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Public Health Committee

March 20, 2013

H. B. 6594 AN ACT CONCERNING RESIDENTIAL CARE HOMES AND DEFINITIONS OF "NURSING HOME FACILITY" AND "MEDICAL REVIEW COMMITTEE."

Recommended Action: JFS language to amend HB 6594 and add reference to the residential care home discharge statute, C.G.S. sec. 19a-535a, to the Patients Bill of Rights, C.G.A. sec. 19a-550 (b)(22).

My name is Joelen Gates and I am an attorney in the Willimantic office of Connecticut Legal Services, Inc., a private non-profit law firm which provides free legal services for elderly and low-income residents.

The Legal Services organizations in Connecticut support the concepts in H. B. 6594 which provides a separate definition for "residential care homes" in Connecticut statutes. The definition makes it clear that "residential care homes" are not the same as nursing homes as defined in C.G.S. sec. 19a-490 and 19a-521 and referenced in many other Connecticut statutes.

While the legislature is making this technical change in the definition of "nursing homes," we urge you to take this opportunity to also add the reference to the residential care home discharge statute, C.G.S. sec. 19a-535a, which is missing from the Patients Bill of Rights, C.G.S. sec. 19a-550 (b)(22).

Currently the Patients Bill of Rights provides that a "patient ... (22) is entitled to be transferred or discharged from the facility only pursuant to *section 19a-535 or section 19a-535b*, as applicable...." Section 19a-535 is the discharge statute for nursing home residents and section 19a-535b is the discharge statute for patients in a chronic disease hospital. Missing is the reference to section 19a-535a which describes the procedures for transfer or discharge of residents from a residential care home.

H. B. 6594 should add this reference to section 19a-535a in the Patients Bill of Rights, C.G.S. section 19a-550(b)(22). This would insure that transfer and discharge procedures for residential care homes are covered in the patients' bill of rights. I have attached JFS language to my testimony.



JFS Language for HB 6594

Amend Section 32(b)(22) to read:

(22) is entitled to be transferred or discharged from the facility only pursuant to section 19a-535, section 19a-535a, or section 19a-535b, as applicable;