



House of Representatives

General Assembly

File No. 398

January Session, 2015

Substitute House Bill No. 5435

House of Representatives, April 2, 2015

The Committee on Insurance and Real Estate reported through REP. MEGNA of the 97th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

AN ACT CONCERNING THE COMMISSION ON HEALTH EQUITY.

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

1 Section 1. Section 38a-1051 of the general statutes is repealed and
2 the following is substituted in lieu thereof (*Effective October 1, 2015*):

3 (a) Whereas the General Assembly finds that: (1) Equal enjoyment of
4 the highest attainable standard of health is a human right and a
5 priority of the state, (2) research and experience demonstrate that
6 inhabitants of the state experience barriers to the equal enjoyment of
7 good health based on race, ethnicity, gender, national origin and
8 linguistic ability, and (3) addressing such barriers, and others that may
9 arise in the future, requires: The collection, analysis and reporting of
10 information, the identification of causes, and the development and
11 implementation of policy solutions that address health disparities
12 while improving the health of the public as a whole therefore, there is
13 established a Commission on Health Equity with the mission of
14 eliminating disparities in health status based on race, ethnicity, gender
15 and linguistic ability, and improving the quality of health for all of the

16 state's residents. Such commission shall consist of the following
17 commissioners, or their designees, and [public] members: (A) The
18 Commissioners of Public Health, Mental Health and Addiction
19 Services, Developmental Services, Social Services, Correction, Children
20 and Families, and Education; (B) the dean of The University of
21 Connecticut Health Center, or his or her designee; (C) the director of
22 The University of Connecticut Health Center and Center for Public
23 Health and Health Policy, or their designees; (D) the dean of the Yale
24 University Medical School, or his or her designee; (E) the dean of
25 [Public Health and the School of Epidemiology at Yale University] the
26 Yale School of Public Health, or his or her designee; (F) one member
27 appointed by the president pro tempore of the Senate, who shall be a
28 member of an affiliate of the National Urban League; (G) one member
29 appointed by the speaker of the House of Representatives, who shall
30 be a member of the National Association for the Advancement of
31 Colored People; (H) one member appointed by the majority leader of
32 the House of Representatives, who shall be a member of the Black and
33 Puerto Rican Caucus of the General Assembly; (I) one member
34 appointed by the majority leader of the Senate with the advice of the
35 Native American Heritage Advisory Council or the chairperson of the
36 Indian Affairs Council, who shall be a representative of the Native
37 American community; (J) one member appointed by the minority
38 leader of the Senate, who shall be a representative of an advocacy
39 group for Hispanics; (K) one member appointed by the minority leader
40 of the House of Representatives, who shall be a representative of the
41 state-wide Multicultural Health Network; (L) the chairperson of the
42 African-American Affairs Commission, or his or her designee; (M) the
43 chairperson of the Latino and Puerto Rican Affairs Commission, or his
44 or her designee; (N) the chairperson of the Permanent Commission on
45 the Status of Women, or his or her designee; (O) the chairperson of the
46 Asian Pacific American Affairs Commission, or his or her designee; (P)
47 the director of the Hispanic Health Council, or his or her designee; (Q)
48 [the chairperson of the Office of] the Healthcare Advocate, or his or her
49 designee; and (R) eight members of the public, representing
50 communities facing disparities in health status based on race, ethnicity,

51 gender and linguistic ability, who shall be appointed as follows: Two
52 by the president pro tempore of the Senate, two by the speaker of the
53 House of Representatives, two by the minority leader of the Senate,
54 and two by the minority leader of the House of Representatives.
55 Vacancies on the council shall be filled by the appointing authority.

56 (b) The commission shall elect a chairperson and a vice-chairperson
57 from among its members. Any member absent from either: (1) Three
58 consecutive meetings of the commission, or (2) fifty per cent of such
59 meetings during any calendar year, shall be deemed to have resigned
60 from the commission.

61 (c) Members of the commission shall serve without compensation,
62 but within available appropriations, and shall be reimbursed for
63 expenses necessarily incurred in the performance of their duties.

64 (d) The commission shall meet as often as necessary as determined
65 by the chairperson or a majority of the commission, but not less than at
66 least once per calendar quarter.

67 (e) The commission shall: (1) Review and comment on any proposed
68 state legislation and regulations that would affect the health of
69 populations in the state experiencing racial, ethnic, cultural or
70 linguistic disparities in health status, (2) review and comment on the
71 Department of Public Health's health disparities performance
72 measures, (3) advise and provide information to the Governor and the
73 General Assembly on the state's policies concerning the health of
74 populations in the state experiencing racial, ethnic, cultural or
75 linguistic disparities in health status, (4) work as a liaison between
76 populations experiencing racial, ethnic, cultural or linguistic
77 disparities in health status and state agencies in order to eliminate such
78 health disparities, (5) evaluate policies, procedures, activities and
79 resource allocations to eliminate health status disparities among racial,
80 ethnic and linguistic populations in the state and have the authority to
81 convene the directors and commissioners of all state agencies whose
82 purview is relevant to the elimination of health disparities, including
83 but not limited to, the Departments of Public Health, Social Services,

84 Children and Families, Developmental Services, Education, Mental
85 Health and Addiction Services, Labor, Transportation, and the
86 Housing Finance Authority for the purpose of advising on and
87 directing the implementation of policies, procedures, activities and
88 resource allocations to eliminate health status disparities among racial,
89 ethnic and linguistic populations in the state, (6) prepare and submit to
90 the Governor and General Assembly an annual report, in accordance
91 with section 11-4a, that provides both a retrospective and prospective
92 view of health disparities and the state's efforts to ameliorate
93 identifiable disparities among populations of the state experiencing
94 racial, ethnic, cultural or linguistic disparities in health status, (7)
95 explore other successful programs in other sectors and states, and pilot
96 and provide grants for new creative programs that may diminish or
97 contribute to the elimination of health disparities in the state and
98 culturally appropriate health education demonstration projects, for
99 which the commission may apply for, accept and expand public and
100 private funding, (8) have the authority to collect and analyze
101 government and other data regarding the health status of state
102 inhabitants based on race, ethnicity, gender, national origin and
103 linguistic ability, including access, services and outcomes in private
104 and public health care institutions within the state, including, but not
105 limited to, the data collected by the Connecticut Health Information
106 Network, (9) have the authority to draft and recommend proposed
107 legislation, regulations and other policies designed to address
108 disparities in health status, [and] (10) have the authority to conduct
109 hearings and interviews, and receive testimony, regarding matters
110 pertinent to its mission, and (11) establish requirements for and duties
111 of and policies and procedures for the removal of, an executive
112 director appointed pursuant to subsection (g) of this section.

113 (f) The commission may use such funds as may be available from
114 federal, state or other sources, and may enter into contracts to carry out
115 the provisions of this section.

116 (g) The commission may, within available appropriations, (1)
117 appoint an executive director, who shall be in the unclassified service,

118 and (2) subject to the provisions of chapter 67, employ any additional
119 necessary staff.

120 (h) The commission shall be within the [Office of the Healthcare
121 Advocate] Insurance Department for administrative purposes only.

122 (i) The commission shall report to the Governor and the General
123 Assembly on its findings not later than June 1, 2010.

124 (j) The commission shall make a determination as to whether the
125 duties of the commission are duplicated by any other state agency,
126 office, bureau or commission and shall include information concerning
127 any such duplication or performance of similar duties by any other
128 state agency, office, bureau or commission in the report described in
129 subsection (i) of this section.

130 Sec. 2. Section 5-198 of the general statutes is repealed and the
131 following is substituted in lieu thereof (*Effective October 1, 2015*):

132 The offices and positions filled by the following-described
133 incumbents shall be exempt from the classified service:

134 (1) All officers and employees of the Judicial Department;

135 (2) All officers and employees of the Legislative Department;

136 (3) All officers elected by popular vote;

137 (4) All agency heads, members of boards and commissions and
138 other officers appointed by the Governor;

139 (5) All persons designated by name in any special act to hold any
140 state office;

141 (6) All officers, noncommissioned officers and enlisted men in the
142 military or naval service of the state and under military or naval
143 discipline and control;

144 (7) (A) All correctional wardens, as provided in section 18-82, and

145 (B) all superintendents of state institutions, the State Librarian, the
146 president of The University of Connecticut and any other
147 commissioner or administrative head of a state department or
148 institution who is appointed by a board or commission responsible by
149 statute for the administration of such department or institution;

150 (8) The State Historian appointed by the State Library Board;

151 (9) Deputies to the administrative head of each department or
152 institution designated by statute to act for and perform all of the duties
153 of such administrative head during such administrative head's absence
154 or incapacity;

155 (10) Executive assistants to each state elective officer and each
156 department head, as defined in section 4-5, provided (A) each position
157 of executive assistant shall have been created in accordance with
158 section 5-214, and (B) in no event shall the Commissioner of
159 Administrative Services or the Secretary of the Office of Policy and
160 Management approve more than four executive assistants for a
161 department head;

162 (11) One personal secretary to the administrative head and to each
163 undersecretary or deputy to such head of each department or
164 institution;

165 (12) All members of the professional and technical staffs of the
166 constituent units of the state system of higher education, as defined in
167 section 10a-1, of all other state institutions of learning, of the Board of
168 Regents for Higher Education, and of the agricultural experiment
169 station at New Haven, professional and managerial employees of the
170 Department of Education and teachers certified by the State Board of
171 Education and employed in teaching positions at state institutions;

172 (13) Physicians, dentists, student nurses in institutions and other
173 professional specialists who are employed on a part-time basis;

174 (14) Persons employed to make or conduct a special inquiry,
175 investigation, examination or installation;

176 (15) Students in educational institutions who are employed on a
177 part-time basis;

178 (16) Forest fire wardens provided for by section 23-36;

179 (17) Patients or inmates of state institutions who receive
180 compensation for services rendered therein;

181 (18) Employees of the Governor including employees working at the
182 executive office, official executive residence at 990 Prospect Avenue,
183 Hartford and the Washington D.C. office;

184 (19) Persons filling positions expressly exempted by statute from the
185 classified service;

186 (20) Librarians employed by the State Board of Education or any
187 constituent unit of the state system of higher education;

188 (21) All officers and employees of the Division of Criminal Justice;

189 (22) Professional employees in the education professions bargaining
190 unit of the Department of Rehabilitation Services;

191 (23) Lieutenant colonels in the Division of State Police within the
192 Department of Emergency Services and Public Protection;

193 (24) The Deputy State Fire Marshal within the Department of
194 Administrative Services;

195 (25) The chief administrative officer of the Workers' Compensation
196 Commission;

197 (26) Employees in the education professions bargaining unit;

198 (27) Disability policy specialists employed by the Council on
199 Developmental Disabilities; [and]

200 (28) The director for digital media and motion picture activities in
201 the Department of Economic and Community Development; and

202 (29) The executive director of the Commission on Health Equity
203 appointed pursuant to section 38a-1051, as amended by this act.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2015	38a-1051
Sec. 2	October 1, 2015	5-198

Statement of Legislative Commissioners:

In Sec. 1. (a)(3)(Q), "[the chairperson of] the Office of the Healthcare Advocate," was changed to "[the chairperson of the Office of] the Healthcare Advocate," for accuracy.

INS Joint Favorable Subst. -LCO

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact: None

Municipal Impact: None

Explanation

The bill specifies that the Commission on Health Equity may appoint an executive director. As this clarifies the Commission's current authority, and does not create a new position, there is no fiscal impact.

The bill also moves the Commission from the Office of the Healthcare Advocate to the Department of Insurance, for administrative purposes only. There is no fiscal impact.

The Out Years

State Impact: None

Municipal Impact: None

OLR Bill Analysis**sHB 5435*****AN ACT CONCERNING THE COMMISSION ON HEALTH EQUITY.*****SUMMARY:**

This bill allows the 32-member Commission on Health Equity to appoint an executive director within available appropriations. It requires the commission to establish requirements for, duties of, and policies and procedures for removing, an executive director, who must be in the unclassified service. By law, the commission must work to (1) eliminate disparities in health status based on race, ethnicity, and linguistic ability and (2) improve the quality of health for all state residents.

The bill places the commission within the Insurance Department, instead of the Office of the Health Care Advocate, for administrative purposes. It also makes technical and conforming changes.

EFFECTIVE DATE: October 1, 2015

COMMITTEE ACTION

Insurance and Real Estate Committee

Joint Favorable

Yea 15 Nay 4 (03/19/2015)