



# Senate

General Assembly

**File No. 216**

February Session, 2016

Substitute Senate Bill No. 266

*Senate, March 24, 2016*

The Committee on Aging reported through SEN. FLEXER of the 29th Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

***AN ACT CONCERNING A RIGHT TO RESCIND A NURSING HOME CONTRACT.***

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

1 Section 1. (NEW) (*Effective from passage*) A person who signs an  
2 agreement to admit a patient into a nursing home facility, as defined in  
3 section 19a-521 of the general statutes, whether a family member,  
4 responsible party or person acting with a power of attorney, may  
5 rescind such agreement in a signed writing delivered by hand or by  
6 certified mail, return receipt requested, to the nursing home not later  
7 than midnight on the third business day after such person has signed  
8 such agreement. Not later than October 1, 2016, each nursing home  
9 facility shall include in any agreement for admission to the nursing  
10 home facility a conspicuous and clear notice of the right of rescission  
11 as described in this section and a rescission form that may be signed  
12 and delivered in the manner set forth in this section.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	New section

**Statement of Legislative Commissioners:**

In section 1, "acting with a power of attorney" was changed to "person acting with a power of attorney" for clarity.

**AGE**      *Joint Favorable Subst.*

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 allows individuals to rescind an agreement with a nursing home under certain circumstances, which has no fiscal impact to the state.

***The Out Years******State Impact:*** None***Municipal Impact:*** None

**OLR Bill Analysis****sSB 266*****AN ACT CONCERNING A RIGHT TO RESCIND A NURSING HOME CONTRACT.*****SUMMARY:**

This bill allows a third-party (i.e., family member, responsible party, or power of attorney) who signs an agreement to admit a patient to a nursing home, to rescind the agreement within three business days after signing it. The third party must rescind the agreement in writing and deliver it to the nursing home by hand or certified mail, return receipt requested, by midnight on the third business day after signing it.

The bill requires nursing homes, by October 1, 2016, to include in any admissions agreement a (1) clear and conspicuous notice of the right of rescission and (2) rescission form that may be signed and delivered to the nursing home.

EFFECTIVE DATE: Upon passage

**COMMITTEE ACTION**

Aging Committee

Joint Favorable Substitute

Yea 13 Nay 0 (03/08/2016)