

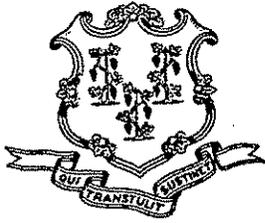
Connecticut
Department of Public
Health

Regulations regarding:
Mobile Field Hospital

Section 1

Commissioner's letter

Any further correspondence



STATE OF CONNECTICUT

DEPARTMENT OF PUBLIC HEALTH

July 25, 2012

Pamela B. Booth, Committee Administrator
Legislative Regulation Review Committee
State Capitol, Room 011
Hartford, CT 06106

Re: Regulations Concerning: *Mobile Field Hospital*

Dear Ms. Booth:

Enclosed for the Committee's consideration is the proposed amendment of the above-captioned regulation.

These regulations were **Rejected without Prejudice** by the Legislative Regulations Review Committee on February 28, 2012. The Department has attached a summary of the changes made in an effort to comply with the comments made by the Legislative Commissioner's Office, and we hope the proposed regulations are now satisfactory.

I am available to answer any questions you may have and can be reached at (860) 509-7280 or via e-mail at jill.kentfield@ct.gov. Thank you for your consideration.

Sincerely,

Jill Kentfield
Legislative Liaison

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The Connecticut General Assembly

Legislative Regulation Review Committee

Senator Andrew Roraback
Co-Chair



Representative Paul Davis
Co-Chair

March 5, 2012

Subject: Proposed Regulation 2012-004

Jewel Mullen, MD, Commissioner
Department of Public Health
410 Capitol Avenue/MS#13COM
Hartford, CT 06106

Dear Commissioner Mullen, MD:

Proposed Regulation

2012-004 **Department of Public Health** "MOBIL FIELD HOSPITALS" The Regulations of Connecticut State Agencies is amended by adding Section 19a-487b-1.

The above captioned regulation was **Rejected Without Prejudice** by the Legislative Regulation Review Committee on 2/28/2012. The action was based on the recommendations of the Legislative Commissioners' Office. The necessary corrections are listed on the attached pages.

The regulation should be corrected and then resubmitted to the Legislative Regulation Review Committee with a summary of the changes listed by paragraph. If this is a mandated regulation then the regulation must be resubmitted to this office no later than the 1st Tuesday of the second month following the regulation's rejection.

Sincerely,

Handwritten signature of Pamela B. Booth in cursive.

Pamela B. Booth, Administrator
Legislative Regulation Review Committee

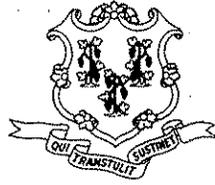
Enclosures (2)

The Connecticut General Assembly

Legislative Commissioners' Office

Edwin J. Maley, Jr.
Commissioner
William A. Hamzy
Commissioner

Larry G. J. Shapiro
Director



Legislative Office Building
Suite 5500
Hartford, Connecticut
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Memorandum

To: Legislative Regulation Review Committee
From: Legislative Commissioners' Office
Committee Meeting Date: February 28, 2012

Regulation No:	2012-4
Agency:	Department of Public Health
Subject Matter:	Mobile Field Hospital
Statutory Authority: (copy attached)	19a-2a, 19a-487b

	Yes or No
Mandatory	Y
Federal Requirement	N
Permissive	N

For the Committee's Information:

1. Public Act 07-252, effective July 12, 2007, codified at section 19a-487b of the general statutes, required the department to adopt regulations concerning mobile field hospital policies and procedures. The department published its notice of intent to adopt the regulations in the Connecticut Law Journal on September 2, 2008. The department submitted the proposed regulations to the committee in December 2011. Pursuant to section 4-168(b) of the general statutes, an agency that is required by a public act to adopt regulations shall publish the notice of intent to adopt regulations within five months of the effective date of the public act. Section 4-168(b) also requires the agency to submit the

required regulations to the regulation review committee not later than one hundred eighty days after publication of its notice of intent. The agency failed to comply with these time requirements. It is not clear whether the agency submitted notifications of its failure to meet the deadlines, as also required by section 4-168(b).

2. The certification page indicates that this regulation is being amended when, in fact, it is a new regulation being adopted.

Substantive Concern:

Section 19a-487b of the general statutes requires that the Commissioner of Public Health adopt regulations "to implement mobile field hospital policies and procedures *for isolation care* and emergency services." (emphasis added) Although emergency services are addressed by the regulation, there appears to be no provision for isolation care.

Technical Correction:

1. On page 1, in the first line of the introductory language of section 19a-487b-1, "is amended" should be "are amended", for proper form.
2. On page 1, in the first line of section 19a-487b-1(a)(1), commas should be inserted after "hospital" and after "statutes", for consistency and proper form.
3. On page 1, in the second and third lines of section 19a-487b-1(a)(1), ", as amended," should be deleted, for proper form.
4. On page 1, in section 19a-487b-1(a)(1), "governor" and "governor's" should be capitalized, for proper form, and "Section" should be "section" for consistency.
5. On page 1, in the second line of section 19a-487b-1(a)(1)(A), "Department" should be "department", for consistency.
6. On page 1, in the second line of section 19a-487b-1(a)(1)(B), "including, but not limited, to" should be "including, but not limited to," for proper form.
7. On page 1, in section 19a-487b-1(a)(1)(A), "and" should be inserted after the semicolon and, in section 19a-487b-1(a)(1)(B), "and" should be deleted after the semicolon and replaced with a period, for clarity and proper form.
8. On page 2, in section 19a-487b-1(d)(1), "shall include, but not be limited to" should be "shall include, but need not be limited to", for proper form.
9. On page 2, in section 19a-487b-1(d)(1)(B), "notation of condition" should be "notation describing the patient's condition", for clarity.

Recommendation:

<p>Approval in whole with technical corrections with deletions with substitute pages Disapproval in whole or in part <input checked="" type="checkbox"/> Rejection without prejudice</p>
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Reviewed by: Heather Bannister / Anne Brennan Carroll

Date: January 9, 2012

Sec. 19a-2a. Powers and duties. The Commissioner of Public Health shall employ the most efficient and practical means for the prevention and suppression of disease and shall administer all laws under the jurisdiction of the Department of Public Health and the Public Health Code. The commissioner shall have responsibility for the overall operation and administration of the Department of Public Health. The commissioner shall have the power and duty to: (1) Administer, coordinate and direct the operation of the department; (2) adopt and enforce regulations, in accordance with chapter 54, as are necessary to carry out the purposes of the department as established by statute; (3) establish rules for the internal operation and administration of the department; (4) establish and develop programs and administer services to achieve the purposes of the department as established by statute; (5) contract for facilities, services and programs to implement the purposes of the department as established by statute; (6) designate a deputy commissioner or other employee of the department to sign any license, certificate or permit issued by said department; (7) conduct a hearing, issue subpoenas, administer oaths, compel testimony and render a final decision in any case when a hearing is required or authorized under the provisions of any statute dealing with the Department of Public Health; (8) with the health authorities of this and other states, secure information and data concerning the prevention and control of epidemics and conditions affecting or endangering the public health, and compile such information and statistics and shall disseminate among health authorities and the people of the state such information as may be of value to them; (9) annually issue a list of reportable diseases, emergency illnesses and health conditions and a list of reportable laboratory findings and amend such lists as the commissioner deems necessary and distribute such lists as well as any necessary forms to each licensed physician and clinical laboratory in this state. The commissioner shall prepare printed forms for reports and returns, with such instructions as may be necessary, for the use of directors of health, boards of health and registrars of vital statistics; (10) specify uniform methods of keeping statistical information by public and private agencies, organizations and individuals, including a client identifier system, and collect and make available relevant statistical information, including the number of persons treated, frequency of admission and readmission, and frequency and duration of treatment. The client identifier system shall be subject to the confidentiality requirements set forth in section 17a-688 and regulations adopted thereunder. The commissioner may designate any person to perform any of the duties listed in subdivision (7) of this section. The commissioner shall have authority over

directors of health and may, for cause, remove any such director; but any person claiming to be aggrieved by such removal may appeal to the Superior Court which may affirm or reverse the action of the commissioner as the public interest requires. The commissioner shall assist and advise local directors of health in the performance of their duties, and may require the enforcement of any law, regulation or ordinance relating to public health. When requested by local directors of health, the commissioner shall consult with them and investigate and advise concerning any condition affecting public health within their jurisdiction. The commissioner shall investigate nuisances and conditions affecting, or that he or she has reason to suspect may affect, the security of life and health in any locality and, for that purpose, the commissioner, or any person authorized by the commissioner, may enter and examine any ground, vehicle, apartment, building or place, and any person designated by the commissioner shall have the authority conferred by law upon constables. Whenever the commissioner determines that any provision of the general statutes or regulation of the Public Health Code is not being enforced effectively by a local health department, he or she shall forthwith take such measures, including the performance of any act required of the local health department, to ensure enforcement of such statute or regulation and shall inform the local health department of such measures. In September of each year the commissioner shall certify to the Secretary of the Office of Policy and Management the population of each municipality. The commissioner may solicit and accept for use any gift of money or property made by will or otherwise, and any grant of or contract for money, services or property from the federal government, the state or any political subdivision thereof or any private source, and do all things necessary to cooperate with the federal government or any of its agencies in making an application for any grant or contract. The commissioner may establish state-wide and regional advisory councils.

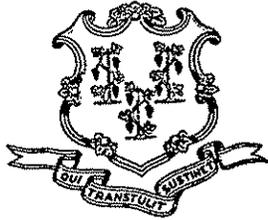
Sec. 19a-487b. Mobile field hospital: Regulations. The Commissioner of Public Health shall adopt regulations, in accordance with chapter 54, to implement mobile field hospital policies and procedures for isolation care and emergency services.

Summary of Comments
Mobile Field Hospital
Sections 19a-487b-1 of the Regulations of Connecticut State Agencies

SUBJECT: Proposed regulations necessary to deploy the Mobile Field Hospital as defined in section 19a-490(b)

COMMENTERS: Legislative Commissioners' Office

COMMENT	RESPONSE
<p>Substantive Concerns</p> <p>Section 19a-487b of the general statutes requires that the Commissioner of Public Health adopt regulations "to implement mobile field hospital policies and procedures <i>for isolation care</i> and emergency services." (emphasis added) Although emergency services are addressed by the regulation, there appears to be no provision for isolation care.</p>	<p>The Department added isolation care and disaster response into section (a)(1)(B) under the mandate for hospitals to adopt policies and protocols to operate the mobile field hospital.</p> <p>Disaster response was removed from section (a)(1) as it isn't clearly defined in section 19a-487(a) of the Connecticut General Statutes.</p> <p>The Department also changed section (d)(2) to read "isolation" instead of "confinement"</p>
<p>All technical changes have been made.</p>	



STATE OF CONNECTICUT

DEPARTMENT OF PUBLIC HEALTH
Office of Government Relations

December 27, 2011

Pamela B. Booth, Committee Administrator
Legislative Regulation Review Committee
State Capitol
Room 011
Hartford, CT 06106

Regulations Concerning: ***Mobile Field Hospital***

Dear Ms. Booth:

Enclosed for the Committee's consideration is the proposed above-captioned regulation. It is authorized by section 4-168 of the Connecticut General Statutes.

Statement of Purpose: (A) The purpose of this regulation is to comply with Section 19a-487b of the general statutes. These provisions require the Commissioner of Public Health to adopt regulations to implement mobile field hospital policies and procedures. (B) The proposed regulation will allow hospitals to operate a mobile field hospital, provided the governor or the governor's designee has authorized its activation and provided the requirements specified in the regulation have been met. These requirements will protect public health and safety while ensuring that the needs of patients are met in this environment. (C) This regulation will add section 19a-487b – 1 to the Regulations of Connecticut State Agencies.

I am available to answer any questions you may have. Thank you for your consideration.

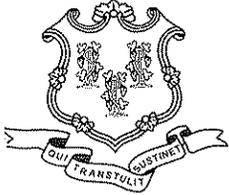
Sincerely,

A handwritten signature in cursive script that reads "Jill Kentfield".

Jill Kentfield, Legislative Liaison
Office of Government Relations



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STATE OF CONNECTICUT

DEPARTMENT OF PUBLIC HEALTH

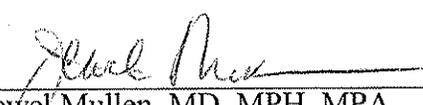
OFFICE OF COMMISSIONER

I, Jewel Mullen, Commissioner of the Department of Public Health, an Agency of the State of Connecticut, hereby certify that:

- (1) On July 3, 2008, the Agency gave notice by mail to each joint standing committee of the general assembly having cognizance of the subject matter of the proposed regulations.
- (2) On September 2, 2008, the Agency gave notice in the Connecticut Law Journal of its intention to amend regulations concerning the *Mobile Field Hospital*. A true copy of the notice is attached as Exhibit A.
- (3) The Agency gave notice by mail to those persons who requested advance notice of regulation-making proceedings.
- (4) The Agency provided a copy of the proposed regulations to those persons requesting it.
- (5) Following publication of the notice in the Connecticut Law Journal, the Agency prepared a fiscal note, including an estimate of the cost or of the revenue impact on the state or any municipality of the state. A true copy of the fiscal note is attached as Exhibit B.
- (6) All interested persons were given until 4:30 p.m., October 2, 2008 to submit data, views or arguments concerning the proposed regulations and to inspect and copy the fiscal note referred to in paragraph 5.
- (7) No comments regarding the proposed regulation were received.

Date

9/22/08


Jewel Mullen, MD, MPH, MPA
Commissioner

