



General Assembly

January Session, 2013

Raised Bill No. 1094

LCO No. 4205



Referred to Committee on PUBLIC SAFETY AND SECURITY

Introduced by:
(PS)

AN ACT CONCERNING EMERGENCY SERVICES AND PUBLIC PROTECTION.

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

1 Section 1. Subsection (b) of section 19a-491c of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective from*
3 *passage*):

4 (b) (1) On or before July 1, 2012, the Department of Public Health
5 shall create and implement a criminal history and patient abuse
6 background search program, within available appropriations, in order
7 to facilitate the performance, processing and analysis of the criminal
8 history and patient abuse background search of individuals who have
9 direct access.

10 (2) The Department of Public Health shall develop a plan to
11 implement the criminal history and patient abuse background search
12 program, in accordance with this section. In developing such plan, the
13 department shall (A) consult with the Commissioners of Emergency
14 Services and Public Protection, Developmental Services, Mental Health

15 and Addiction Services, Social Services and Consumer Protection, or
16 their designees, the State Long-Term Care Ombudsman, or a designee,
17 the chairperson for the Board of Pardons and Paroles, or a designee, a
18 representative of each category of long-term care facility and
19 representatives from any other agency or organization the
20 Commissioner of Public Health deems appropriate, (B) evaluate factors
21 including, but not limited to, the administrative and fiscal impact of
22 components of the program on state agencies and long-term care
23 facilities, background check procedures currently used by long-term
24 care facilities, federal requirements pursuant to Section 6201 of the
25 Patient Protection and Affordable Care Act, P.L. 111-148, as amended
26 from time to time, and the effect of full and provisional pardons on
27 employment, and (C) outline (i) an integrated process with the
28 Department of [Public Safety] Emergency Services and Public
29 Protection to cross-check and periodically update criminal information
30 collected in criminal databases, (ii) a process by which individuals
31 with disqualifying offenses can apply for a waiver, and (iii) the
32 structure of an Internet-based portal to streamline the criminal history
33 and patient abuse background search program. The Department of
34 Public Health shall submit such plan, including a recommendation as
35 to whether homemaker-companion agencies should be included in the
36 scope of the background search program, to the joint standing
37 committees of the General Assembly having cognizance of matters
38 relating to aging, appropriations and the budgets of state agencies, and
39 public health, in accordance with the provisions of section 11-4a, not
40 later than February 1, 2012.

This act shall take effect as follows and shall amend the following sections:		
Section 1	from passage	19a-491c(b)

Statement of Purpose:

To update statutory references resulting from government reorganization.

[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.]