resides endorses his written consent on the license.

48 (b) No license may be issued to any applicant under eighteen years
49 of age, unless the written consent of a custodial parent or guardian of
50 the person of such minor, signed and acknowledged before a person
51 authorized to take acknowledgments of conveyances under the
52 provisions of section 47-5a, or authorized to take acknowledgments in
53 any other state or country, is filed with the registrar. If [no parent or
54 guardian of the person of such minor is a resident of the United States]
55 the minor does not have a custodial parent or guardian, the written
56 consent of the judge of probate for the district in which the minor
57 resides, endorsed on the license, shall be sufficient.

58 Sec. 5. Subsection (b) of section 19a-72 of the general statutes is
59 repealed and the following is substituted in lieu thereof (*Effective*
60 *October 1, 2012*):

61 (b) The Department of Public Health shall maintain and operate the
62 Connecticut Tumor Registry. Said registry shall include a report of
63 every occurrence of a reportable tumor that is diagnosed or treated in
64 the state. Such reports shall be made to the department by any
65 hospital, clinical laboratory and health care provider in the state. Such
66 reports shall include, but not be limited to, pathology reports and
67 information obtained from records of any person licensed as a health
68 care provider and may include a collection of actual tissue samples
69 and such information as the department may prescribe. Follow-up
70 data, demographic, diagnostic, treatment and other medical
71 information shall also be included in the report in a form and manner
72 as the department may prescribe. The Commissioner of Public Health
73 shall promulgate a list of required data items, which may be amended
74 from time to time. Such reports shall include every occurrence of a
75 reportable tumor that is diagnosed or treated during a calendar year.
76 [On or before July 1, 2010, and annually thereafter, such] Such reports
77 shall be submitted to the department annually on or before July first in
78 such manner as the department may prescribe.

79 Sec. 6. Section 19a-255 of the general statutes is amended by adding
80 subsection (d) as follows (*Effective October 1, 2012*):

81 (NEW) (d) The Commissioner of Public Health may enter into a
82 reciprocal agreement with another state for the interstate
83 transportation of a person afflicted with tuberculosis and for the
84 medical treatment of such person.

85 Sec. 7. Section 19a-4l of the general statutes is repealed and the
86 following is substituted in lieu thereof (*Effective October 1, 2012*):

87 There is established, within the Department of Public Health, an
88 Office of Oral Public Health. The director of the Office of Oral Public
89 Health shall be a dental health professional with [a graduate degree]
90 experience in public health and [hold a license] licensed to practice
91 under chapter 379 or 379a and shall:

92 (1) Coordinate and direct state activities with respect to state and
93 national dental public health programs;

94 (2) Serve as the department's chief advisor on matters involving oral
95 health; and

96 (3) Plan, implement and evaluate all oral health programs within
97 the department.

98 Sec. 8. Subdivision (4) of subsection (a) of section 52-146k of the
99 general statutes is repealed and the following is substituted in lieu
100 thereof (*Effective October 1, 2012*):

101 (4) "Rape crisis center" means any office, institution or center
102 offering assistance to victims of sexual assault and their families
103 through crisis intervention, medical and legal advocacy and follow-up
104 counseling. [and which meets the Department of Public Health criteria
105 of service provision for such centers.]

106 Sec. 9. Subsection (f) of section 19a-37 of the 2012 supplement to the

107 general statutes is repealed and the following is substituted in lieu
108 thereof (*Effective October 1, 2012*):

109 (f) The local director of health may require a private residential well
110 to be tested for [radionuclides] arsenic, radium, uranium, radon or
111 gross alpha emitters, when there are reasonable grounds to suspect
112 that such contaminants are present in the groundwater. For purposes
113 of this subsection, "reasonable grounds" means (1) the existence of a
114 geological area known to have naturally occurring [radionuclide]
115 arsenic, radium, uranium, radon or gross alpha emitter deposits in the
116 bedrock; or (2) the well is located in an area in which it is known that
117 [radionuclides] arsenic, radium, uranium, radon or gross alpha
118 emitters are present in the groundwater.

119 Sec. 10. Section 20-341a of the general statutes is repealed and the
120 following is substituted in lieu thereof (*Effective October 1, 2012*):

121 As used in this chapter:

122 (1) "Subsurface sewage disposal system installer" means any person
123 [regularly] offering to the general public services of construction,
124 installation, repairing, cleaning or servicing subsurface sewage
125 disposal systems and licensed pursuant to section 20-341e;

126 (2) "Subsurface sewage disposal system cleaner" means any person
127 [regularly] offering to the general public services of cleaning or
128 servicing subsurface sewage disposal systems and licensed pursuant to
129 section 20-341e;

130 (3) "Subsurface sewage disposal system" means a septic tank
131 followed by leaching pits, trenches, beds or galleries.

132 Sec. 11. Section 20-341l of the general statutes is repealed and the
133 following is substituted in lieu thereof (*Effective October 1, 2012*):

134 Any person who engages in or practices the work or occupation of
135 subsurface sewage disposal system installer or subsurface sewage

136 disposal system cleaner without having first obtained a license for
137 such work, or who wilfully employs a person who does not have a
138 license for such work, or who wilfully and falsely pretends to qualify
139 to engage in or practice such work or occupation, or who violates any
140 other provision of this chapter, unless the penalty is otherwise
141 specifically prescribed, shall be fined not more than [one hundred] ten
142 thousand dollars for each such violation.

143 Sec. 12. Subdivision (7) of subsection (a) of section 19a-36 of the
144 general statutes is repealed and the following is substituted in lieu
145 thereof (*Effective October 1, 2012*):

146 (7) Any person who violates any provision of the Public Health
147 Code shall be fined not more than [one hundred dollars or imprisoned
148 not more than three months, or both] ten thousand dollars.

149 Sec. 13. Subsection (e) of section 20-12 of the general statutes is
150 repealed and the following is substituted in lieu thereof (*Effective*
151 *October 1, 2012*):

152 (e) Any physician [licensed] or surgeon who holds a license in good
153 standing in another state who is board-certified in pediatrics or family
154 medicine, or whose state standards for licensure are equivalent to or
155 greater than those required in this state, may practice as a youth camp
156 physician in this state without a license for a period not to exceed nine
157 weeks.

158 Sec. 14. Section 7-36 of the 2012 supplement to the general statutes is
159 repealed and the following is substituted in lieu thereof (*Effective*
160 *October 1, 2012*):

161 As used in this chapter and sections 19a-40 to 19a-45, inclusive,
162 unless the context otherwise requires:

163 (1) "Registrar of vital statistics" or "registrar" means the registrar of
164 births, marriages, deaths and fetal deaths or any public official charged
165 with the care of returns relating to vital statistics;

166 (2) "Registration" means the process by which vital records are
167 completed, filed and incorporated into the official records of the
168 department;

169 (3) "Institution" means any public or private facility that provides
170 inpatient medical, surgical or diagnostic care or treatment, or nursing,
171 custodial or domiciliary care, or to which persons are committed by
172 law;

173 (4) "Vital records" means a certificate of birth, death, fetal death or
174 marriage;

175 (5) "Certified copy" means a copy of a birth, death, fetal death or
176 marriage certificate that (A) includes all information on the certificate
177 except such information that is nondisclosable by law, (B) is issued or
178 transmitted by any registrar of vital statistics, (C) includes an attested
179 signature and the raised seal of an authorized person, and (D) if
180 submitted to the department, includes all information required by the
181 commissioner;

182 (6) "Uncertified copy" means a copy of a birth, death, fetal death or
183 marriage certificate that includes all information contained in a
184 certified copy except an original attested signature and a raised seal of
185 an authorized person;

186 (7) "Authenticate" or "authenticated" means to affix to a vital record
187 in paper format the official seal, or to affix to a vital record in electronic
188 format the user identification, password, or other means of electronic
189 identification, as approved by the department, of the creator of the
190 vital record, or the creator's designee, by which affixing the creator of
191 such paper or electronic vital record, or the creator's designee, affirms
192 the integrity of such vital record;

193 (8) "Attest" means to verify a vital record in accordance with the
194 provisions of subdivision (5) of this section;

195 (9) "Correction" means to change or enter new information on a

196 certificate of birth, marriage, death or fetal death, within one year of
197 the date of the vital event recorded in such certificate, in order to
198 accurately reflect the facts existing at the time of the recording of such
199 vital event, where such changes or entries are to correct errors on such
200 certificate due to inaccurate or incomplete information provided by the
201 informant at the time the certificate was prepared, or to correct
202 transcribing, typographical or clerical errors;

203 (10) "Amendment" means to (A) change or enter new information
204 on a certificate of birth, marriage, death or fetal death, more than one
205 year after the date of the vital event recorded in such certificate, in
206 order to accurately reflect the facts existing at the time of the recording
207 of the event, (B) create a replacement certificate of birth for matters
208 pertaining to parentage and gender change, or (C) change a certificate
209 of birth, marriage, death or fetal death to reflect facts that have
210 changed since the time the certificate was prepared, including, but not
211 limited to, a legal name change or a modification to a cause of death;

212 (11) "Acknowledgment of paternity" means to legally acknowledge
213 paternity of a child pursuant to section 46b-172;

214 (12) "Adjudication of paternity" means to legally establish paternity
215 through an order of a court of competent jurisdiction;

216 (13) "Parentage" includes matters relating to adoption, gestational
217 agreements, paternity and maternity;

218 (14) "Department" means the Department of Public Health;

219 (15) "Commissioner" means the Commissioner of Public Health or
220 the commissioner's designee;

221 (16) "Gestational agreement" means a written agreement for assisted
222 reproduction in which a woman agrees to carry a child to birth for an
223 intended parent or intended parents, which woman contributed no
224 genetic material to the child and which agreement (A) names each
225 party to the agreement and indicates each party's respective

226 obligations under the agreement, (B) is signed by each party to the
227 agreement and the spouse of each such party, if any, and (C) is
228 witnessed by at least two disinterested adults and acknowledged in
229 the manner prescribed by law;

230 (17) "Intended parent" means a party to a gestational agreement
231 who agrees, under the gestational agreement, to be the parent of a
232 child born to a woman by means of assisted reproduction, regardless
233 of whether the party has a genetic relationship to the child; [and]

234 (18) "Foundling" means (A) a child of unknown parentage, or (B) an
235 infant voluntarily surrendered pursuant to the provisions of section
236 17a-58; and

237 (19) "Certified homeless youth" means a person under eighteen
238 years of age who is a homeless child or youth, as defined in 42 USC
239 11434a, as amended from time to time, and who has been certified as
240 homeless by (A) a school district homeless liaison, (B) the director of an
241 emergency shelter program funded by the United States Department
242 of Housing and Urban Development, or the director's designee, or (C)
243 the director of a runaway or homeless youth basic center or
244 transitional living program funded by the United States Department of
245 Health and Human Services, or the director's designee.

246 Sec. 15. Subsection (a) of section 7-51 of the 2012 supplement to the
247 general statutes is repealed and the following is substituted in lieu
248 thereof (*Effective October 1, 2012*):

249 (a) The department and registrars of vital statistics shall restrict
250 access to and issuance of a certified copy of birth and fetal death
251 records and certificates less than one hundred years old, to the
252 following eligible parties: (1) The person whose birth is recorded, if
253 over eighteen years of age or if a certified homeless youth or a minor
254 emancipated pursuant to section 46b-150b; (2) such person's children,
255 grandchildren, spouse, parent, guardian or grandparent; (3) the chief
256 executive officer of the municipality where the birth or fetal death

257 occurred, or the chief executive officer's authorized agent; (4) the local
258 director of health for the town or city where the birth or fetal death
259 occurred or where the mother was a resident at the time of the birth or
260 fetal death, or the director's authorized agent; (5) attorneys-at-law
261 representing such person or such person's parent, guardian, child or
262 surviving spouse; (6) a conservator of the person appointed for such
263 person; (7) members of genealogical societies incorporated or
264 authorized by the Secretary of the State to do business or conduct
265 affairs in this state; (8) agents of a state or federal agency as approved
266 by the department; and (9) researchers approved by the department
267 pursuant to section 19a-25. Except as provided in section 19a-42a,
268 access to confidential files on paternity, adoption, gender change or
269 gestational agreements, or information contained within such files,
270 shall not be released to any party, including the eligible parties listed
271 in this subsection, except upon an order of a court of competent
272 jurisdiction.

273 Sec. 16. Section 46b-150d of the 2012 supplement to the general
274 statutes, as amended by section 91 of public act 09-7 of the September
275 special session and section 13 of public act 11-240, is repealed and the
276 following is substituted in lieu thereof (*Effective July 1, 2012*):

277 An order that a minor is emancipated shall have the following
278 effects: (1) The minor may consent to medical, dental or psychiatric
279 care, without parental consent, knowledge or liability; (2) the minor
280 may enter into a binding contract; (3) the minor may sue and be sued
281 in such minor's own name; (4) the minor shall be entitled to such
282 minor's own earnings and shall be free of control by such minor's
283 parents or guardian; (5) the minor may establish such minor's own
284 residence; (6) the minor may buy and sell real and personal property;
285 (7) the minor may not thereafter be the subject of (A) a petition under
286 section 46b-129 as an abused, neglected or uncared for child or youth,
287 (B) a petition under section 46b-128 or 46b-133 as a delinquent child for
288 any act committed before the date of the order, or (C) a petition under
289 section 46b-149 alleging that the minor is a child from a family with

290 service needs; (8) the minor may enroll in any school or college,
291 without parental consent; (9) the minor shall be deemed to be over
292 eighteen years of age for purposes of securing an operator's license
293 under section 14-36 and a marriage license under subsection (b) of
294 section 46b-30; (10) the minor shall be deemed to be over eighteen
295 years of age for purposes of registering a motor vehicle under section
296 14-12; (11) the parents of the minor shall no longer be the guardians of
297 the minor under section 45a-606; (12) the parents of a minor shall be
298 relieved of any obligations respecting such minor's school attendance
299 under section 10-184; (13) the parents shall be relieved of all obligation
300 to support the minor; (14) the minor shall be emancipated for the
301 purposes of parental liability for such minor's acts under section 52-
302 572; (15) the minor may execute releases in such minor's own name
303 under section 14-118; [and] (16) the minor may enlist in the armed
304 forces of the United States without parental consent; and (17) the
305 minor may access or obtain a birth certificate under section 7-51, as
306 amended by this act.

307 Sec. 17. Subsection (a) of section 17b-338 of the general statutes is
308 repealed and the following is substituted in lieu thereof (*Effective*
309 *October 1, 2012*):

310 (a) There is established a Long-Term Care Advisory Council which
311 shall consist of the following: (1) The executive director of the
312 Commission on Aging, or the executive director's designee; (2) the
313 State Nursing Home Ombudsman, or the ombudsman's designee; (3)
314 the president of the Coalition of Presidents of Resident Councils, or the
315 president's designee; (4) the executive director of the Legal Assistance
316 Resource Center of Connecticut, or the executive director's designee;
317 (5) the state president of AARP, or the president's designee; (6) one
318 representative of a bargaining unit for health care employees,
319 appointed by the president of the bargaining unit; (7) the president of
320 [the Connecticut Association of Not-For-Profit Providers for the
321 Aging] LeadingAge Connecticut, Inc., or the president's designee; (8)
322 the president of the Connecticut Association of Health Care Facilities,

323 or the president's designee; (9) the president of the Connecticut
324 Association of Residential Care Homes, or the president's designee;
325 (10) the president of the Connecticut Hospital Association or the
326 president's designee; (11) the executive director of the Connecticut
327 Assisted Living Association or the executive director's designee; (12)
328 the executive director of the Connecticut Association for Homecare or
329 the executive director's designee; (13) the president of Connecticut
330 Community Care, Inc. or the president's designee; (14) one member of
331 the Connecticut Association of Area Agencies on Aging appointed by
332 the agency; (15) the president of the Connecticut chapter of the
333 Connecticut Alzheimer's Association; (16) one member of the
334 Connecticut Association of Adult Day Centers appointed by the
335 association; (17) the president of the Connecticut Chapter of the
336 American College of Health Care Administrators, or the president's
337 designee; (18) the president of the Connecticut Council for Persons
338 with Disabilities, or the president's designee; (19) the president of the
339 Connecticut Association of Community Action Agencies, or the
340 president's designee; (20) a personal care attendant appointed by the
341 speaker of the House of Representatives; (21) the president of the
342 Family Support Council, or the president's designee; (22) a person
343 who, in a home setting, cares for a person with a disability and is
344 appointed by the president pro tempore of the Senate; (23) three
345 persons with a disability appointed one each by the majority leader of
346 the House of Representatives, the majority leader of the Senate and the
347 minority leader of the House of Representatives; (24) a legislator who
348 is a member of the Long-Term Care Planning Committee; and (25) one
349 member who is a nonunion home health aide appointed by the
350 minority leader of the Senate.

351 Sec. 18. Subsection (a) of section 17b-339 of the general statutes is
352 repealed and the following is substituted in lieu thereof (*Effective*
353 *October 1, 2012*):

354 (a) There is established a Nursing Home Financial Advisory
355 Committee to examine the financial solvency of nursing homes on an

356 ongoing basis and to support the Departments of Social Services and
357 Public Health in their mission to provide oversight to the nursing
358 home industry on issues concerning the financial solvency of and
359 quality of care provided by nursing homes. The committee shall
360 consist of the Commissioner of Social Services, or his designee; the
361 Commissioner of Public Health, or his designee; the Secretary of the
362 Office of Policy and Management, or his designee; the executive
363 director of the Connecticut Health and Education Facilities Authority,
364 or his designee; the [executive director of the Connecticut Association
365 of Not-for-Profit Providers for the Aging] president of LeadingAge
366 Connecticut, Inc., or the executive director's designee; and the
367 executive director of the Connecticut Association of Health Care
368 Facilities, or the executive director's designee. The Commissioner of
369 Social Services or his designee and the Commissioner of Public Health
370 or his designee shall be the chairpersons of the committee.

371 Sec. 19. Subsection (d) of section 19a-127l of the general statutes is
372 repealed and the following is substituted in lieu thereof (*Effective*
373 *October 1, 2012*):

374 (d) The advisory committee shall consist of (1) four members who
375 represent and shall be appointed by the Connecticut Hospital
376 Association, including three members who represent three separate
377 hospitals that are not affiliated of which one such hospital is an
378 academic medical center; (2) one member who represents and shall be
379 appointed by the Connecticut Nursing Association; (3) two members
380 who represent and shall be appointed by the Connecticut Medical
381 Society, including one member who is an active medical care provider;
382 (4) two members who represent and shall be appointed by the
383 Connecticut Business and Industry Association, including one member
384 who represents a large business and one member who represents a
385 small business; (5) one member who represents and shall be appointed
386 by the Home Health Care Association; (6) one member who represents
387 and shall be appointed by the Connecticut Association of Health Care
388 Facilities; (7) one member who represents and shall be appointed by

389 [the Connecticut Association of Not-For-Profit Providers for the
390 Aging] LeadingAge Connecticut, Inc.; (8) two members who represent
391 and shall be appointed by the AFL-CIO; (9) one member who
392 represents consumers of health care services and who shall be
393 appointed by the Commissioner of Public Health; (10) one member
394 who represents a school of public health and who shall be appointed
395 by the Commissioner of Public Health; (11) the Commissioner of
396 Public Health or said commissioner's designee; (12) the Commissioner
397 of Social Services or said commissioner's designee; (13) the Secretary of
398 the Office of Policy and Management or said secretary's designee; (14)
399 two members who represent licensed health plans and shall be
400 appointed by the Connecticut Association of Health Care Plans; (15)
401 one member who represents and shall be appointed by the federally
402 designated state peer review organization; and (16) one member who
403 represents and shall be appointed by the Connecticut Pharmaceutical
404 Association. The chairperson of the advisory committee shall be the
405 Commissioner of Public Health or said commissioner's designee. The
406 chairperson of the committee, with a vote of the majority of the
407 members present, may appoint ex-officio nonvoting members in
408 specialties not represented among voting members. Vacancies shall be
409 filled by the person who makes the appointment under this subsection.

410 Sec. 20. Subsection (b) of section 19a-515 of the general statutes is
411 repealed and the following is substituted in lieu thereof (*Effective*
412 *October 1, 2012*):

413 (b) Each licensee shall complete a minimum of forty hours of
414 continuing education every two years. Such two-year period shall
415 commence on the first date of renewal of the licensee's license after
416 January 1, 2004. The continuing education shall be in areas related to
417 the licensee's practice. Qualifying continuing education activities are
418 courses offered or approved by the Connecticut Association of
419 Healthcare Facilities, [the Connecticut Association of Not-For-Profit
420 Providers for the Aging] LeadingAge Connecticut, Inc., the
421 Connecticut Assisted Living Association, the Connecticut Alliance for

422 Subacute Care, Inc., the Connecticut Chapter of the American College
423 of Health Care Administrators, the Association For Long Term Care
424 Financial Managers or any accredited college or university, or
425 programs presented or approved by the National Continuing
426 Education Review Service of the National Association of Boards of
427 Examiners of Long Term Care Administrators, or by federal or state
428 departments or agencies.

429 Sec. 21. Subsection (a) of section 20-206b of the general statutes is
430 repealed and the following is substituted in lieu thereof (*Effective*
431 *October 1, 2012*):

432 (a) No person shall engage in the practice of massage therapy unless
433 the person has obtained a license from the department pursuant to this
434 section. Each person seeking licensure as a massage therapist shall
435 make application on forms prescribed by the department, pay an
436 application fee of three hundred seventy-five dollars and present to the
437 department satisfactory evidence that the applicant: (1) Has graduated
438 from a school of massage therapy offering a course of study of not less
439 than five hundred classroom hours, with the instructor present, [and]
440 that, at the time of the applicant's graduation, was either (A) accredited
441 by an agency recognized by the United States Department of
442 Education or by a state board of postsecondary technical trade and
443 business schools, or (B) accredited by the Commission on Massage
444 Therapy Accreditation and has a current school code assigned by the
445 National Certification Board for Therapeutic Massage and Bodywork,
446 and (2) has passed the National Certification Examination for
447 Therapeutic Massage and Bodywork. Passing scores on the
448 examination shall be prescribed by the department. The National
449 Certification Board for Therapeutic Massage and Bodywork's national
450 examination for state licensing option shall not satisfy the examination
451 requirements for a person seeking licensure pursuant to this section.

452 Sec. 22. (NEW) (*Effective October 1, 2012*) (a) Not later than January 1,
453 2013, the athletic department of each institution of higher education

454 shall develop and implement a policy consistent with this section
455 concerning the availability and use of automatic external defibrillators
456 during intercollegiate sport practice, training and competition.

457 (b) Each athletic department of an institution of higher education
458 shall (1) (A) provide and maintain in a central location on the premises
459 of the athletic department at least one automatic external defibrillator,
460 as defined in section 19a-175 of the general statutes, and (B) make such
461 central location known and accessible to employees and student-
462 athletes of such institution of higher education during all hours of
463 intercollegiate sport practice, training and competition, (2) ensure that
464 at least one licensed athletic trainer or other person who is trained in
465 cardiopulmonary resuscitation and the use of an automatic external
466 defibrillator in accordance with the standards set forth by the
467 American Red Cross or American Heart Association is on the premises
468 used by such athletic department during all hours of intercollegiate
469 sport practice, training and competition, (3) maintain and test the
470 automatic external defibrillator in accordance with the manufacturer's
471 guidelines, and (4) promptly notify a local emergency medical services
472 provider after each use of such automatic external defibrillator. As
473 used in this section, "the premises used by the athletic department"
474 means those premises that are used for intercollegiate sport practice,
475 training or competition and may include, but need not be limited to, an
476 athletic building or room, gymnasium, athletic field or stadium; and
477 "intercollegiate sport" means a sport played at the collegiate level for
478 which eligibility requirements for participation by a student-athlete are
479 established by a national association for the promotion or regulation of
480 collegiate athletics.

481 Sec. 23. Section 21a-223 of the general statutes is repealed and the
482 following is substituted in lieu thereof (*Effective October 1, 2012*):

483 (a) Each individual place of business of each health club shall obtain
484 a license from the Department of Consumer Protection prior to the sale
485 of any health club contract. Application for such license shall be made

486 on forms provided by the Commissioner of Consumer Protection and
487 said commissioner shall require as a condition to the issuance and
488 renewal of any license obtained under this chapter (1) that the
489 applicant provide for and maintain on the premises of the health club
490 sanitary facilities; (2) that the applicant (A) (i) provide and maintain in
491 a readily accessible location on the premises of the health club at least
492 one automatic external defibrillator, as defined in section 19a-175, and
493 (ii) make such location known and accessible to employees and
494 members of such health club during all hours of operation, (B) ensure
495 that at least one employee who is trained in cardiopulmonary
496 resuscitation and the use of an automatic external defibrillator in
497 accordance with the standards set forth by the American Red Cross or
498 American Heart Association is on the premises of such health club
499 during staffed business hours, (C) maintain and test the automatic
500 external defibrillator in accordance with the manufacturer's guidelines,
501 and (D) promptly notify a local emergency medical services provider
502 after each use of such automatic external defibrillator; (3) that the
503 application be accompanied by (A) a license or renewal fee of two
504 hundred fifty dollars, (B) a list of the equipment and each service
505 which the applicant intends to have available for use by buyers during
506 the year of operations following licensure or renewal, and (C) two
507 copies of each health club contract [which] that the applicant is
508 currently using or intends to use; and [(3)] (4) compliance with the
509 requirements of section 21a-226. Such licenses shall be renewed
510 annually. The commissioner may impose a civil penalty of not more
511 than three hundred dollars against any health club that continues to
512 sell or offer for sale health club contracts for any location but fails to
513 submit a license renewal and license renewal fee for such location not
514 later than thirty days after such license's expiration date.

515 (b) No health club shall (1) engage in any act or practice [which] that
516 is in violation of or contrary to the provisions of this chapter or any
517 regulation adopted to carry out the provisions of this chapter,
518 including the use of contracts [which] that do not conform to the
519 requirements of this chapter, or (2) engage in conduct of a character

520 likely to mislead, deceive or defraud the buyer, the public or the
 521 commissioner. The Commissioner of Consumer Protection may refuse
 522 to grant or renew a license to, or may suspend or revoke the license of,
 523 any health club which engages in any conduct prohibited by this
 524 chapter.

525 (c) If the commissioner refuses to grant or renew a license of any
 526 health club, the commissioner shall notify the applicant or licensee of
 527 the refusal, and of [his] the applicant's or licensee's right to request a
 528 hearing [within] not later than ten days [from] after the date of receipt
 529 of the notice of refusal. If the applicant or licensee requests a hearing
 530 within [ten days] such ten-day period, the commissioner shall give
 531 notice of the grounds for [his] the commissioner's refusal to grant or
 532 renew such license and shall conduct a hearing concerning such
 533 refusal in accordance with the provisions of chapter 54 concerning
 534 contested matters.

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

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2012</i>	7-36(10)
Sec. 2	<i>October 1, 2012</i>	7-60(a)
Sec. 3	<i>October 1, 2012</i>	46b-25
Sec. 4	<i>October 1, 2012</i>	46b-30
Sec. 5	<i>October 1, 2012</i>	19a-72(b)
Sec. 6	<i>October 1, 2012</i>	19a-255
Sec. 7	<i>October 1, 2012</i>	19a-4l
Sec. 8	<i>October 1, 2012</i>	52-146k(a)(4)
Sec. 9	<i>October 1, 2012</i>	19a-37(f)
Sec. 10	<i>October 1, 2012</i>	20-341a
Sec. 11	<i>October 1, 2012</i>	20-341l

Sec. 12	<i>October 1, 2012</i>	19a-36(a)(7)
Sec. 13	<i>October 1, 2012</i>	20-12(e)
Sec. 14	<i>October 1, 2012</i>	7-36
Sec. 15	<i>October 1, 2012</i>	7-51(a)
Sec. 16	<i>July 1, 2012</i>	46b-150d
Sec. 17	<i>October 1, 2012</i>	17b-338(a)
Sec. 18	<i>October 1, 2012</i>	17b-339(a)
Sec. 19	<i>October 1, 2012</i>	19a-1271(d)
Sec. 20	<i>October 1, 2012</i>	19a-515(b)
Sec. 21	<i>October 1, 2012</i>	20-206b(a)
Sec. 22	<i>October 1, 2012</i>	New section
Sec. 23	<i>October 1, 2012</i>	21a-223

Statement of Purpose:

To make various changes to the public health statutes.

[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.]