



General Assembly

Amendment

January Session, 2013

LCO No. 8301

HB0576108301HDO

Offered by:

REP. HAMPTON, 16th Dist.
REP. MORRIS, 140th Dist.
REP. FLOREN, 149th Dist.

REP. JOHNSON, 49th Dist.
REP. SRINIVASAN, 31st Dist.
SEN. GERRATANA, 6th Dist.

To: Subst. House Bill No. 5761

File No. 205

Cal. No. 148

"AN ACT CONCERNING NOTIFICATION TO POTENTIAL AND EXISTING NURSING HOME OWNERS."

1 After the last section, add the following and renumber sections and
2 internal references accordingly:

3 "Sec. 501. (NEW) (*Effective October 1, 2013*) (a) (1) For purposes of
4 this section and section 502 of this act, "nursing home facility" has the
5 same meaning as provided in section 19a-521 of the general statutes,
6 (2) "state of emergency" means a declaration by the Governor pursuant
7 to section 28-9 of the general statutes, (3) "disabilities" has the same
8 meaning as provided in section 46a-8 of the general statutes, and (4)
9 "emergency shelter" means a facility designated in a city, town or
10 regional emergency plan of operation to provide refuge to state
11 residents.

12 (b) The Commissioner of Public Health shall establish a streamlined
13 waiver approval process to permit nursing home facilities to provide

14 care and shelter to state residents displaced during a state of
15 emergency. Such process shall include, but not be limited to, a waiver
16 provision allowing nursing home facilities to exceed licensed bed
17 capacity by up to ten per cent to take in displaced residents.

18 (c) The Commissioner of Public Health, in consultation with the
19 Commissioners of Social Services and Emergency Services and Public
20 Protection, shall adopt or amend regulations, in accordance with
21 chapter 54 of the general statutes, to implement and administer the
22 provisions of this section.

23 Sec. 502. (NEW) (*Effective October 1, 2013*) The Commissioner of
24 Emergency Services and Public Protection, acting in consultation with
25 the Commissioner of Public Health, shall encourage local emergency
26 management directors to include in emergency plans of operation,
27 submitted to the commissioner pursuant to section 28-7 of the general
28 statutes, plans to: (1) Identify, to the extent reasonably possible, elderly
29 persons and persons with disabilities who are receiving care in home
30 and community-based settings and the level of care and services such
31 persons will require in the event of an emergency; (2) provide shelter
32 at a skilled nursing facility or nursing home facility for persons whose
33 medical needs require such shelter, to the extent such facilities are
34 available; and (3) provide shelter, in accordance with Title II of the
35 Americans with Disabilities Act of 1990, 42 USC 12131 to 12134,
36 inclusive, as amended from time to time, at existing emergency
37 shelters for persons whose needs do not require hospitalization or
38 medical care in a skilled nursing facility or a nursing home facility. The
39 executive director of the Office of Protection and Advocacy for Persons
40 with Disabilities, in consultation with the Commissioner of Emergency
41 Services and Public Protection, shall make information and resources
42 available to chief executive officers of cities and towns and local
43 emergency management directors concerning their responsibilities for
44 the provision of shelter under state law and the Americans with
45 Disabilities Act."

This act shall take effect as follows and shall amend the following sections:		
Sec. 501	<i>October 1, 2013</i>	New section
Sec. 502	<i>October 1, 2013</i>	New section