



General Assembly

February Session, 2016

***Raised Bill No. 5268***

LCO No. 1356



Referred to Committee on PUBLIC HEALTH

Introduced by:  
(PH)

***AN ACT CONCERNING HOSPICE FACILITIES.***

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

1 Section 1. Section 8-3e of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective from passage*):

3 (a) No zoning regulation shall treat the following in a manner  
4 different from any single family residence: (1) Any community  
5 residence that houses six or fewer persons with intellectual disability  
6 and necessary staff persons and that is licensed under the provisions of  
7 section 17a-227, (2) any child-care residential facility that houses six or  
8 fewer children with mental or physical disabilities and necessary staff  
9 persons and that is licensed under sections 17a-145 to 17a-151,  
10 inclusive, (3) any community residence that houses six or fewer  
11 persons receiving mental health or addiction services and necessary  
12 staff persons paid for or provided by the Department of Mental Health  
13 and Addiction Services and that has been issued a license by the  
14 Department of Public Health under the provisions of section 19a-491, if  
15 a license is required, or (4) any hospice facility, including a hospice  
16 residence, that provides [inpatient] hospice care and services to six or

17 fewer persons and is licensed to provide such services by the  
18 Department of Public Health, provided such facility is (A) managed by  
19 an organization that is tax exempt under Section 501(c)(3) of the  
20 Internal Revenue Code of 1986, or any subsequent corresponding  
21 internal revenue code of the United States, as from time to time  
22 amended; (B) located in a city with a population of more than one  
23 hundred thousand and within a zone that allows development on one  
24 or more acres; and (C) served by public sewer and water.

25 (b) Any resident of a municipality in which such a community  
26 residence or child-care residential facility is located may, with the  
27 approval of the legislative body of such municipality, petition (1) the  
28 Commissioner of Developmental Services to revoke the license of such  
29 community residence on the grounds that such community residence  
30 is not in compliance with the provisions of any statute or regulation  
31 concerning the operation of such residences, (2) the Commissioner of  
32 Children and Families to revoke the license of such child-care  
33 residential facility on the grounds that such child-care residential  
34 facility is not in compliance with the provision of any general statute  
35 or regulation concerning the operation of such child-care residential  
36 facility, or (3) the Commissioner of Mental Health and Addiction  
37 Services to withdraw funding from such community residence on the  
38 grounds that such community residence is not in compliance with the  
39 provisions of any general statute or regulation adopted thereunder  
40 concerning the operation of a community residence.

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|---|---------------------|------|
| This act shall take effect as follows and shall amend the following sections: |                     |      |
| Section 1   | <i>from passage</i> | 8-3e |

**Statement of Purpose:**

To require all hospice facilities that provide hospice care and services to be treated as single family residences for zoning purposes.

*[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.]*