



General Assembly

**Substitute Bill No. 6155**

January Session, 2017

\* \_\_\_\_\_HB06155GAE\_\_\_\_032817\_\_\_\_\_\*

**AN ACT AUTHORIZING DEEMED STATUS LICENSE RENEWALS FOR CERTAIN NONPROFIT COMMUNITY SERVICE PROVIDERS.**

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

1 Section 1. Section 17a-20 of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective October 1, 2017, and*  
3 *applicable to applications for renewal submitted after the adoption of*  
4 *regulations in accordance with this section*):

5 (a) For the purposes of this section, "psychiatric clinic" means an  
6 organization licensed by the Department of Children and Families and  
7 staffed by psychiatrists, psychologists, social workers and such other  
8 professional, paraprofessional and clerical personnel as local  
9 circumstances may require, working in collaboration with other social  
10 service agencies, to provide mental health services that are designed to  
11 (1) effectively decrease the prevalence and incidence of mental illness,  
12 emotional disturbance and social [disfunctioning] dysfunction, and (2)  
13 promote mental health in individuals, groups and institutions, and  
14 includes a general hospital with such clinic services. The Department  
15 of Children and Families shall develop and maintain a program of  
16 outpatient psychiatric clinics for children and youths and their  
17 families.

18 (b) For the purposes of this section, "child guidance clinic" means a  
19 subset of psychiatric clinics for children designated by the Department  
20 of Children and Families pursuant to this section to receive grant

21 funds for the purpose of assisting the department to provide  
22 community-based psychiatric services for children, youths and  
23 families. In order to meet such mandate, the department shall  
24 designate a subset of outpatient psychiatric clinics for children to be  
25 known as child guidance clinics. The department shall provide grants  
26 to such child guidance clinics in accordance with the provisions of this  
27 section. Any town having a population of not less than forty thousand,  
28 as most recently determined by the Secretary of the Office of Policy  
29 and Management, or any combination of towns with a combined  
30 population of not less than forty thousand as similarly determined, or  
31 any nonprofit corporation organized or existing for the purpose of  
32 establishing or maintaining a psychiatric clinic for children and youths  
33 or for children and youths and their families, or any clinic designated  
34 by the Department of Children and Families as of January 1, 1995, may  
35 apply to the Department of Children and Families for funds to be used  
36 to assist in establishing, maintaining or expanding a psychiatric clinic.  
37 The applications, and any grant of funds pursuant thereto, shall not be  
38 subject to the provisions of section 17a-476, except to the extent  
39 required by federal law. The department shall base any grant of funds  
40 on the services provided to children and youths under eighteen years  
41 of age and on the effectiveness of the services. No grant shall exceed  
42 two-thirds of the ordinary recurring operating expenses of the clinic,  
43 nor shall any grant be made to pay for any portion of capital  
44 expenditures for the clinic. No clinic in existence as of October 1, 1995,  
45 shall be eligible for grants of any funds under this section unless it has  
46 obtained a license within six months of the adoption of regulations  
47 under subsection (c) of this section. No clinic receiving funds under  
48 this section shall refuse services to any resident of this state solely  
49 because of his or her place of residence.

50 (c) The Department of Children and Families shall adopt  
51 regulations, in accordance with the provisions of chapter 54, defining  
52 the minimum requirements for outpatient psychiatric clinics for  
53 children to be eligible for licensure under this section in regard to (1)  
54 qualification and number of staff members, (2) clinic operation,

55 including, but not limited, to physical plant, governing body and  
56 recordkeeping, (3) effectiveness of services, [and] (4) populations  
57 targeted for priority access, (5) national accrediting organizations that  
58 the department finds have standards that are more or at least as  
59 stringent for obtaining accreditation as the state requirements for  
60 obtaining a license under this section, and (6) any other provisions  
61 necessary to implement the provisions of subsection (d) of this section.  
62 The regulations shall also govern the granting of the funds to assist in  
63 establishing, maintaining and expanding psychiatric clinics. The  
64 regulations may also set an administrative fee sufficient to pay for the  
65 costs to the department of processing an application for a deemed  
66 status license under subsection (d) of this section. The department  
67 shall, upon payment of a fee of three hundred dollars, issue to any  
68 qualifying clinic a license that shall be in force for twenty-four months  
69 from the date of issue and, except as provided in subsection (d) of this  
70 section, shall be renewable for additional twenty-four-month periods,  
71 upon payment of a fee of three hundred dollars for each such period,  
72 provided the clinic continues to meet conditions satisfactory to the  
73 department.

74 (d) In lieu of applying for renewal of a license under subsection (c)  
75 of this section, a clinic may, at the time when any renewal is due,  
76 submit evidence, satisfactory to the department, that such clinic has  
77 been accredited as a provider of outpatient psychiatric services within  
78 the immediately preceding twelve-month period by a national  
79 accrediting organization that the department has listed in regulations  
80 adopted pursuant to subsection (c) of this section. The department  
81 may waive the inspection and investigation of such clinic required by  
82 this section and, in such event, any such clinic shall be deemed to have  
83 satisfied the requirements of this section for the purposes of licensure.  
84 Such deemed status license shall be valid for two years and shall not  
85 be transferable or assignable. The provisions of this subsection shall  
86 not be construed to limit the department's authority to inspect any  
87 clinic or suspend or revoke any license or deemed status license issued  
88 pursuant to this section or to take any other legal action authorized by

89 any provision of the general statutes.

90 (e) The department shall make available to child guidance clinics  
91 forms to be used in making application for available funds. Upon  
92 receipt of proper application, the department shall grant the funds,  
93 provided the plans for financing, the standards of operation and the  
94 effectiveness of services of the clinics are approved by the department  
95 in accordance with the provisions of this section. The grants shall be  
96 made on an annual basis.

97 Sec. 2. Section 17a-145 of the general statutes is repealed and the  
98 following is substituted in lieu thereof (*Effective October 1, 2017, and*  
99 *applicable to applications for renewal submitted after the adoption of*  
100 *regulations in accordance with this section*):

101 (a) No person or entity shall care for or board a child without a  
102 license obtained from the Commissioner of Children and Families,  
103 except: (1) When a child has been placed by a person or entity holding  
104 a license from the commissioner; (2) any residential educational  
105 institution exempted by the State Board of Education under the  
106 provisions of section 17a-152; (3) residential facilities licensed by the  
107 Department of Developmental Services pursuant to section 17a-227, as  
108 amended by this act; (4) facilities providing child care services, as  
109 defined in section 19a-77; or (5) any home that houses students  
110 participating in a program described in subparagraph (B) of  
111 subdivision (8) of section 10a-29.

112 (b) The person or entity seeking a child care facility license shall file  
113 with the commissioner an application for a license, in such form as the  
114 commissioner furnishes, stating the location where it is proposed to  
115 care for such child, the number of children to be cared for, in the case  
116 of a corporation, the purpose of the corporation and the names of its  
117 chief officers and of the actual person responsible for the child. The  
118 Commissioner of Children and Families is authorized to fix the  
119 maximum number of children to be boarded and cared for in any such  
120 home or institution or by any person or entity licensed by the

121 commissioner. If the population served at any facility, institution or  
122 home operated by any person or entity licensed under this section  
123 changes after such license is issued, such person or entity shall file a  
124 new license application with the commissioner, and the commissioner  
125 shall notify the chief executive officer of the municipality in which the  
126 facility is located of such new license application, except that no  
127 confidential client information may be disclosed.

128 (c) In lieu of applying for the renewal of a license under this section,  
129 a person or entity may, at the time when any renewal is due, submit  
130 evidence, satisfactory to the commissioner, that such person or entity  
131 has been accredited as a provider of services within the immediately  
132 preceding twelve-month period by a national accrediting organization  
133 that the department has listed in regulations adopted pursuant to  
134 subsection (f) of this section. The commissioner may waive any  
135 inspection and investigation of such person or entity and, in such  
136 event, any such person or entity shall be deemed to have satisfied the  
137 requirements of this section for the purposes of licensure. Such  
138 deemed status license shall be valid for two years and shall not be  
139 transferable or assignable. The provisions of this subsection shall not  
140 be construed to limit the commissioner's authority to inspect any  
141 person or entity, to suspend or revoke any license or deemed status  
142 license issued pursuant to this section or to take any other legal action  
143 authorized by any provision of the general statutes.

144 [(b)] (d) Each person or entity licensed by the commissioner  
145 pursuant to subsection (a) of this section shall designate an on-site staff  
146 member who shall apply a reasonable and prudent parent standard, as  
147 defined in subsection (a) of section 17a-114d, on behalf of the child.

148 [(c)] (e) The Commissioner of Children and Families shall not be  
149 responsible for the licensing of any facility that does not board or care  
150 for children or youths under eighteen years of age.

151 (f) The Commissioner of Children and Families shall adopt  
152 regulations, in accordance with the provisions of chapter 54, to

153 implement the provisions of subsection (c) of this section. Such  
154 regulations shall (1) list any national accrediting organizations that the  
155 commissioner finds have standards that are more or at least as  
156 stringent for obtaining accreditation as the state requirements for  
157 obtaining a license under this section, and (2) contain any other  
158 provisions necessary to implement the provisions of subsection (c) of  
159 this section. The regulations may also set an administrative fee  
160 sufficient to pay for the costs to the department of processing an  
161 application for a deemed status license under subsection (c) of this  
162 section.

163       Sec. 3. Section 17a-147 of the general statutes is repealed and the  
164 following is substituted in lieu thereof (*Effective October 1, 2017, and*  
165 *applicable to applications for renewal submitted after the adoption of*  
166 *regulations in accordance with this section*):

167       (a) For the purposes of this section and section 17a-22, "extended  
168 day treatment" means a supplementary care community-based  
169 program providing a comprehensive multidisciplinary approach to  
170 treatment and rehabilitation of emotionally disturbed, mentally ill,  
171 behaviorally disordered or multiply handicapped children and youths  
172 during the hours immediately before and after school while they  
173 reside with their parents or surrogate family. Extended day treatment  
174 programs, except any such program provided by a regional  
175 educational service center established in accordance with section 10-  
176 66a, shall be licensed by the Department of Children and Families.

177       (b) The goal of extended day treatment is to improve the  
178 functioning of the child or youth as an individual and the family as a  
179 unit with the least possible interruption of beneficial relationships with  
180 the family and the community. An extended day treatment program  
181 (1) shall offer the broadest range of therapeutic services consistent with  
182 the needs of the children and youths it serves, including, but not  
183 limited to, (A) a therapeutic setting, (B) the integration of the family  
184 into the treatment and the treatment planning process, (C) support and  
185 emergency services to families designed to allow continued residence

186 of the children and youths in their homes, (D) professional clinical  
187 services, (E) access to educational services, and (F) the coordination of  
188 community services in support of the treatment effort, or (2) if  
189 provided for children requiring special education by a regional  
190 educational service center, shall offer such services as are specified in  
191 the prescribed educational program for each such child in accordance  
192 with section 10-76d.

193 (c) The Commissioner of Children and Families shall adopt such  
194 regulations, in accordance with chapter 54, as are necessary to establish  
195 procedures and requirements for the licensure of extended day  
196 treatment programs, except any such program provided by a regional  
197 educational service center. Such regulations shall (1) set forth an  
198 optional process for the provider of an extended day treatment  
199 program to apply for renewal of such license by submitting evidence,  
200 satisfactory to the commissioner, that such person or entity has been  
201 accredited as a provider of extended day treatment services within the  
202 immediately preceding twelve-month period by a national accrediting  
203 organization, (2) list the national accrediting organizations that the  
204 department finds have standards that are more or at least as stringent  
205 for obtaining accreditation as the state requirements for obtaining a  
206 license under this section, and (3) contain any other provisions  
207 necessary to implement this section. The regulations may also set an  
208 administrative fee sufficient to pay for the costs to the department of  
209 processing an application for a deemed status license.

210 (d) After the adoption of regulations in accordance with this section,  
211 the commissioner may waive any inspection and investigation of a  
212 provider of extended day treatment programs applying for a renewal  
213 of such license that is accredited in accordance with, and that satisfies  
214 any other requirements of, the regulations adopted under this section,  
215 and, in such event, any such provider shall be deemed to have satisfied  
216 the requirements of this section for the purposes of licensure. Such  
217 license shall not be transferable or assignable. The provisions of this  
218 subsection shall not be construed to limit the commissioner's authority

219 to inspect any provider, to suspend or revoke any license or deemed  
220 status license issued pursuant to this section or to take any other legal  
221 action authorized by any provision of the general statutes.

222 Sec. 4. Section 17a-149 of the general statutes is repealed and the  
223 following is substituted in lieu thereof (*Effective October 1, 2017, and*  
224 *applicable to applications for renewal submitted after the adoption of*  
225 *regulations in accordance with section 17a-150*):

226 (a) No person or entity except a parent, an adult relative as specified  
227 by section 17b-75 or guardian of any child shall place a child without a  
228 license obtained from the Commissioner of Children and Families.  
229 Application for a child-placing license shall be in a form furnished by  
230 the commissioner, and shall state the location of the principal place of  
231 business of the applicant, its organization or corporate name, its  
232 purposes and the name, title and degree of professional training of  
233 each of its staff members engaged in carrying out its stated purposes.  
234 Any such applicant shall consent to such inspection, review and  
235 supervision of all acts in relation to child placing as are reasonably  
236 necessary to enable the commissioner to perform his or her duties  
237 under section 17a-151, as amended by this act. The provisions of this  
238 section with regard to the commissioner's authority to inspect, review  
239 and supervise all acts in relation to child placing under section 17a-151,  
240 as amended by this act, shall be limited to inspection, review and  
241 supervision of the applicant under this section and shall not include  
242 inspection, review or supervision of the homes in which a child is  
243 placed.

244 (b) In lieu of applying for renewal of a license under this section, an  
245 applicant may, at the time when any renewal is due, submit evidence,  
246 satisfactory to the commissioner, that such applicant has been  
247 accredited as a provider of child-placing services within the  
248 immediately preceding twelve-month period by a national accrediting  
249 organization that the department has listed in regulations adopted  
250 pursuant to section 17a-150, as amended by this act. The commissioner  
251 may waive any inspection and investigation of such applicant required



252 under this section and, in such event, any such applicant shall be  
253 deemed to have satisfied the requirements of this section for the  
254 purposes of licensure. Such deemed status license shall be valid for  
255 two years and shall not be transferable or assignable. The provisions of  
256 this subsection shall not be construed to limit the commissioner's  
257 authority to inspect any applicant, to suspend or revoke any license or  
258 deemed status license issued pursuant to this section or to take any  
259 other legal action authorized by any provision of the general statutes.

260 Sec. 5. Section 17a-150 of the general statutes is repealed and the  
261 following is substituted in lieu thereof (*Effective October 1, 2017*):

262 (a) The Commissioner of Children and Families shall adopt  
263 regulations in accordance with chapter 54 setting forth standards for  
264 licensing of persons or entities which place children. The regulations  
265 shall require a person or entity licensed on or after March 9, 1984, to  
266 have a minimum of two staff persons who are qualified by a  
267 combination of education and work experience, and be a nonprofit  
268 organization qualified as a tax-exempt organization under Section  
269 501(c)(3) of the Internal Revenue Code of 1986, or any subsequent  
270 corresponding internal revenue code of the United States, as from time  
271 to time amended. Such regulations shall (1) set forth an optional  
272 process for persons or entities which place children to apply for  
273 renewal of their license by submitting evidence, satisfactory to the  
274 commissioner, that such person or entity has been accredited as a  
275 provider of child placement services within the immediately preceding  
276 twelve-month period by a national accrediting organization, (2) list the  
277 national accrediting organizations that the department finds have  
278 standards that are more or at least as stringent for obtaining  
279 accreditation as the state requirements for obtaining a license under  
280 section 17a-149, as amended by this act, and (3) contain any other  
281 provisions necessary to implement the provisions of section 17a-149, as  
282 amended by this act. The regulations may also set an administrative  
283 fee sufficient to pay for the costs to the department of processing an  
284 application for a deemed status license under section 17a-149, as

285 amended by this act.

286 (b) Said commissioner shall adopt regulations prescribing the  
287 minimum standards for homes in which children may be placed.

288 Sec. 6. Section 17a-151 of the general statutes is repealed and the  
289 following is substituted in lieu thereof (*Effective October 1, 2017*):

290 (a) [The] Except as provided in subsection (b) of this section, the  
291 Commissioner of Children and Families shall investigate the  
292 conditions stated in each application made under the provisions of  
293 sections 17a-145 and 17a-149, as amended by this act, and shall require  
294 any person identified on the application under said sections to submit  
295 to state and national criminal history records checks. [The] Except as  
296 provided in subsection (b) of this section, the commissioner shall  
297 investigate the conditions in each application under the provisions of  
298 sections 17a-145 and 17a-149, as amended by this act, and, if the  
299 commissioner finds such conditions suitable for the proper care of  
300 children, or for the placing out of children, under such standards for  
301 the promotion of the health, safety, morality and well-being of such  
302 children as the commissioner prescribes, shall issue such license as is  
303 required as promptly as possible, without expense to the licensee. If,  
304 after such investigation, the commissioner finds that the applicant,  
305 notwithstanding good faith efforts, is not able to fully comply with all  
306 the requirements the commissioner prescribes, but compliance can be  
307 achieved with minimal efforts, the commissioner may issue a  
308 provisional license for a period not to exceed sixty days. The  
309 provisional license may be renewed for additional sixty-day periods,  
310 but in no event shall the total of such periods be for longer than one  
311 year. Before issuing any license, the commissioner shall give to the  
312 selectmen of the town wherein such licensee proposes to carry on the  
313 licensed activity ten days' notice in writing that the issuance of such  
314 license is proposed, but such notice shall not be required in case of  
315 intention to issue such license to any corporation incorporated for the  
316 purpose of caring for or placing such children. Each license so issued  
317 shall specify whether it is granted for child-caring or child-placing

318 purposes, shall state the number of children who may be cared for,  
319 shall be in force twenty-four months from date of issue, and shall be  
320 renewed for the ensuing twenty-four months, if conditions continue to  
321 be satisfactory to the commissioner. The commissioner shall also  
322 provide such periodical inspections and review as shall safeguard the  
323 well-being, health and morality of all children cared for or placed  
324 under a license issued by the commissioner under this section and  
325 shall visit and consult with each such child and with the licensee as  
326 often as the commissioner deems necessary but for licenses other than  
327 deemed status licenses, at intervals of not more than ninety days. Each  
328 licensee under the provisions of this section shall file annually with the  
329 commissioner a report containing such information concerning its  
330 functions, services and operation, including financial data, as the  
331 commissioner requires. Any license issued under this section,  
332 including a deemed status license, may be revoked, suspended or  
333 limited by the commissioner for cause, after notice given to the person  
334 or entity concerned and after opportunity for a hearing thereon. Any  
335 party whose application is denied or whose license is revoked,  
336 suspended or limited by the commissioner may appeal from such  
337 adverse decision in accordance with the provisions of section 4-183.  
338 Appeals under this section shall be privileged in respect to the order of  
339 trial assignment.

340 (b) The criminal history records checks required pursuant to  
341 subsection (a) of this section shall be conducted in accordance with  
342 section 29-17a.

343 (c) The commissioner may waive any inspection and investigation  
344 of a person who is applying or who has obtained a deemed status  
345 license in accordance with the provisions of sections 17a-145 and 17a-  
346 149, as amended by this act.

347 Sec. 7. Section 17a-227 of the general statutes is repealed and the  
348 following is substituted in lieu thereof (*Effective October 1, 2017, and*  
349 *applicable to applications for renewal submitted after the adoption of*  
350 *regulations in accordance with this section*):

351 (a) No person, firm or corporation shall operate within this state a  
352 community living arrangement or community companion home which  
353 it owns, leases or rents for the lodging, care or treatment of persons  
354 with intellectual disability, Prader-Willi syndrome or autism spectrum  
355 disorder unless such person, firm or corporation, upon written  
356 application, verified by oath, has obtained a license issued by the  
357 Department of Developmental Services.

358 (b) The commissioner shall adopt regulations, in accordance with  
359 the provisions of chapter 54, to insure the comfort, safety, adequate  
360 medical care and treatment of such persons at the residential facilities  
361 described in subsection (a) of this section. Such regulations shall  
362 include requirements that: (1) All residential facility staff be certified in  
363 cardiopulmonary resuscitation in a manner and time frame prescribed  
364 by the commissioner; (2) records of staffing schedules and actual staff  
365 hours worked, by residential facility, be available for inspection by the  
366 department upon advance notice; (3) each residential facility develop  
367 and implement emergency plans and staff training to address  
368 emergencies that may pose a threat to the health and safety of the  
369 residents of the facility; (4) department staff verify during quality  
370 service reviews and licensing inspections, that (A) staff is adequately  
371 trained to respond in an emergency, and (B) a summary of information  
372 on each resident is available to emergency medical personnel for use in  
373 an emergency; (5) all residential facilities serving persons with Down  
374 syndrome fifty years of age or older have at least one staff member  
375 trained in Alzheimer's disease and dementia symptoms and care; and  
376 (6) not less than one-half of the quality service reviews, licensing  
377 inspections or facility visits conducted by the department after initial  
378 licensure, if applicable, are unannounced. Such regulations shall also  
379 set forth an optional process for a person, firm or corporation which  
380 operates a community living arrangement or community companion  
381 home within this state to apply for renewal of a license under this  
382 section by submitting evidence, satisfactory to the commissioner, that  
383 such person, firm or corporation has been accredited as a provider of  
384 services within the immediately preceding twelve-month period by a

385 national accrediting organization, list the national accrediting  
386 organizations that the department finds have standards that are more  
387 or at least as stringent for obtaining accreditation as the state  
388 requirements for obtaining a license under this section, and contain  
389 any other provisions necessary to implement the provisions of this  
390 subsection. The regulations may also set an administrative fee  
391 sufficient to pay for the costs to the department of processing an  
392 application for a deemed status license under this section.

393 (c) After receiving an application and making such investigation as  
394 is deemed necessary and after finding the specified requirements to  
395 have been fulfilled, the department shall grant a license to such  
396 applicant to operate a facility of the character described in such  
397 application, which license shall specify the name of the person to have  
398 charge and the location of each facility operated under the license. In  
399 the case of a renewal of such license, an applicant may, at the time  
400 when any such renewal is due, submit evidence, satisfactory to the  
401 department, that such applicant has been accredited as a provider of  
402 services within the immediately preceding twelve-month period by a  
403 national accrediting organization that the department has listed in  
404 regulations adopted pursuant to subsection (b) of this section. The  
405 department may waive any inspection and investigation of such  
406 applicant required under this section and, in such event, any such  
407 applicant shall be deemed to have satisfied the requirements of this  
408 section for the purposes of licensure. Such deemed status license shall  
409 be valid for two years and shall not be transferable or assignable. The  
410 provisions of this subsection shall not be construed to limit the  
411 department's authority to inspect any applicant, to suspend or revoke  
412 any license or deemed status license issued pursuant to this section or  
413 to take any other legal action authorized by any provision of the  
414 general statutes. Any person, firm or corporation aggrieved by any  
415 requirement of the regulations or by the refusal to grant any license  
416 may request an administrative hearing in accordance with the  
417 provisions of chapter 54. If the licensee of any such facility desires to  
418 place in charge thereof a person other than the one specified in the

419 license, application shall be made to the Department of Developmental  
420 Services, in the same manner as provided for the original application,  
421 for permission to make such change. Such application shall be acted  
422 upon not later than ten calendar days from the date of the filing of the  
423 application. Each such license shall be renewed annually upon such  
424 terms as may be established by regulations and may be revoked by the  
425 department upon proof that the facility for which such license was  
426 issued is being improperly operated, or for the violation of any of the  
427 provisions of this section or of the regulations adopted pursuant to this  
428 section, provided the licensee shall first be given a reasonable  
429 opportunity to be heard in reference to such proposed revocation. Any  
430 person, firm or corporation aggrieved by such revocation may request  
431 an administrative hearing in accordance with the provisions of chapter  
432 54. Each person, firm or corporation, upon filing an application under  
433 the provisions of this section for a license for a community living  
434 arrangement, shall pay to the State Treasurer the sum of fifty dollars.

435 (d) The Department of Developmental Services may contract, within  
436 available appropriations, with any qualified provider for the operation  
437 of a community-based residential facility, provided the qualified  
438 provider is licensed by the department to operate such facilities,  
439 including a deemed status license. The department shall include in all  
440 contracts with such licensed qualified providers, provisions requiring  
441 the department to (1) conduct periodic reviews of contract  
442 performance, and (2) take progressive enforcement actions if the  
443 department finds poor performance or noncompliance with the  
444 contract, as follows: (A) The licensed qualified provider may be placed  
445 on a strict schedule of monitoring and oversight by the department; (B)  
446 the licensed qualified provider may be placed on a partial-year  
447 contract; and (C) payments due under the contract may be reduced by  
448 specific amounts on a monthly basis until the licensed qualified  
449 provider complies with the contract. If compliance cannot be achieved,  
450 the department shall terminate the contract.

451 (e) The department may contract with any person, firm or

452 corporation to provide residential support services for persons with  
453 intellectual disability, Prader-Willi syndrome or autism spectrum  
454 disorder who reside in settings which are not licensed by the  
455 department. The commissioner shall adopt regulations, in accordance  
456 with the provisions of chapter 54, to ensure the safety, adequate  
457 supervision and support of persons receiving such residential support  
458 services.

459 (f) Any person, firm or corporation who operates any facility  
460 contrary to the provisions of this section shall be fined not more than  
461 one thousand dollars or imprisoned not more than six months or both.  
462 Any person, firm or corporation who operates any facility contrary to  
463 the regulations adopted pursuant to subsection (b) of this section shall  
464 be fined not more than one thousand dollars.

465 Sec. 8. Section 19a-491 of the general statutes is repealed and the  
466 following is substituted in lieu thereof (*Effective October 1, 2017, and*  
467 *applicable to applications for renewal submitted after the adoption of*  
468 *regulations in accordance with this section*):

469 (a) No person acting individually or jointly with any other person  
470 shall establish, conduct, operate or maintain an institution in this state  
471 without a license as required by this chapter, except for persons issued  
472 a license by the Commissioner of Children and Families pursuant to  
473 section 17a-145, as amended by this act, for the operation of (1) a  
474 substance abuse treatment facility, or (2) a facility for the purpose of  
475 caring for women during pregnancies and for women and their infants  
476 following such pregnancies. Application for such license shall be made  
477 to the Department of Public Health upon forms provided by it and  
478 shall contain such information as the department requires, which may  
479 include affirmative evidence of ability to comply with reasonable  
480 standards and regulations prescribed under the provisions of this  
481 chapter or of a national accrediting organization listed in regulations  
482 adopted by the commissioner under subsection (b) of section 19a-493,  
483 as amended by this act. The commissioner may require as a condition  
484 of licensure that an applicant sign a consent order providing

485 reasonable assurances of compliance with the Public Health Code. The  
486 commissioner may issue more than one chronic disease hospital  
487 license to a single institution until such time as the state offers a  
488 rehabilitation hospital license.

489 (b) If any person acting individually or jointly with any other person  
490 owns real property or any improvements thereon, upon or within  
491 which an institution, as defined in subsection (c) of section 19a-490, is  
492 established, conducted, operated or maintained and is not the licensee  
493 of the institution, such person shall submit a copy of the lease  
494 agreement to the department at the time of any change of ownership  
495 and with each license renewal application. The lease agreement shall,  
496 at a minimum, identify the person or entity responsible for the  
497 maintenance and repair of all buildings and structures within which  
498 such an institution is established, conducted or operated. If a violation  
499 is found as a result of an inspection or investigation, the commissioner  
500 may require the owner to sign a consent order providing assurances  
501 that repairs or improvements necessary for compliance with the  
502 provisions of the Public Health Code shall be completed within a  
503 specified period of time or may assess a civil penalty of not more than  
504 one thousand dollars for each day that such owner is in violation of the  
505 Public Health Code or a consent order. A consent order may include a  
506 provision for the establishment of a temporary manager of such real  
507 property who has the authority to complete any repairs or  
508 improvements required by such order. Upon request of the  
509 Commissioner of Public Health, the Attorney General may petition the  
510 Superior Court for such equitable and injunctive relief as such court  
511 deems appropriate to ensure compliance with the provisions of a  
512 consent order. The provisions of this subsection shall not apply to any  
513 property or improvements owned by a person licensed in accordance  
514 with the provisions of subsection (a) of this section to establish,  
515 conduct, operate or maintain an institution on or within such property  
516 or improvements.

517 (c) Notwithstanding any regulation other than the regulations



518 adopted under subsection (b) of section 19a-493, as amended by this  
519 act, the Commissioner of Public Health shall charge the following fees  
520 for the biennial licensing and inspection of the following institutions:  
521 (1) Chronic and convalescent nursing homes, per site, four hundred  
522 forty dollars; (2) chronic and convalescent nursing homes, per bed, five  
523 dollars; (3) rest homes with nursing supervision, per site, four hundred  
524 forty dollars; (4) rest homes with nursing supervision, per bed, five  
525 dollars; (5) outpatient dialysis units and outpatient surgical facilities,  
526 six hundred twenty-five dollars; (6) mental health residential facilities,  
527 per site, three hundred seventy-five dollars; (7) mental health  
528 residential facilities, per bed, five dollars; (8) hospitals, per site, nine  
529 hundred forty dollars; (9) hospitals, per bed, seven dollars and fifty  
530 cents; (10) nonstate agency educational institutions, per infirmary, one  
531 hundred fifty dollars; (11) nonstate agency educational institutions, per  
532 infirmary bed, twenty-five dollars; (12) home health care agencies,  
533 except certified home health care agencies described in subsection (d)  
534 of this section, per agency, three hundred dollars; (13) home health  
535 care agencies, except certified home health care agencies described in  
536 subsection (d) of this section, per satellite patient service office, one  
537 hundred dollars; (14) assisted living services agencies, except such  
538 agencies participating in the congregate housing facility pilot program  
539 described in section 8-119n, per site, five hundred dollars; (15) short-  
540 term hospitals special hospice, per site, nine hundred forty dollars; (16)  
541 short-term hospitals special hospice, per bed, seven dollars and fifty  
542 cents; (17) hospice inpatient facility, per site, four hundred forty  
543 dollars; and (18) hospice inpatient facility, per bed, five dollars.

544 (d) Notwithstanding any regulation other than the regulations  
545 adopted under subsection (b) of section 19a-493, as amended by this  
546 act, the commissioner shall charge the following fees for the triennial  
547 licensing and inspection of the following institutions: (1) Residential  
548 care homes, per site, five hundred sixty-five dollars; (2) residential care  
549 homes, per bed, four dollars and fifty cents; (3) home health care  
550 agencies that are certified as a provider of services by the United States  
551 Department of Health and Human Services under the Medicare or

552 Medicaid program, three hundred dollars; and (4) certified home  
553 health care agencies, as described in section 19a-493, as amended by  
554 this act, per satellite patient service office, one hundred dollars.

555 (e) The commissioner shall charge one thousand dollars for the  
556 licensing and inspection every four years of outpatient clinics that  
557 provide either medical or mental health service, and well-child clinics,  
558 except those which have deemed status licenses under section 19a-493,  
559 as amended by this act, or those operated by municipal health  
560 departments, health districts or licensed nonprofit nursing or  
561 community health agencies.

562 (f) The commissioner shall charge a fee of five hundred sixty-five  
563 dollars for the technical assistance provided for the design, review and  
564 development of an institution's construction, renovation, building  
565 alteration, sale or change in ownership when the cost of the project is  
566 one million dollars or less and shall charge a fee of one-quarter of one  
567 per cent of the total construction cost when the cost of the project is  
568 more than one million dollars. Such fee shall include all department  
569 reviews and on-site inspections. For purposes of this subsection,  
570 "institution" does not include a facility owned by the state.

571 (g) The commissioner may require as a condition of the licensure of  
572 home health care agencies and homemaker-home health aide agencies  
573 that each agency meet minimum service quality standards. In the  
574 event the commissioner requires such agencies to meet minimum  
575 service quality standards as a condition of their licensure, the  
576 commissioner shall adopt regulations, in accordance with the  
577 provisions of chapter 54, to define such minimum service quality  
578 standards, which shall (1) allow for training of homemaker-home  
579 health aides by adult continuing education, (2) require a registered  
580 nurse to visit and assess each patient receiving homemaker-home  
581 health aide services as often as necessary based on the patient's  
582 condition, but not less than once every sixty days, and (3) require the  
583 assessment prescribed by subdivision (2) of this subsection to be  
584 completed while the homemaker-home health aide is providing

585 services in the patient's home.

586 (h) No person acting individually or jointly with any other person  
587 shall establish, conduct, operate or maintain a home health care agency  
588 or homemaker-home health aide agency without maintaining  
589 professional liability insurance or other indemnity against liability for  
590 professional malpractice. The amount of insurance which such person  
591 shall maintain as insurance or indemnity against claims for injury or  
592 death for professional malpractice shall be not less than one million  
593 dollars for one person, per occurrence, with an aggregate of not less  
594 than three million dollars.

595 (i) On and after June 15, 2012, until June 30, 2017, the commissioner  
596 shall not issue or renew a license under this chapter for any hospital  
597 certified to participate in the Medicare program as a long-term care  
598 hospital under Section 1886(d)(1)(B)(iv) of the Social Security Act (42  
599 USC 1395ww) unless such hospital was so certified under said federal  
600 act on January 1, 2012.

601 (j) (1) A chronic disease hospital shall (A) maintain its medical  
602 records on-site in an accessible manner or be able to retrieve such  
603 records from an off-site location not later than the end of the next  
604 business day after receiving a request for such records, (B) keep a  
605 patient's medical records on-site for a minimum of ten years after the  
606 date of such patient's discharge, except the hospital may destroy the  
607 patient's original medical records prior to the expiration of the ten-year  
608 period if a copy of such medical records is preserved by a process that  
609 is consistent with current hospital standards, or (C) complete a  
610 patient's medical records not more than thirty days after the date of  
611 such patient's discharge, except in unusual circumstances that shall be  
612 specified in the hospital's rules and regulations for its medical staff.  
613 Each chronic disease hospital shall provide the Department of Public  
614 Health with a list of the process it uses for preserving a copy of  
615 medical records in accordance with subparagraph (B) of this  
616 subdivision.

617 (2) A children's hospital shall (A) maintain its medical records on-  
618 site in an accessible manner or be able to retrieve such records from an  
619 off-site location not later than the end of the next business day after  
620 receiving a request for such records, and (B) keep a patient's medical  
621 records on-site for a minimum of ten years after the date of such  
622 patient's discharge, except the hospital may destroy the patient's  
623 original medical records prior to the expiration of the ten-year period if  
624 a copy of such medical records is preserved by a process that is  
625 consistent with current hospital standards. Each children's hospital  
626 shall provide the Department of Public Health a list of the process it  
627 uses for preserving a copy of medical records in accordance with  
628 subparagraph (B) of this subdivision.

629 (3) The Department of Public Health may adopt regulations in  
630 accordance with the provisions of chapter 54 to implement the  
631 provisions of this subsection.

632 Sec. 9. Section 19a-493 of the general statutes is repealed and the  
633 following is substituted in lieu thereof (*Effective October 1, 2017, and*  
634 *applicable to applications for renewal submitted after the adoption of*  
635 *regulations in accordance with this section*):

636 (a) Upon receipt of an application for an initial license, the  
637 Department of Public Health, subject to the provisions of section 19a-  
638 491a, shall issue such license if, upon conducting a scheduled  
639 inspection and investigation, the department finds that the applicant  
640 and facilities meet the requirements established under section 19a-495,  
641 provided a license shall be issued to or renewed for an institution, as  
642 defined in section 19a-490, only if such institution is not otherwise  
643 required to be licensed by the state. If an institution, (1) as defined in  
644 subsections (b), (d), (e) and (f) of section 19a-490, applies for license  
645 renewal and has been certified as a provider of services by the United  
646 States Department of Health and Human Services under Medicare or  
647 Medicaid programs within the immediately preceding twelve-month  
648 period, [or if an institution,] (2) as defined in subsection (b) of section  
649 19a-490, is currently certified, or (3) as defined in subsections (g), (h)

650 and (m) of section 19a-490, applies for license renewal and has been  
651 accredited as a provider of services within the immediately preceding  
652 twelve-month period by a national accrediting organization that the  
653 department has listed in regulations adopted pursuant to subsection  
654 (b) of this section, the commissioner or the commissioner's designee  
655 may waive on renewal the inspection and investigation of such facility  
656 required by this section and, in such event, any such facility shall be  
657 deemed to have satisfied the requirements of section 19a-495 for the  
658 purposes of licensure. Such license shall be valid for two years or a  
659 fraction thereof and shall terminate on March thirty-first, June  
660 thirtieth, September thirtieth or December thirty-first of the  
661 appropriate year. A license issued pursuant to this chapter, unless  
662 sooner suspended or revoked, shall be renewable biennially [(1)] (A)  
663 after an unscheduled inspection is conducted by the department, and  
664 [(2)] (B) upon the filing by the licensee, and approval by the  
665 department, of a report upon such date and containing such  
666 information in such form as the department prescribes and satisfactory  
667 evidence of continuing compliance with requirements established  
668 under section 19a-495. In the case of an institution, as defined in  
669 subsection (d) of section 19a-490, that is also certified as a provider  
670 under the Medicare program, the license shall be issued for a period  
671 not to exceed three years, to run concurrently with the certification  
672 period. Except in the case of a multicare institution, each license shall  
673 be issued only for the premises and persons named in the application.  
674 Such license shall not be transferable or assignable. Licenses shall be  
675 posted in a conspicuous place in the licensed premises.

676 (b) The Commissioner of Public Health shall adopt regulations, in  
677 accordance with the provisions of chapter 54, to implement the  
678 provisions of subsection (a) of this section concerning licensure  
679 renewal for an institution, as defined in subsections (g), (h) and (m) of  
680 section 19a-490. Such regulations shall (1) list any national accrediting  
681 organizations that the department finds have standards that are more  
682 or at least as stringent for obtaining accreditation as the state  
683 requirements for obtaining a license under this section, and (2) contain

684 any other provisions necessary to implement the provisions of  
685 subsection (a) of this section. The regulations may also set an  
686 administrative fee sufficient to pay for the costs to the department of  
687 processing an application for a deemed status license under subsection  
688 (a) of this section.

689        [(b)] (c) (1) A nursing home license may be renewed biennially after  
690 (A) an unscheduled inspection conducted by the department, (B)  
691 submission of the information required by section 19a-491a, and (C)  
692 submission of evidence satisfactory to the department that the nursing  
693 home is in compliance with the provisions of this chapter, the Public  
694 Health Code and licensing regulations.

695        (2) Any change in the ownership of a facility or institution, as  
696 defined in subsection (c) of section 19a-490, owned by an individual,  
697 partnership or association or the change in ownership or beneficial  
698 ownership of ten per cent or more of the stock of a corporation which  
699 owns, conducts, operates or maintains such facility or institution, shall  
700 be subject to prior approval of the department after a scheduled  
701 inspection of such facility or institution is conducted by the  
702 department, provided such approval shall be conditioned upon a  
703 showing by such facility or institution to the commissioner that it has  
704 complied with all requirements of this chapter, the regulations relating  
705 to licensure and all applicable requirements of the Public Health Code.  
706 Any such change in ownership or beneficial ownership resulting in a  
707 transfer to a person related by blood or marriage to such an owner or  
708 beneficial owner shall not be subject to prior approval of the  
709 department unless: (A) Ownership or beneficial ownership of ten per  
710 cent or more of the stock of a corporation, partnership or association  
711 which owns, conducts, operates or maintains more than one facility or  
712 institution is transferred; (B) ownership or beneficial ownership is  
713 transferred in more than one facility or institution; or (C) the facility or  
714 institution is the subject of a pending complaint, investigation or  
715 licensure action. If the facility or institution is not in compliance, the  
716 commissioner may require the new owner to sign a consent order

717 providing reasonable assurances that the violations shall be corrected  
718 within a specified period of time. Notice of any such proposed change  
719 of ownership shall be given to the department at least ninety days  
720 prior to the effective date of such proposed change. For the purposes of  
721 this subdivision, "a person related by blood or marriage" means a  
722 parent, spouse, child, brother, sister, aunt, uncle, niece or nephew. For  
723 the purposes of this subdivision, a change in the legal form of the  
724 ownership entity, including, but not limited to, changes from a  
725 corporation to a limited liability company, a partnership to a limited  
726 liability partnership, a sole proprietorship to a corporation and similar  
727 changes, shall not be considered a change of ownership if the  
728 beneficial ownership remains unchanged and the owner provides such  
729 information regarding the change to the department as may be  
730 required by the department in order to properly identify the current  
731 status of ownership and beneficial ownership of the facility or  
732 institution. For the purposes of this subdivision, a public offering of  
733 the stock of any corporation that owns, conducts, operates or  
734 maintains any such facility or institution shall not be considered a  
735 change in ownership or beneficial ownership of such facility or  
736 institution if the licensee and the officers and directors of such  
737 corporation remain unchanged, such public offering cannot result in  
738 an individual or entity owning ten per cent or more of the stock of  
739 such corporation, and the owner provides such information to the  
740 department as may be required by the department in order to properly  
741 identify the current status of ownership and beneficial ownership of  
742 the facility or institution.

743 [(c)] (d) (1) A multicare institution may, under the terms of its  
744 existing license, provide behavioral health services or substance use  
745 disorder treatment services on the premises of more than one facility,  
746 at a satellite unit or at another location outside of its facilities or  
747 satellite units that is acceptable to the patient receiving services and is  
748 consistent with the patient's assessment and treatment plan.

749 (2) Any multicare institution that intends to offer services at a

750 satellite unit or other location outside of its facilities or satellite units  
751 shall submit an application for approval to offer services at such  
752 location to the Department of Public Health. Such application shall be  
753 submitted on a form and in the manner prescribed by the  
754 Commissioner of Public Health. Not later than forty-five days after  
755 receipt of such application, the commissioner shall notify the multicare  
756 institution of the approval or denial of such application. If the satellite  
757 unit or other location is approved, that satellite unit or location shall be  
758 deemed to be licensed in accordance with this section and shall comply  
759 with the applicable requirements of this chapter and regulations  
760 adopted under this chapter.

761 (3) The Commissioner of Public Health may adopt regulations, in  
762 accordance with the provisions of chapter 54, to carry out the  
763 provisions of this subsection. The Commissioner of Public Health may  
764 implement policies and procedures necessary to administer the  
765 provisions of this subsection while in the process of adopting such  
766 policies and procedures as regulation, provided the commissioner  
767 prints notice of intent to adopt regulations in the Connecticut Law  
768 Journal not later than twenty days after the date of implementation.  
769 Policies and procedures implemented pursuant to this section shall be  
770 valid until the time final regulations are adopted.

771 Sec. 10. Section 19a-493c of the general statutes is repealed and the  
772 following is substituted in lieu thereof (*Effective October 1, 2017, and*  
773 *applicable to applications for renewal submitted after the adoption of*  
774 *regulations in accordance with this section*):

775 (a) The Commissioner of Public Health shall license outpatient  
776 clinics, as defined in section 19a-490. In lieu of applying for the  
777 renewal of such license, an applicant may, at the time when any such  
778 renewal is due, submit evidence, satisfactory to the commissioner, that  
779 such applicant has been accredited as a provider of outpatient clinic  
780 services within the immediately preceding twelve-month period by a  
781 national accrediting organization that the commissioner has listed in  
782 regulations adopted pursuant to this section. Any such applicant shall



783 be deemed to have satisfied the requirements of this section for the  
784 purposes of licensure. Such deemed status license shall be valid for  
785 two years and shall not be transferable or assignable. The provisions of  
786 this subsection shall not be construed to limit the commissioner's  
787 authority to inspect any applicant, to suspend or revoke any license or  
788 deemed status license issued pursuant to this section or to take any  
789 other legal action authorized by any provision of the general statutes.

790 (b) The commissioner [may] shall adopt regulations, in accordance  
791 with the provisions of chapter 54, to implement the provisions of this  
792 section. Such regulations shall (1) list any national accrediting  
793 organizations that the commissioner finds have standards that are  
794 more or at least as stringent for obtaining accreditation as the state  
795 requirements for obtaining a license under this section, and (2) contain  
796 any other provisions necessary to implement the provisions of  
797 subsection (a) of this section. The regulations may also set an  
798 administrative fee sufficient to pay for the costs to the department of  
799 processing an application for a deemed status license under subsection  
800 (a) of this section. The commissioner may waive any provision of the  
801 regulations for outpatient clinics. The commissioner may implement  
802 policies and procedures necessary to administer the provisions of this  
803 section while in the process of adopting such policies and procedures  
804 as regulations, except for the regulations concerning deemed status  
805 licenses, provided notice of intent to adopt regulations is published in  
806 the Connecticut Law Journal not later than twenty days after the date  
807 of implementation. Policies and procedures implemented pursuant to  
808 this section shall be valid until the time final regulations are adopted.

809 Sec. 11. Section 19a-507b of the general statutes is repealed and the  
810 following is substituted in lieu thereof (*Effective October 1, 2017, and*  
811 *applicable to applications for renewal submitted after the adoption of*  
812 *regulations in accordance with this section*):

813 (a) No community residence shall be established on or after July 1,  
814 1984, within one thousand feet of any other community residence. If  
815 more than one community residence is proposed to be established in

816 any municipality, the total capacity of all community residences in the  
817 municipality in which such residence is proposed to be established  
818 shall not exceed one-tenth of one per cent of the population of such  
819 municipality.

820 (b) Any resident of a municipality in which a community residence  
821 is or will be located may, through the chief executive officer of the  
822 municipality, or the legislative body of such municipality may, petition  
823 the Commissioner of Public Health to deny an application for a license  
824 to operate a community residence on the grounds that the operation of  
825 such a community residence would be in violation of the limits  
826 established under subsection (a) of this section.

827 (c) An applicant for a license to operate a community residence shall  
828 mail a copy of the application made to the Department of Public  
829 Health to the regional mental health board and the governing body of  
830 the municipality in which the community residence is to be located, by  
831 certified mail, return receipt requested. All applications shall specify  
832 the number of community residences in the municipality, the address  
833 of each such residence and the number of residents in each and the  
834 address of the proposed community residence, and shall include  
835 population and occupancy statistics reflecting compliance with the  
836 limits established pursuant to subsection (a) of this section.

837 (d) The Commissioner of Public Health shall not issue a license for a  
838 community residence until the applicant has submitted proof that the  
839 mailing required by subsection (c) of this section has been made and  
840 until at least thirty days have elapsed since the receipt of such mailing  
841 by all required recipients.

842 (e) In the case of a renewal of such license, an applicant may, at the  
843 time when any renewal is due, submit evidence, satisfactory to the  
844 commissioner, that such applicant has been accredited as a provider of  
845 community residence services within the immediately preceding  
846 twelve-month period by a national accrediting organization that the  
847 commissioner has listed in regulations adopted pursuant this section.

848 The commissioner may waive any inspection and investigation of such  
849 applicant required under this section and, in such event, any such  
850 applicant shall be deemed to have satisfied the requirements of this  
851 section for the purposes of licensure. Such license shall be valid for two  
852 years and shall not be transferable or assignable. The provisions of this  
853 subsection shall not be construed to limit the commissioner's authority  
854 to inspect any applicant, to suspend or revoke any license or deemed  
855 status license issued pursuant to this section or to take any other legal  
856 action authorized by any provision of the general statutes.

857 (f) The Commissioner of Public Health shall adopt regulations, in  
858 accordance with the provisions of chapter 54, to implement the  
859 provisions of subsection (e) of this section concerning deemed status  
860 licensure for a community residence. Such regulations shall (1) list any  
861 national accrediting organizations that the commissioner finds have  
862 standards that are more or at least as stringent for obtaining  
863 accreditation as the state requirements for obtaining a license under  
864 this section, and (2) contain any other provisions necessary to  
865 implement the provisions of subsection (e) of this section. The  
866 regulations may also set an administrative fee sufficient to pay for the  
867 costs to the department of processing an application for a deemed  
868 status license under subsection (e) of this section.

869 Sec. 12. Section 19a-507c of the general statutes is repealed and the  
870 following is substituted in lieu thereof (*Effective October 1, 2017*):

871 A community residence shall be evaluated twice a year by the  
872 Department of Mental Health and Addiction Services, except that a  
873 community residence that has obtained deemed status licensure under  
874 section 19a-507b, as amended by this act, may be evaluated less  
875 frequently and may be evaluated by the department or the accrediting  
876 organization. Evaluations by said department shall include a review of  
877 individual client records and shall be sent to the Department of Public  
878 Health upon its request.

879 Sec. 13. Section 19a-507g of the general statutes is repealed and the

880 following is substituted in lieu thereof (*Effective October 1, 2017, and*  
881 *applicable to applications for renewal submitted after the adoption of*  
882 *regulations in accordance with this section*):

883 (a) The Department of Social Services shall adopt regulations, in  
884 accordance with chapter 54, for the certification of adult day health  
885 care facilities. In establishing such regulations, the Department of  
886 Social Services shall consult with the Connecticut Association of Adult  
887 Day Centers and such other persons or entities it deems appropriate.  
888 In the case of a renewal of such certification, an applicant may, at the  
889 time when any renewal is due, submit evidence, satisfactory to the  
890 commissioner, that such applicant has been accredited as a provider of  
891 adult day health care services within the immediately preceding  
892 twelve-month period by a national accrediting organization that the  
893 department has listed in regulations adopted pursuant to this section.  
894 The department may waive any inspection and investigation of such  
895 applicant required under this section and, in such event, any such  
896 applicant shall be deemed to have satisfied the requirements of this  
897 section for the purposes of certification. Such certificate shall be valid  
898 for two years and shall not be transferable or assignable. The  
899 provisions of this subsection shall not be construed to limit the  
900 department's authority to inspect any applicant, to suspend or revoke  
901 any certificate or deemed status certificate issued pursuant to this  
902 section or to take any other legal action authorized by any provision of  
903 the general statutes.

904 (b) The Department of Social Services shall adopt regulations, in  
905 accordance with the provisions of chapter 54, to implement the  
906 provisions of subsection (a) of this section concerning certification  
907 renewal for adult day health care facilities. Such regulations shall (1)  
908 list any national accrediting organizations that the department finds  
909 have standards that are more or at least as stringent for obtaining  
910 accreditation as the state requirements for obtaining certification under  
911 this section, and (2) contain any other provisions necessary to  
912 implement the provisions of subsection (a) of this section. The

913 regulations may also set an administrative fee sufficient to pay for the  
 914 costs to the department of processing an application for a deemed  
 915 status certificate under subsection (a) of this section.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2017, and applicable to applications for renewal submitted after the adoption of regulations in accordance with this section</i>	17a-20
Sec. 2	<i>October 1, 2017, and applicable to applications for renewal submitted after the adoption of regulations in accordance with this section</i>	17a-145
Sec. 3	<i>October 1, 2017, and applicable to applications for renewal submitted after the adoption of regulations in accordance with this section</i>	17a-147
Sec. 4	<i>October 1, 2017, and applicable to applications for renewal submitted after the adoption of regulations in accordance with section 17a-150</i>	17a-149
Sec. 5	<i>October 1, 2017</i>	17a-150
Sec. 6	<i>October 1, 2017</i>	17a-151
Sec. 7	<i>October 1, 2017, and applicable to applications for renewal submitted after the adoption of regulations in accordance with this section</i>	17a-227

Sec. 8	<i>October 1, 2017, and applicable to applications for renewal submitted after the adoption of regulations in accordance with this section</i>	19a-491
Sec. 9	<i>October 1, 2017, and applicable to applications for renewal submitted after the adoption of regulations in accordance with this section</i>	19a-493
Sec. 10	<i>October 1, 2017, and applicable to applications for renewal submitted after the adoption of regulations in accordance with this section</i>	19a-493c
Sec. 11	<i>October 1, 2017, and applicable to applications for renewal submitted after the adoption of regulations in accordance with this section</i>	19a-507b
Sec. 12	<i>October 1, 2017</i>	19a-507c
Sec. 13	<i>October 1, 2017, and applicable to applications for renewal submitted after the adoption of regulations in accordance with this section</i>	19a-507g

**Statement of Legislative Commissioners:**

In Section 5(a)(2), "this section" was changed to "section 17a-149" for accuracy, and in Section 11(f) "license" was added for consistency and throughout the bill "national" was added before "accrediting" for consistency.

**GAE**      *Joint Favorable Subst. -LCO*