



General Assembly

January Session, 2013

Amendment

LCO No. 8362

SB0011508362SD0

Offered by:

SEN. DOYLE, 9th Dist.
REP. GUERRERA, 29th Dist.
SEN. FONFARA, 1st Dist.
SEN. CASSANO, 4th Dist.
SEN. MEYER, 12th Dist.
SEN. SLOSSBERG, 14th Dist.
SEN. HARTLEY, 15th Dist.
SEN. CRISCO, 17th Dist.
SEN. OSTEN, 19th Dist.
SEN. STILLMAN, 20th Dist.
SEN. MUSTO, 22nd Dist.
SEN. AYALA, 23rd Dist.
SEN. DUFF, 25th Dist.
REP. ALBIS, 99th Dist.
REP. ALEXANDER, 58th Dist.
REP. ALTOBELLO, 82nd Dist.
REP. ARCE, 4th Dist.
REP. ARCONTI, 109th Dist.
REP. BACKER, 121st Dist.
REP. BARAM, 15th Dist.
REP. BECKER, 19th Dist.
REP. BERGER, 73rd Dist.
REP. BUTLER, 72nd Dist.
REP. CLEMONS, 124th Dist.
REP. CONROY, 105th Dist.
REP. CUEVAS, 75th Dist.
REP. D'AGOSTINO, 91st Dist.
REP. DAVIS P., 117th Dist.
REP. DILLON, 92nd Dist.
REP. DIMINICO, 13th Dist.

REP. HEWETT, 39th Dist.
REP. JANOWSKI, 56th Dist.
REP. JOHNSON, 49th Dist.
REP. JUTILA, 37th Dist.
REP. KINER, 59th Dist.
REP. LARSON, 11th Dist.
REP. LEMAR, 96th Dist.
REP. LESSER, 100th Dist.
REP. LOPES, 24th Dist.
REP. LUXENBERG, 12th Dist.
REP. MARONEY, 119th Dist.
REP. MCCRORY, 7th Dist.
REP. MEGNA, 97th Dist.
REP. MIKUTEL, 45th Dist.
REP. MILLER, 36th Dist.
REP. MORIN, 28th Dist.
REP. MOUKAWSHER, 40th Dist.
REP. MUSHINSKY, 85th Dist.
REP. NAFIS, 27th Dist.
REP. NICASTRO, 79th Dist.
REP. O'BRIEN E., 61st Dist.
REP. ORANGE, 48th Dist.
REP. PERONE, 137th Dist.
REP. REED, 102nd Dist.
REP. ROVERO, 51st Dist.
REP. RYAN, 139th Dist.
REP. SANTIAGO, 84th Dist.
REP. SAYERS, 60th Dist.
REP. SERRA, 33rd Dist.
REP. STALLWORTH, 126th Dist.

REP. ESPOSITO, 116th Dist.
 REP. FOX, 148th Dist.
 REP. FRITZ, 90th Dist.
 REP. GONZALEZ, 3rd Dist.
 REP. HADDAD, 54th Dist.
 REP. HAMPTON, 16th Dist.
 REP. HENNESSY, 127th Dist.

REP. STEINBERG, 136th Dist.
 REP. TONG, 147th Dist.
 REP. VARGAS, 6th Dist.
 REP. VERRENGIA, 20th Dist.
 REP. WILLIS, 64th Dist.
 REP. WRIGHT E., 41st Dist.
 REP. ZONI, 81st Dist.

To: Senate Bill No. 115

File No. 648

Cal. No. 479

"AN ACT CONCERNING RESIDENTIAL NURSING HOME FACILITIES SERVING INMATES AND MENTAL HEALTH PATIENTS."

1 Strike everything after the enacting clause and substitute the
 2 following in lieu thereof:

3 "Section 1. Section 18-100i of the general statutes is repealed and the
 4 following is substituted in lieu thereof (*Effective from passage*):

5 (a) The Commissioner of Correction, at the commissioner's
 6 discretion, may release an inmate from the commissioner's custody,
 7 except an inmate convicted of a violation of subdivision (2) of
 8 subsection (a) of section 53-21 or section 53a-70, 53a-70a, 53a-70b, 53a-
 9 70c, 53a-71, 53a-72a, 53a-72b, 53a-73a, 53a-90a, 53a-196a, 53a-196b, 53a-
 10 196c, 53a-196d, 53a-196e or 53a-196f, a capital felony under the
 11 provisions of section 53a-54b in effect prior to April 25, 2012, or
 12 murder with special circumstances under the provisions of section 53a-
 13 54b in effect on or after April 25, 2012, for placement in a licensed
 14 community-based nursing home under contract with the state for the
 15 purpose of providing palliative and end-of-life care to the inmate if the
 16 medical director of the Department of Correction determines that the
 17 inmate is suffering from a terminal condition, disease or syndrome [,
 18 or] and is so debilitated or incapacitated by [a terminal] such

19 condition, disease or syndrome as to (1) require continuous palliative
20 or end-of-life care, [or] and (2) be physically incapable of presenting a
21 danger to society.

22 (b) The Commissioner of Correction [may] shall require as a
23 condition of release under subsection (a) of this section that the
24 medical director conduct periodic medical review and diagnosis of the
25 inmate during such release. An inmate released pursuant to subsection
26 (a) of this section shall be returned to the custody of the Commissioner
27 of Correction if the medical director determines that the inmate no
28 longer meets the criteria for release under subsection (a) of this section
29 or if the inmate violates any condition of such release.

30 (c) Any inmate released from the custody of the Commissioner of
31 Correction pursuant to subsection (a) of this section shall be
32 supervised in the community at all times by employees of the
33 Department of Correction who have training and experience in
34 providing security in correctional institutions.

35 (d) On and after the effective date of this section, the Commissioner
36 of Correction shall not place any inmate in a licensed community-
37 based nursing home pursuant to subsection (a) of this section until
38 such time as the local zoning authority for the town in which such
39 home is located has determined that such home is in compliance with
40 local zoning regulations.

41 (e) For the purposes of this section, "inmate" means any person
42 being supervised by the Department of Correction in a correctional
43 facility or in the community.

44 Sec. 2. (NEW) (*Effective from passage*) On and after the effective date
45 of this section, the Commissioner of Mental Health and Addiction
46 Services shall not place any person with psychiatric disabilities who is
47 a patient at a state-operated facility in a licensed community-based
48 nursing home until such time as the local zoning authority for the
49 town in which such home is located has determined that such home is

50 in compliance with local zoning regulations. For the purposes of this
51 section, "person with psychiatric disabilities" and "state-operated
52 facility" have the same meanings as provided in section 17a-458 of the
53 general statutes."

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	18-100i
Sec. 2	<i>from passage</i>	New section