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## OLR Bill Analysis

sSB 832 (File 59, as amended by Senate "A")\*

***AN ACT CONCERNING REGISTRIES OF PERSONS FOUND RESPONSIBLE FOR ASSAULTS OR OTHER ABUSE, NEGLECT, EXPLOITATION OR ABANDONMENT OF ELDERLY PERSONS OR PERSONS WITH DISABILITIES.***

### SUMMARY

This bill requires the executive director of the Commission on Women, Children, and Seniors to (1) provide a portal on the commission's website that includes links to publicly available background databases and (2) convene a working group to develop strategies to raise public awareness of these databases to people hiring providers to care for adults aged 60 and older, children, or individuals with disabilities.

The bill requires the executive director to keep records on the number of times the portal is used and report to the Aging, Children's, Human Services, and Public Health committees by January 1, 2021.

By law, the Department of Public Health (DPH) administers a background check program for direct care employees and volunteers of long-term care facilities (i.e., Long-Term Care Background Check Program). The bill expands the list of disqualifying offenses that prohibit someone from being hired as a direct care employee or volunteer at a long-term care facility to include conviction of specified assault and abuse crimes against the elderly and individuals with disabilities.

Lastly, the bill makes technical changes.

\*Senate Amendment "A" replaces the original bill (File 59). It eliminates the provisions that required (1) the Department of Emergency Services and Public Protection to establish an elder abuse and neglect registry and (2) DPH to expand its Long-Term Care

Background Check Program to include information from state abuse and neglect registries and make the program publicly accessible.

EFFECTIVE DATE: October 1, 2019

### **PUBLICLY AVAILABLE BACKGROUND DATABASES**

Under the bill, “publicly available background databases” include:

1. the U.S. Department of Justice’s sex offender public website,
2. the Connecticut sex offender registry,
3. the U.S. Department of Health and Human Services Office of the Inspector General’s list of individuals and entities excluded from participating in federally-funded health care programs for reasons including Medicare or Medicaid fraud,
4. DPH’s nurse’s aide registry,
5. the Judicial Branch’s criminal and motor vehicle conviction database,
6. DPH’s professional licensure verification database, and
7. the Department of Social Services’ (DSS’s) database of practitioners and entities suspended or excluded from participating in DSS-administered programs.

### **DPH LONG-TERM CARE BACKGROUND CHECK PROGRAM**

The bill expands the list of disqualifying offenses under DPH’s Long-Term Care Background Check Program that prohibit someone from being hired as a direct care employee or volunteer at a long-term care facility to include conviction of the following crimes:

1. 1<sup>st</sup> degree, 2<sup>nd</sup> degree, or 3<sup>rd</sup> degree assault of an elderly, blind, disabled, or pregnant person or a person with intellectual disability;
2. 2<sup>nd</sup> degree assault with a firearm of an elderly, blind, disabled, or pregnant person or a person with intellectual disability; or

3. 1<sup>st</sup> degree, 2<sup>nd</sup> degree, or 3<sup>rd</sup> degree abuse of an elderly, blind, or disabled person or a person with intellectual disability.

Current law also includes as a disqualifying offense (1) a state or federal agency's substantiated finding of neglect, abuse, or misappropriation of property under an investigation conducted in accordance with federal Medicare and Medicaid laws or (2) conviction for other specified state or federal crimes, such as felonies relating to health care fraud or controlled substances.

**COMMITTEE ACTION**

Aging Committee

Joint Favorable

Yea 11    Nay 0    (02/26/2019)