

Public Health Committee

MEETING MINUTES

Monday, March 26, 2018

11:00 AM in Room 1D of the LOB

The meeting was called to order at 11:06 AM by Chairwoman, Sen. Somers H. S18.

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: 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:

Representatives: Betts W. 078

Sen. Somers convened the meeting at 11:06 AM and recessed it until 11:30 AM.

Sen. Somers reconvened the meeting at 11:43 AM.

Rep. Steinberg thanked everyone, particularly the staff, for working incredibly hard. He acknowledged there will be disappointments as some people worked very hard on bills which did not make the final cut. This is not an indication the committee had no interest in the bills. It may mean they were not fully vetted and those bills could be up for discussion next legislative session.

Sen. Gerratana conveyed with approximately 40 legislative days left to get all of our legislation passed, we still have work ahead of us as we shepherd our bills through. She noted the Public Health Committee has worked efficiently and will continue to work hard on all the legislation before us.

Sen. Somers announced today is our last meeting and thanked all committee members for working together in a truly bipartisan manner to promote the health and wellbeing of our citizens. She also noted that Sen. Kennedy will not be returning next year and thanked him personally for doing great work for the committee.

Sen. Kennedy thanked Sen. Somers and said the Public Health Committee has a long tradition of working in a collaborative and bipartisan manner to address the public health interest of our state. He stated it has been a pleasure to work on the committee.

Sen. Somers announced the committee has two bills on today's agenda which are being: [S.B. No. 403](#) (Raised) An Act Concerning Respiratory Care Practitioners, and [H.B. No. 5157](#) (Raised) An Act Requiring The Installation Of Video Cameras In The Rooms Of Nonverbal Nursing Home Residents.

Rep. Srinivasan agreed with Sen. Kennedy's sentiments. He said this is a great committee which does a phenomenal job and he is glad to have had the opportunity to serve in multiple capacities. He also noted the disappointment of people when certain bills do not pass out of committee, but they can always be done on another day. He thanked the staff for their support and for always responding to his questions. He thanked the committee for being fair in moving the agenda forward and focusing on the most important concern, the safety of the citizens of our state.

Sen. Somers proceeded to the first bill on the agenda, [S.B. No. 164](#) (Raised) An Act Raising the Legal Age to Purchase Tobacco to Twenty-One. S.B. 164 raises the legal age to purchase cigarettes, e-cigarettes, and other tobacco products from 18 to 21. It makes corresponding changes to the law. If you are 18 by October 1, 2018, you will be grandfathered and will be able to continue purchasing these products. Sen. Somers asked for a motion to JF to the Floor S.B. 164.

Sen. Gerratana offered the motion which was seconded by Rep. Borer.

Rep. Srinivasan asked if this bill was any different from the ones that came before us in previous years.

Sen. Somers said it is her understanding that this bill is different because it now has the grandfather language.

Rep. Srinivasan expressed concerns. He said we had the right idea moving forward but now we are creating two tiers with October being the cutoff date. He asked how we arrived at October becoming the effective date of the bill rather than immediately on passage.

Sen. Somers said this was brought to the committee as a compromise from the American Cancer Society. Understanding there are currently 19 year old smokers, the bill may have more support and a better chance to be acted upon positively if we could

grandfather them in. The intent is that once the bill has passed the grandfathered category, these products will not be legal until you're 21 years of age.

Rep. Srinivasan wanted to confirm if an 18 year old who turns 18 prior to 1 October will still be able to purchase tobacco related products, and after 1 October they have to be 21 years of age.

Sen. Somers asserted that is how she read the bill.

A roll call vote was taken. Total voting = 26. Yea = 22. Nay = 4. Abstain = 0. Absent and Not Voting = 1.

Sen. Somers asked for a motion to JFS to the Floor [S.B. No. 303](#) (Raised) An Act Concerning Urgent Care Centers.

Sen. Gerratana offered the motion which was seconded by Rep. Steinberg.

Rep. Srinivasan asked if a consent calendar could be established, and if S.B. 303 could go on it.

Sen. Somers asked for a motion to establish a consent calendar.

Rep. Cook offered the motion which was seconded by Rep. Borer.

A consent calendar was established and S.B. 303 was placed on it.

Rep. Carpino asked how this bill will impact, distinguish and apply to hospitals that have both, urgent care centers and free standing emergency rooms.

Sen. Gerratana noted we differentiate by defining an emergency department and its association with the hospital. There is existing language in the bill which defines an urgent care center in an outpatient clinic. There is nothing in the bill that says a hospital cannot have an urgent care center, however we now clarify the difference between the three scenarios. The bill says that a freestanding emergency department is a satellite of a hospital and the definition can be found in federal code 413.65.

Rep. Carpino asked to confirm that the corresponding LCO number to S.B. 303 is 3186.

Sen. Gerratana noted she had the same LCO number associated with the bill.

Sen. Somers asked if there were any objections to moving the bill to the consent calendar. There were no objections and the bill was placed on the consent calendar.

Sen. Somers asked for a motion to JFS to the Floor [S.B. No. 401](#) (Raised) An Act Concerning the Use of Automatic External Defibrillators.

Rep. Steinberg offered the motion which was seconded by Rep. Borer.

Rep. Srinivasan asked if the bill could be placed on the consent calendar.

Sen. Somers asked if there were any objections.

Rep. Demicco expressed his concerns with consent calendars because it takes away the opportunity of committee members who are not present at the meeting to object to a bill. While he does not personally object to listing S.B. 401 on the consent calendar, he believes it could be unfair to the members who are absent.

Sen. Gerratana noted that Rep. Demicco's point is well taken and asked if he would like a description of the bill.

Rep. Demicco said that is not necessary, he only wanted to be fair to his colleagues who were not present at the meeting.

Sen. Gerratana responded by acknowledging the positive meaning of a consent calendar, which is that a majority or the whole committee is in agreement. She also noted that if a member had a question or wanted to vote no on a bill that was put on the consent calendar, they could vote no on the calendar as a whole. Going forward all members will have opportunities to weigh in on this legislation, although there are very few bills that come out of the committee that members want changed afterwards.

Sen. Somers asked if all members, besides Rep. Demicco, were still in agreement about placing S.B. 401 on the consent calendar. There were no objections and the bill was placed on the calendar.

Sen. Somers asked for a motion to JFS to the Floor [S.B. No. 406](#) (Raised) An Act Concerning the Department of Mental Health And Addiction Services, Connecticut Valley Hospital and Whiting Forensic Hospital.

Sen. Gerratana offered the motion which was seconded by Rep. Borer.

Rep. Srinivasan requested that S.B. 406 be placed on the consent calendar.

Sen. Somers asked if all members were in agreement. She also explained that this bill was still a work in progress as there are some items which need to be refined and clarified. She emphasized that she is dedicated to working on the bill with her fellow senators and representatives of the committee and will keep everyone updated on the changes as they become more apparent.

S.B. 406 was placed on the consent calendar.

Sen. Somers asked for a motion to JFS to the floor [S.B. No. 464](#) (Raised) An Act Establishing a Working Group to Enhance Physician Recruitment in the State.

Rep. Cook offered the motion which was seconded by Sen. Gerratana.

Rep. Steinberg recognized the robust and spirited conversation which took place in the Public Health Committee public hearing with regards to S.B. 464. He said the bill has been amended significantly concerning numerous factors that could contribute to reducing physician shortages or attracting physicians to Connecticut. It could potentially be a very productive working group that can offer recommendations to address regional access issues, particularly pediatric psychiatry and, in some places, internal medicine and family practice, especially as it relates to areas in psychiatry. He noted that the bill is no longer as narrow as the original scope, and it could conceivably be very productive for Connecticut.

Rep. Srinivasan added that he was hopeful the group would have answers not only on physician specialties, but also on physician specialties in different parts of our state where we unfortunately see a significant lack of access. Rep. Srinivasan asked if the bill could be placed on the consent calendar.

Sen. Somers asked if there were any objections. Seeing none, S.B. 464 was placed on the consent calendar.

Sen. Somers asked for a motion on [S.B. No. 511](#) (Raised) An Act Concerning Opioids.

Sen. Gerratana offered the motion which was seconded by Rep. Steinberg.

Sen. Somers explained that S.B. 511 contains various provisions concerning the prevention and treatment of opioid drug abuse. It requires the Department of Mental Health and Addiction Services commissioner, in collaboration with the Insurance Department commissioner, and the medical examiner, to convene a working group to evaluate ways to combat Connecticut's opiate epidemic. One of the things the committee thought was most important is that this group look at the best way to access federal funding that has now become available for the study of opiate use. There is a possibility we are not taking full advantage of such and we want to maximize Connecticut's return on the federal program.

Rep. Srinivasan hoped the bill could be placed on the calendar with bipartisan support.

Sen. Somers asked if there were any objections. Seeing none, S.B. 511 was placed on the consent calendar.

Sen. Somers asked for a motion to JFS to the floor [H.B. No. 5149](#) (Raised) An Act Concerning Sober Living Homes.

Rep. Cook offered the motion which was seconded by Rep. Steinberg.

Rep. Steinberg recognized Rep. Cook and Sen. Somers for the good work they have done regarding this bill. He said there has been significant accommodation concerning how to reasonably move forward with this legislation. Although it may not be where we want it to be ultimately this is a good step forward.

Rep. Cook thanked her colleagues on both sides of the isle for continuing to work on something that is not only vitally important to her town, but every town in Connecticut. She said this would not be the end of the conversation but the beginning. Lives will be lost if Connecticut does not do something about the problem.

Rep. Srinivasan thanked Rep. Cook for her leadership in moving the bill forward. He said the bill had a long way to go from achieving what we ultimately want to accomplish but the conversation needs to begin somewhere. He asked if the bill could be placed on the consent calendar.

Sen. Somers asked if there were any objections. Seeing none, H.B. 5149 was placed on the consent calendar.

Sen. Somers asked for a motion to JFS to the floor [H.B. No. 5151](#) (Raised) An Act Concerning the Department of Public Health's Recommendations Regarding Connecticut's Safe Drinking Water.

Sen. Gerratana offered the motion which was seconded by Rep. Steinberg.

Rep. Srinivasan asked if the bill could be summarized, and wished to know what Sen. Logan's opinion is on this particular bill.

Sen. Somers noted Sen. Logan was not here to provide his input but was asked specifically about this bill and he was absolutely in favor. She said the bill makes various revisions to the statutes regarding safe drinking water. Among other things, it requires by January 1, 2021 that certain water companies submit to Department of Public Health (DPH) a fiscal and asset management plan for all capital assets of each of the companies' small community water systems. This includes systems serving between 25-1000 residents a year. It also requires DPH to publish on its website civil penalties imposed under the safe drinking acts statutes rather than adopting those in regulations. It requires the commissioner to notify the public at least six months before publishing the civil penalty, and is required to hold a public hearing within 30 days after the notification. This is in response to an accident which happened a few years ago where a small water company had an explosion compromising its equipment. DPH wants to make sure the equipment is being maintained properly therefore ensuring safe drinking water for each individual.

Rep. Srinivasan asked if the bill could be placed on the consent calendar.

Sen. Somers asked if there were any objections. Seeing none, H.B. 5151 was placed on the consent calendar.

Sen. Somers asked for a motion to JFS to the Floor [H.B. No. 5154](#) (Raised) An Act Concerning Water Usage and Conservation during Drought Conditions.

Rep. Steinberg offered the motion which was seconded by Sen. Kennedy.

Rep. Candelora asked why this bill was needed.

Rep. Steinberg explained his understanding is so we can improve the comprehensive water plan. The Public Health Committee, along with three other committees, will be having an informational forum hearing after our Joint Favorable deadline so we can extensively improve the comprehensive water plan. Currently the water plan does not go into great depth about drought planning and it is not well defined or developed in action steps. The bill empowers the Water Planning Council with codification standards of process. It does not create a standard that the whole state must follow. It recognizes regional differences, water shed differences, and it standardizes the code related to making a variety of decisions or warnings. When we find a part of the state where they're encountering drought restrictions, the communication and decision process is clear, transparent, and standardized.

Rep. Candelora expressed concern and said he would be voting no on the bill so he can flag it. He said he wants to make sure whatever standardized process we have recognizes different regions of the state. He is also concerned that this will take the

process out of legislative hands and wants to make sure the legislature will remain appropriate oversight with regard to this.

Sen. Kennedy said he has been working on this issue with Sen. Gerratana and Sen. Leone. The bill passed out of Senate last legislative session but was never called in the House. Looking into a myriad of different agencies that have jurisdiction of declaring drought watch, drought emergency, drought warning, you will find there are numerous persons or entities that can make these declarations. This includes the governor, DPH, multiple municipalities in our state, Department of Energy and Environmental Protection, and the fire chiefs of different municipalities. Some water companies also have their own criteria for determining what is a warning or a drought. Sen. Kennedy said that people in his district were not sure what to make of these warnings because there is no standard being followed by all these persons or entities. His constituents are wondering which warning means they need to stop washing their cars or watering their lawns. Part of this bill asks the Water Advisory Council to report back with recommendations of known and proven ways to communicate this information to Connecticut's residents, and what measurable ways can people cut back on water usage.

Sen. Kennedy continued to explain that this bill was prompted because municipalities are only alerted to lack of water when the reservoirs are almost dry and they aren't aware of it until the very end. We should be taking steps when the reservoirs are half dry, and we want the council to come back and advise the Connecticut General Assembly on those steps. He said although Connecticut is a small state, Rep. Candelora made a fair point when addressing regional differences and hoped it would be a part of the considerations.

A roll call vote was taken. Total Voting = 26. Yea = 24. Nay = 2. Abstain = 0. Absent and Not Voting = 1.

Sen. Somers announced the committee votes would remain open until 5:00 PM. She also noted that Rep. Betts wished he could be here today but was unable to attend. She thanked him for being an integral member of the committee and working diligently in screening and leadership.

Sen. Somers asked for a motion to move [H.B. No. 5213](#) (Raised) An Act Concerning Oral Health Assessments of Children.

Rep. Steinberg offered the motion which was seconded by Rep. Borer.

Rep. Borer explained that this bill originated as a result of a study of oral health in our school age children. Every year a study is done of approximately 5000 children in the state who are randomly selected. The study demonstrated there was a decline in oral health between 2012 and 2017, and there was a significant need not only for oral maintenance but also urgent care. Rep. Borer introduced an amendment to strike Section 2 of the bill. She said this section may create an unfunded mandate as it puts the burden on municipalities because it says that the Board of Education should pay for oral health assessments, and we are not in a position to do that at this point in time.

An amendment vote was initiated by Rep. Borer and seconded by Rep. Steinberg.

Rep. Cook inquired on whether this would classify as a friendly amendment.

Sen. Somers said she believes so and asked if a voice vote could be taken on the amendment. The amendment passed on a voice vote.

Rep. Srinivasan asked if the bill could be placed on the consent calendar as amended.

Sen. Somers asked if there were any objections. Seeing none, H.B. 5213 was placed on the consent calendar.

Sen. Somers asked for a motion to JFS to the Floor [H.B. No. 5289](#) (Raised) An Act Concerning the Department of Public Health's Recommendations Regarding The Clean Indoor Air Act.

Sen. Gerratana offered the motion which was seconded by Rep. Steinberg.

Rep. Cummings wanted to clarify that this bill would not apply to a three family house where one of the families is the owner of the house and the two other apartments are rented by Section 8. She wanted to confirm that it only applies to traditional housing complexes that are run by the state.

Sen. Somers confirmed that Rep. Cummings was correct. She read the definition from the statute where the definition of a public housing project is the dwelling or accommodation operated as a state or federally subsidized multifamily housing project by housing authority, nonprofit corporation or municipal developer.

Rep. Cummings wanted confirmation that this would not apply to private land.

Sen. Somers said that was correct.

A roll call vote was taken. Total Voting = 26. Yea = 25. Nay = 1. Abstain = 0. Absent and Not Voting = 1.

Sen. Somers asked for a motion to JF to the Floor [H.B. No. 5293](#) (Raised) An Act Concerning the Sale of Electronic Nicotine Delivery Systems and Vapor Products.

Sen. Gerratana offered the motion which was seconded by Rep. Steinberg.

Sen. Somers explained that this bill will require retailers of e-cigarettes and vapor products to sell them to consumers only in direct face to face transactions as currently required for the sale of cigarettes and smokeless tobacco.

Rep. Srinivasan asked if the bill could be placed on the consent calendar.

Sen. Somers indicated there was a request for discussion on the bill.

Rep. Candelora said there were two questions that came up in caucus. The first was if this effectively bans all online sales.

Sen. Somers indicated her understanding of the bill is that consumers would not be able to purchase these products online.

Rep. Candelora asked why the bill applies to parts and why we require face to face sales on parts of a pipe. He asked how it would impact their sale if these types of items have warranty issues.

Sen. Somers explained that the chairs' understanding is that if a person buys the parts they can then create their own vaping system without having to go through face to face contact as would be the case if it was purchased assembled.

Rep. Candelora asked if the intent of this legislation is that all parts should be purchased through face to face transactions.

Sen. Somers answered that that is the intent of the legislation.

Rep. Candelora commented that this may impact the commerce clause, and that going forward it would need to be discussed whether the legislature is legally able to do this.

Rep. McCarty mentioned that the bill seems to be silent on any kind of age requirements and asked for an explanation.

Somers said the last line in the bill has 18 years of age on it, but if S.B. 164 passes then it will increase the age to 21.

Rep. Carpino said that there were non-nicotine items which are used in some of these devices and wanted to make certain this is addressed if the bill proceeds.

Sen. Somers confirmed that non-nicotine items could be vaped.

A roll call vote was taken. Total Voting = 26. Yea = 16. Nay = 10. Abstain = 0. Absent and Not Voting = 1.

Sen. Somers asked for a motion to JF to the Floor [H.B. No. 5300](#) (Raised) An Act Requiring a Study of Optional Admission into an Adoption Registry.

Rep. Steinberg offered the motion which was seconded by Rep. McCarty.

Sen. Somers explained that this bill would require DPH to study the feasibility of establishing an adoption registry to provide the means by which a registrant may authorize or prohibit the release of identifying information to others involved in the adoption of a person.

Rep. Winkler said he would be voting against the bill. He said the bill's title is weak by the standards of the legislative body. The argument is that people who were born before 1974 and after 1999 have access to their birth certificates, but those born between these years do not. Modern medicine tells us it is important to have medical family history. H.B. 5300 attempts to short circuit a bill in the Judiciary Committee which would give people a chance to have their birth certificates. Rep. Winkler emphasized the words "want" and "might" explaining that if the birth parents "want" to they "might" share their medical information with the child but they do not have to, and this bill would study the "might". He said this bill should be voted down, and the Judiciary Committee bill should be voted to move forward.

Rep. Candelora said he would be voting in favor of the bill. He said there are 22 states that currently operate their adoption registry in this manner. For a number of years this issue has come before us with compelling testimony especially from people from the 1950's and 1960's. That's when there was a stigma associated with mothers who gave up their children for adoption. He said he understands why a child may want to have access to their birth certificate because it's important for medical and personal knowledge. He also expressed his belief that this bill should be discussed because we do not know if the other bill will pass out of the Judiciary Committee.

Rep. Srinivasan said he will be supporting the bill because it gives us an opportunity to study various options on whether the parents want their names released. This bill would make clear their preferences. He said it is fair and reasonable to look into this complex issue in a logical way and see what the recommendations will be.

Sen. Somers said she supports the bill. She had a constituent contact her and it was an emotional and personal account. Many other states operate in this manner.

A roll call vote was taken. Total Voting = 26. Yea = 22. Nay = 4. Abstain = 0. Absent and Not Voting = 1.

Sen. Somers asked for a motion to JFS to the Floor [H.B. No. 5415](#) (Raised) An Act Concerning the Collection and Usage of Health Care Data.

Sen. Somers explained that H.B. 5415 would establish the statewide health information technology plan to enhance the ability to collect and use health equity data to improve health outcomes and include standards on the collection, storage and usage of such data. Among other requirements, the standards must address data security and privacy and be compatible with any national data standards for the requirements for an electronic health information system.

Rep. Steinberg offered the motion which was seconded by Sen. Gerratana.

Rep. Srinivasan noted there was a spirited public hearing discussion on S.B. 465 which was related to data. He expressed concern and asked how this bill was different from S.B. 465.

Rep. Steinberg said he was glad Rep. Srinivasan alluded to that public hearing discussion because it opened his eyes to an aspect of disaggregation he had not thought much about before. It was a very valuable conversation on S.B. 465, which is not brought forward at this time. This bill is intended to enable the Office of Health Strategy to move forward with its plans to develop a database to share across agencies and take advantage of other provider data. The chairs of the committee had a conversation with the Office of Health Strategy and discussed profound issues about privacy and protection. They gave very serious thought to data protection issues, and are in the process of developing a document that will specifically address those issues. There is an expectation and understanding that they will be coming back to the Public Health Committee for further conversations on how to proceed.

Rep. Srinivasan asked if the bill will give various agencies the authority to collect information with one uniform rather than multiple ways, and if there was any disaggregation of data.

Rep. Steinberg said the committee will engage in a conversation with the Office of Health Strategy and how they intend to use their data, either in an aggregated or segmented fashion so we can be assured it is clearly protected. He also stressed that the entire objective of the office, as it relates to data collection, is to focus on the healthcare outcomes and improve the healthcare of the people in Connecticut. Their goal is not to identify subgroups in any particular way but only to the degree to which they can help any individual in our state be healthier.

Rep. Srinivasan asked if that is a reassurance that subgroups would not be identified should the bill move forward.

Rep. Steinberg said he will not presume the final outcome, however he has been assured by the Office of Health Strategy that the final result will not be at a level where it could be labeled disaggregation.

Rep. Srinivasan noted that he will be voting no on the bill today so as to flag it. He said he would love to participate and engage in the conversation as the bill moves to the floor of the House and Senate. He said we have to work on the bill and make sure there are safeguards in place and no disaggregation of information.

A roll call vote was taken. Total Voting = 26. Yea = 17. Nay = 9. Abstain = 0. Absent and Not Voting = 1.

A motion for a roll call on the consent calendar was taken by Rep. Borer which was seconded by Rep. Steinberg.

The bills on the consent calendar included: S.B. 303, S.B. 401, S.B. 406, S.B. 464, S.B. 511, H.B. 5149, H.B. 5151, and H.B. 5213.

Sen. Somers announced that votes will be open until 5:00 PM and the committee would be in recess until then.

Rep. Steinberg noted that today is the final Joint Favorable committee meeting. He acknowledged and thanked the committee staff and said the committee's success is predicated on the superb staff. The number of bills that were brought to the committee's attention and the amount of work that went into a short session was extraordinary.

A motion was duly made and seconded to adjourn the meeting.

The meeting was adjourned at 5:00 PM.

Beverley Henry
Administrator

Valentina Mehmeti
Committee Clerk