

## MEETING MINUTES

Friday, March 23, 2018

11:00 AM in Room 1D of the LOB

The meeting was called to order at 11:02AM by Chairman, Sen. Gerratana S06

The following committee members were present:

Senators: Gerratana T. S06; Kennedy T. S12; Logan G. S17; Markley J. S16; Moore M. S22; Somers H. S18

Representatives: Betts W. 078; Borer D. 115; Candelora V. 086; Carpino C. 032; Cook M. 065; Cummings S. 074; Demicco M. 021; Genga H. 010; Juleson-Scopino K. 012; Klarides-Ditria N. 105; McCarty K. 038; Perillo J. 113; Petit W. 022; Riley E. 046; Ryan K. 139; Scanlon S. 098; Srinivasan P. 031; Staneski P. 119; Steinberg J. 136; Tercyak P. 026; Winkler M. 056

Absent were:

Senators: None

Representatives: None

Sen. Gerratana convened the meeting at 11:02AM and recessed until 11:35AM.

Rep. Steinberg reconvened the meeting at 11:35AM.

Rep. Steinberg asked if there were any comments or questions from the leadership or members.

Sen. Gerratana told the committee that all the bills on today and next Monday's committee meeting agendas have been thoroughly screened and discussed and that she appreciates the efforts and hard work of all those involved.

Rep. Betts made a motion to place some bills on hold.

Rep. Steinberg explained that the following four bills on today's agenda that will be held:

Item # 6. [S.B. No. 303](#) (RAISED) AN ACT CONCERNING URGENT CARE CENTERS.

Item # 9 [S.B. No. 401](#) (RAISED) AN ACT CONCERNING THE USE OF AUTOMATIC EXTERNAL DEFIBRILLATORS.

Item # 14 [H.B. No. 5154](#) (RAISED) AN ACT CONCERNING WATER USAGE AND CONSERVATION DURING DROUGHT CONDITIONS.

Item # 18 [H.B. No. 5213](#) (RAISED) AN ACT CONCERNING ORAL HEALTH ASSESSMENTS OF CHILDREN.

Rep. Steinberg asked if there were any objections.

Hearing none, Rep. Steinberg requested a motion to JFS to the Floor Item # 1 [S.B. No. 16](#) AN ACT IMPLEMENTING THE GOVERNOR'S BUDGET RECOMMENDATIONS REGARDING PUBLIC HEALTH.

Sen. Gerratana offered the motion and it was seconded by Rep. Scanlon.

Rep. Betts inquired if there is any change to the Certificate of Need (CON) process in this bill.

Rep. Steinberg explained that there are no changes to the CON process.

Rep. Carpino expressed concern with the use of the word "may" in the language in line "1405 subsection" f". of the bill.

Rep. Steinberg explained that research was done and that the language in the bill was adapted directly from elder abuse language.

Rep. Carpino requested that the language be tightened up to make sure it is very clear who receives information and that the information can be acted upon in a timely manner.

Rep. Steinberg agreed that this is a large bill and the committee will be working with the agencies to clear up the language.

Sen. Logan voiced a concern about personal data being available to the public.

Rep. Steinberg said that this concern will be addressed in conjunction with the Data Bill that will be on the next agenda.

Rep. Steinberg called for a roll call vote on Item #1. [S.B. No. 16](#) AN ACT IMPLEMENTING THE GOVERNOR'S BUDGET RECOMMENDATIONS REGARDING PUBLIC HEALTH.

Total voting = 27; Yea=27; Nay =0; Abstentions = 0; Absent and no voting = 0.

Rep. Steinberg asked for a motion to JF to the Floor Item #2 [S.B. No. 172](#) (RAISED) AN ACT CONCERNING ACCESS TO TREATMENT FOR OPIOID USE DISORDER IN CORRECTIONAL FACILITIES, Rep. Steinberg asked for a motion to JF to the floor.

Sen. Gerratana offered the motion and it was seconded by Rep. Scanlon.

Rep. Petit raised a concern regarding the funding for this program. He asked if The Department of Corrections would require additional funding or if it is within existing appropriations.

Sen. Gerratana said that the committee is working with DOC on the draft language and recognizes that the bill needs more work but, they would like to move the bill forward and then address these concerns.

Rep. Steinberg called for a roll call vote on the bill.

Total voting= 27; Yea=27; Nay=0; Abstentions=0; Absent and not voting=0.

Rep. Steinberg asked for a motion to JF to the Floor Item # 3: [S.B. No. 217](#) (RAISED) AN ACT REQUIRING THE HEALTH INFORMATION TECHNOLOGY OFFICER TO ESTABLISH A WORKING GROUP TO EVALUATE ISSUES CONCERNING POLYPHARMACY AND MEDICATION RECONCILIATION.

Sen Gerratana offered the motion and it was seconded by Rep. Borer.

Rep. Betts asked if this working group was funded through existing funds.

Rep. Steinberg explained that his understanding is the funding for staff is within existing appropriations.

Rep. Steinberg called for a roll call vote on the bill.

Total voting=27; Yea=27; Nay=0; Abstentions=0; Absent and not voting=0.

Rep. Steinberg announced that the votes will be held open until 5:00PM.

Rep. Steinberg asked for a motion to JF to the Floor Item # 4: [S.B. No. 296](#) (RAISED) AN ACT ESTABLISHING A PILOT PROGRAM TO SERVE PEOPLE SEEKING RESIDENTIAL SERVICES FROM THE DEPARTMENT OF DEVELOPMENTAL SERVICES.

Rep. Betts offered the motion and it was seconded by Sen. Somers.

Rep. Betts asked who would be making the decisions as to location and the number of individuals served by the pilot program.

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Rep. Steinberg responded that since the recommendation of this group will be coming back to the committee, the committee and agency would have to be in accord with the logistics of the program including location and the number of individuals who could be served under this new model.

Rep. Staneski indicated that she was in favor of the concept in the bill, but requested clarity on a couple of issues. Once an individual has moved out of a group home, how will people be chosen from the waiting list to replace this individual? Also, as a voluntary program, individuals may choose to move. However, if after a while, an individual would like to move back to the group home environment, will the person be able to move back?

Rep. Steinberg acknowledged that these were very good questions that do need further clarification. He shared with the committee that this was one of the more controversial aspects of the model. He also explained that the model is innovative and directional and is an attempt to address the waiting list. He reminded the meeting that all recommendations would be coming back to the committee and that these would give some direction as to how the model should proceed. Also, being a pilot program, the time frame would provide the ability for an individual to move back.

Rep. Staneski thanked the Chairman and requested that when the bill comes to the floor, the intent of the legislation is clearly part of the discussion.

Rep. Srinivasan shared his understanding of the intent of the bill which is to provide a "paper plan" with a list of recommendations to produce a cost effective and more inclusive model to address the waiting list for group homes. Nothing will be taking place until these recommendations are presented to the committee and the Department of Developmental Services and thoroughly reviewed.

Rep. McCarty asked if stakeholders such as the ARC and the Alliance would be part of the pilot program working group.

Rep. Steinberg said the intent is to engage the families and agencies to achieve the best possible solution.

Rep. Terczak expressed concern with the use of the term “less expensive” in the language and hoped this was not the reason behind the legislation.

Rep. Steinberg indicated the number one priority is to maintain safety, quality of life and to provide options for individuals to prosper.

Sen. Somers indicated this was a terrific bill that would provide some options for people with disabilities.

Rep. Steinberg called for a roll call vote on the bill.

Total voting: 27; Yea= 27; Nay= 0; Abstentions= 0; Absent and not voting= 0.

Rep. Steinberg asked for a motion to JFS to the Floor Item #5: [S.B. No. 302](#) (RAISED) AN ACT CONCERNING TELEHEALTH SERVICES.

Sen. Gerratana offered the motion and it was seconded by Rep. Cook.

Rep. Steinberg explained that this bill included sections of [H.B. No. 5152](#) (RAISED) AN ACT CONCERNING THE PRESCRIBING OF CONTROLLED SUBSTANCES USED IN MEDICATION-ASSISTED TREATMENT OF SUBSTANCE USE DISORDERS THROUGH THE USE OF TELEHEALTH and [H.B. No. 5299](#) (RAISED) AN ACT CONCERNING TELEHEALTH PRESCRIBING FOR TREATMENT OF PSYCHIATRIC DISORDERS.

Rep. Perillo asked if people would still need to access a methadone clinic and if so, how does this bill help. He also mentioned the potential abuse of drugs, specifically methadone.

Rep. Steinberg explained that Telehealth is not meant to replace methadone clinics and asked Sen. Gerratana to further explain the intent behind the bill.

Sen. Gerratana explained that individuals will still have to go to the clinic and that this model is not intended to replace the traditional method of dispensing methadone. The

intent of the bill is to help people remain compliant and provide support and additional cognitive and behavioral help.

Rep. Perillo requested that as the bill moves forward, his concerns be considered.

Sen Somers recognized Rep. Perillo's concern and indicated that the committee will be willing to look at this insure tracking is clear in the language.

Rep. Srinivasan referred to lines # 22 and # 23 of the substitute language and questioned if this mode of treatment is only for substance abuse disorders or could it apply to other conditions such as pain management.

Rep. Steinberg responded this is specifically for addition related therapy.

Rep. Srinivasan questioned if the first visit in Telehealth must be in person.

Sen Gerratana responded, referring to lines # 82-90 of the substitute language. Under the Telehealth model there is a process where patients must be seen by a provider and screened through an arduous and thorough intake protocol. Then, based on the records and documentation, the provider determines a course of action.

Rep. Srinivasan asked if there is a monitoring process.

Sen. Gerratana explained that a licensed practitioner has to document all records obtained through this process and that this information becomes part of the patient record.

Rep. Steinberg explained that this information would be handled on a continuous basis and updated.

Rep. Srinivasan asked if this applies to the use of opioids.

Sen. Gerratana explained that Telehealth does not change any requirement of licensed providers to follow existing laws.

Rep. Petit indicated his support for the concept but is concerned that there is no initial face to face between patient and provider. He added that he is not comfortable with this process being done through the internet.

Sen. Markley asked if the Telehealth model requires a visual as well as an audio interaction. He believes that visual communication is very valuable.

Sen. Gerratana explained that in the requirements outlined in the language of the bill, lines #41-49, her understanding is that a face to face is part of the process through the internet. She added that it is not a telephone communication.

Sen. Markley questioned the prescriptive authority of practitioners participating in Telehealth.

Sen. Gerratana explained that we need to think of Telehealth as another mode of health care delivery. All requirements currently in statute would need to be followed by all licensed practitioners. This includes regulations concerning prescriptive drugs. The language in statute clearly indicates that no Telehealth providers can prescribe any Class 1, 2 or 3 medications.

Sen. Markley thanked Sen. Gerratana for her answers and stated that he would like clarification on this issue.

Sen. Somers shared that although this bill does give the option of an in- person initial visit, providers in her district have told her that they prefer the first visit to be in person.

Rep. Betts indicated he too, supports the concept of the bill but, would like more vetting to give his support.

Rep. Steinberg admits there are issues but would like to move the bill forward as the committee continues to clarify concerns.

Rep. McCarty asked how a patient would give consent to this mode of care.

Sen. Gerratana explained that although not specifically mentioned in the language, the process of giving consent would be similar to that in a doctor's office. The patient gives consent during the extensive intake process completing such forms as the HIPPA form.

Rep. McCarty thanked the Senator for her answers but added that she would like to see the language tightened up.

Sen. Kennedy indicated his support for Telehealth and believes it is a step in the right direction. It provides options to patients. Telehealth potentially alleviates obstacles that might make it difficult for an individual to stay in a program. Telehealth encourages interaction between the patient and the provider.

Rep. Perillo offered the following amendment: “on line 95 of the bill, strike the period after the word treatment and insert after an in-person assessment has been performed by a physician licensed under chapter 370.”

Rep. Carpino seconded the motion.

Rep. Steinberg asked for discussion.

Rep. Terczak shared that last year he offered a bill with a similar requirement thinking that this is what doctors wanted. However, he was told that this could be a deterrent to getting someone into a program. One of the goals of Telehealth is that a patient will over time transition to a more traditional delivery of service. Getting the patient to begin the process is one objective of Telehealth. For These reasons, he believes the amendment would defeat this goal.

Sen. Gerratana explained that the amendment would defeat the purpose of the bill which is to offer another mode of treatment. Although the amendment is well intentioned, it creates another barrier to Telehealth.

Sen. Somers does not believe the amendment defeats the purpose of the bill but does put a crimp in it. Licensed providers are monitored by the DEA and we need to balance our comfort level with our faith in the medical community.

Rep. Steinberg encouraged the members to move the bill forward unamended and acknowledged the concerns raised by members. He indicated that he will work with doctors to weigh the benefits and risks to moving the Telehealth model forward.

The proponents of the proposed amendment withdrew their motion.

Rep. Steinberg called for a roll call vote on the bill.

Total voting= 27; Yea= 20; Nay=7; Abstentions=0; Absent and not voting=0.

Rep. Steinberg asked for a motion to JF to the Floor Item # 7: [S.B. No. 306](#) (RAISED) AN ACT CONCERNING THE APPROVAL OF PODIATRISTS TO PERFORM STANDARD ANKLE SURGICAL PROCEDURES.

Rep. Betts offered the motion and it was seconded by Sen. Somers.

Rep. Srinivasan questioned the rationale for a change in board membership.

Rep. Steinberg responded that he would have to check, but believes from the podiatrists that they want a more vigorous review.

Rep Petit agrees with Rep. Srinivasan that this is hard to understand and believes it is best done at the local hospital level. Changing the blend of members seems unnecessary.

Sen. Somers commented that podiatrists are highly trained. She shared a story regarding a podiatrist from out of state that had to wait 9 months to obtain a permit to practice in Connecticut.

Sen. Markley agreed with Sen. Somer's concerning the delay in being able to practice in our state. This bill would improve the current situation.

Rep. Srinivasan requested that the bill be flagged before it goes to the floor.

Rep. Steinberg called for a roll call vote.

Total voting=27; Yea=25; Nay=2; Abstentions =0; Absent and not voting=0.

Rep. Steinberg asked for a motion to JFS to the Floor Item # 8: [S.B. No. 400](#) (RAISED) AN ACT CONCERNING GRADUATE FUNDING AND THE PROVISION OF SUPPORT AND SERVICES FOR PERSONS WITH INTELLECTUAL DISABILITY.

Rep. Terczak offered the motion and it was seconded by Sen. Somers.

Rep. Staneski referred to line #18 of the substitute language and questioned who would be providing the funding, The Department of Developmental Services or the contractors.

Rep. Steinberg said the committee would be working on the language to make legislative intent clear.

Rep. McCarty indicated that she was pleased that the Governor cannot cut the funding.

Rep. Steinberg called for a roll call vote.

Total voting 25; Yea =25; Nay =0; Abstentions =0; Absent and not voting =2.

Sen. Gerratana asked for a motion to JF to the Floor Item #10: [S.B. No. 402](#) (RAISED)  
AN ACT CONCERNING TRUTH IN ADVERTISING BY MEDICAL DOCTORS AND  
DOCTORS OF OSTEOPATHIC MEDICINE.

Rep. Borer offered the motion and it was seconded by Sen. Somers.

Hearing no questions, Sen. Gerratana asked for a roll call vote.

Total voting = 26; Yea = 26; Nay = 0; Abstentions =0; Absent and not voting =1.

Se. Gerratana asked for a motion to JFS to the Floor Item # 11: [S.B. No. 404](#) (RAISED)  
AN ACT CONCERNING MANDATED REPORTERS

Rep. Borer offered the motion and it was seconded by Sen. Somers.

Rep. Srinivasan asked if the requirements in the bill refer only to persons who provide paid services to the patient.

Sen. Gerratana responded that the language of the bill clearly states it is a paid provider of a service. So individuals such as janitors or cafeteria workers would not be included in the bill's requirement.

With no further discussion, Sen. Gerratana called for a roll call vote.

Total voting =26; Yea =26; Nay =0; Abstentions =0; Absent and not voting =1.

Sen. Gerratana asked for a motion to JFS to the Floor Item# 12: [S.B. No. 463](#) (RAISED)  
AN ACT CONCERNING THE DEVELOPMENT OF A FACILITIES AND RESOURCES  
PLAN FOR PERSONS WITH INTELLECTUAL DISABILITY..

Sen. Somers offered the motion and it was seconded by Rep. Borer.

Rep. Betts asked why this topic could not be handled administratively.

Rep. McCarty indicated that she is supportive of this legislation, but would like to include people on the task force who actually work with this population.

Sen. Gerratana assured Rep. McCarty that there will be adjustments to the bill as it moves forward.

Sen. Gerratana called for a roll call vote.

Total voting =26; Yea = 25; Nay = 1; Abstentions =0; Absent and not voting = 1.

Sen. Gerratana asked for a motion to JFS to the Floor Item # 13: [H.B. No. 5148](#) (RAISED) AN ACT CONCERNING PREGNANT PATIENTS EXERCISING LIVING WILLS

Rep. Terczak offered the motion and it was seconded by Sen. Somers.

Hearing no questions, Sen. Gerratana called for a roll call vote.

Total voting = 26; Yea= 26; Nay =0; Abstentions = 0; Absent and not voting =1.

Sen. Gerratana asked for a motion to JF to the Floor Item# 15: [H.B. No. 5158](#) (RAISED) AN ACT REQUIRING FOOD ALLERGY TRAINING IN RESTAURANTS.

Rep. Scanlon offered the motion and it was seconded by Rep. Terczak.

Rep. Scanlon explained that this was a bill he proposed last session that it did not move forward. However, the Chairman of the committee indulged him and raised the bill this session. Rep. Scanlon indicated this legislation was very important to a number of his constituents.

Rep. Scanlon offered an amendment to the bill that would strike section one of the bill and strike the last line of subsection “b” of section 2 between the words “each” and ending with “score”. He added that the language came directly from testimony during the public hearing.

Rep. Ryan seconded the amendment.

Rep. Betts asked exactly what the amendment accomplishes.

Rep. Scanlon explained that the amendment removes the unfunded mandate concerning the responsibilities of local health departments.

Rep. Betts questioned the position of restaurant owners on the issue.

Rep. Scanlon explained that while the restaurants don't oppose the bill, they do not openly support it.

Rep. Betts commented that he believes this issue is being addressed on the federal level.

Rep. Scanlon said he views this legislation as a compliment to the federal law.

Rep. Betts asked if there had been an effort to meet with restaurant owners in light of the federal program.

Rep. Scanlon said he had not met with owners this year, but asked that the bill be moved forward and he will talk with owners.

Rep. Betts expressed his reticence in supporting this legislation. He believes that people directly affected by additional regulations should have more input.

In addressing this concern, Rep. Scanlon explained that, although recognition on this bill is not universal, it has been discussed for two years and the industry should keep its members informed.

Sen. Gerratana asked for a voice vote on the amendment.

The amendment passes.

Sen. Gerratana asked for comments on the bill as amended

Rep. Perillo questioned the language in section 2 lines # 42&43 concerning "allergen awareness" and asked if there is a standardized program for the industry to follow.

Sen. Gerratana responded that restaurants designate an employee on each shift to be versed in food allergens.

Rep. Perillo asked what is meant by the phrase "major food allergen".

Sen. Gerratana responded that she is not exactly sure but a list must exist.

Rep. Scanlon explained that in the course servers are required to take addresses the top 8 food allergens.

Rep. Perillo also questioned the requirement that all menus indicate that the consumer make sure to tell the server that they have a food allergy. He is concerned with the additional cost, especially small restaurant owners, to reprint menus, etc. Rep. Perillo believes the requirements in the bill may not be necessary and that they could place an undue burden on the restaurant owners.

Rep. Staneski asked for clarification regarding “model food code” and how this legislation could impact P.A. 17-93.

Rep. Scanlon responded that the DPH said this bill will not be a problem going forward. The amendment addressed any concerns that may have arisen.

Rep. McCarty asked what is meant by a class 1, 2, or 3 establishment and if there are any exemptions in the legislation.

Rep. Scanlon did not have the actual definitions of these classes but did indicate the legislation refers to all brick and mortar establishments. He added that food trucks and farmers’ markets would not come under this legislation.

Rep. Petit asked if this legislation would require additional training for an employee to be a “food certified operator”. He expressed concerns that it would put an additional burden on the restaurant owners.

Sen. Gerrata called for a roll call vote on the bill as amended.

Total voting = 27; Yea = 22; Nay = 5; Abstentions = 0; Absent and not voting = 0.

Rep. Steinberg asks for a motion to JFS to the Floor Item #16: [H.B. No. 5159](#) (RAISED)  
AN ACT CONCERNING THE RECOMMENDATIONS OF THE DEPARTMENT OF  
DEVELOPMENTAL SERVICES REGARDING OVERSIGHT OF EMERGENCY  
MEDICAL CARE AND END-OF-LIFE PLANNING .

Rep. Borer offered the motion and it was seconded by Rep. Terczak.

Rep. McCarty asked if a doctor would still be involved in the process.

Rep. Steinberg said that the doctor would still be involved either as the initial or secondary opinion. This bill expands the process to include APRN’s offering either the initial or secondary opinion.

Hearing no other questions, Rep. Steinberg called for a roll call vote.

Total voting = 24; Yea = 24; Nay = 0; Abstentions = 0; Absent and not voting = 3.

Rep. Steinberg asked for a motion to JF to the Floor Item# 17: [H.B. No. 5163](#) (RAISED) AN ACT CONCERNING THE DEPARTMENT OF PUBLIC HEALTH'S RECOMMENDATIONS REGARDING VARIOUS REVISIONS TO THE PUBLIC HEALTH STATUTES.

Rep. Borer offered the motion and it was seconded by Rep. Betts.

Rep. Steinberg explained that the bill addresses strictly technical changes to existing statutes associated with the Department of Public Health.

Rep. Steinberg called for a roll call vote.

Total voting: 24; Yea = 24; Nay = 0; Abstentions = 0; Absent and not voting =3.

Rep. Steinberg asked for a motion to JFS to the Floor Item # 19; [H.B. No. 5290](#) (RAISED) AN ACT CONCERNING THE OFFICE OF HEALTH STRATEGY.

Rep. Borer offered the motion and it is seconded by Rep. McCarty.

Rep. Steinberg explained that SB 16 and this bill are streamlined to make as seamless as possible the transition to get the Office of Health Strategy up and running within a few months.

Hearing no questions, he called for a roll call vote.

Total voting: 25; Yea =21; Nay = 4; Abstentions =0; Absent and not voting=2.

Rep. Steinberg asked for a motion to JFS to the Floor Item # 20:[H.B. No. 5291](#) (RAISED) AN ACT CONCERNING ACCESS TO INFORMATION REGARDING THE SAFETY **OF SPORTS HELMETS**.

Rep. Borer offered the motion and it is seconded by Sen.Logan.

Rep. Cook indicated that she supports the intent of the legislation but had a concern that it may produce contractual violations for participating manufacturers in posting certain information on sports equipment.

Sen. Logan responded that as a co-sponsor of the bill, he recognizes the concern. However, he asked that the committee move the bill forward as the individuals involved continue working on the language. Sen. Logan also indicated that the bill could be turned into a working group.

Hearing no further discussion, Rep. Steinberg called for a roll call vote.

Total voting = 27; Yea = 24; Nay =1; Absentions =0; Absent and not voting =2.

Rep. Steinberg again announced the vote would be open until 5:00pm

Rep. Steinberg announced that the next committee meeting will be Monday, March 26, 2018.

The meeting was adjourned 5:00PM.

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Beverly Henry  
Administrator

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Kathleen Panazza  
Committee Assistant Clerk