



Senate

General Assembly

File No. 740

January Session, 2019

Senate Bill No. 1101

Senate, April 17, 2019

The Committee on Public Health reported through SEN. DAUGHERTY ABRAMS of the 13th Dist., Chairperson of the Committee on the part of the Senate, that the bill ought to pass.

AN ACT CONCERNING AN EVALUATION OF HOSPITALS OPERATED BY THE DEPARTMENT OF MENTAL HEALTH AND ADDICTION SERVICES.

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

1 Section 1. Section 1 of public act 18-86 is repealed and the following
2 is substituted in lieu thereof (*Effective from passage*):

3 (a) There is established a task force to (1) review and evaluate the
4 operations, conditions, culture and finances of Connecticut Valley
5 Hospital and Whiting Forensic Hospital. Such review shall include, but
6 need not be limited to, whether such operations, conditions, culture or
7 finances have improved since Whiting Forensic Hospital's separation
8 from Connecticut Valley Hospital and its licensure and regulation by
9 the Department of Public Health, (2) evaluate the feasibility of creating
10 an independent, stand-alone office of inspector general that shall be
11 responsible for providing ongoing, independent oversight of
12 Connecticut Valley Hospital and Whiting Forensic Hospital, including,
13 but not limited to, receiving and investigating complaints concerning

14 employees of Connecticut Valley Hospital and Whiting Forensic
15 Hospital, (3) examine complaints and any other reports of
16 discriminatory employment practices at said hospitals, except any
17 information or documentation not subject to disclosure under the
18 Freedom of Information Act, as defined in section 1-200 of the general
19 statutes or any other federal or state confidentiality law, (4) assess the
20 implications of a patient of Whiting Forensic Hospital being permitted
21 to be present during a search of his or her possessions, (5) evaluate the
22 membership of the advisory board for Whiting Forensic Hospital
23 established pursuant to section 17a-565 of the general statutes, as
24 amended by [this act] public act 18-86, (6) examine the role of the
25 Psychiatric Security Review Board established pursuant to section 17a-
26 581 of the general statutes, (7) evaluate the need to conduct a
27 confidential survey regarding the employee work environment at
28 Connecticut Valley Hospital and Whiting Forensic Hospital, including,
29 but not limited to, worker morale, management and any incidences of
30 bullying, intimidation or retribution, and (8) review the statutory
31 definitions of abuse and neglect in the behavioral health context.

32 (b) The task force shall consist of the following members:

33 (1) Two appointed by the speaker of the House of Representatives,
34 one of whom shall be a senior administrator of a behavioral health
35 facility, and one of whom shall have law enforcement or corrections
36 experience or experience working in a secured facility;

37 (2) Two appointed by the president pro tempore of the Senate, one
38 of whom shall be a psychologist or psychiatrist with forensic
39 experience, and one of whom shall be a person who has lived with or
40 experienced mental illness;

41 (3) One appointed by the majority leader of the House of
42 Representatives, who shall be a former or current administrator of a
43 hospital with a bed capacity of at least two hundred;

44 (4) One appointed by the majority leader of the Senate, who shall be
45 a patient advocate;

46 (5) One appointed by the minority leader of the House of
47 Representatives, who shall have experience providing direct care
48 services to persons with behavioral health disorders; and

49 (6) One appointed by the minority leader of the Senate, who shall
50 have experience providing direct care services at a hospital.

51 (c) All appointments to the task force shall be made not later than
52 thirty days after the effective date of this section. Any vacancy shall be
53 filled by the appointing authority.

54 (d) The chairperson of the task force shall be selected from among
55 its members. Such chairperson shall schedule the first meeting of the
56 task force, which shall be held not later than sixty days after the
57 effective date of this section.

58 (e) Any employee of Connecticut Valley Hospital or Whiting
59 Forensic Hospital offering testimony before the task force shall be
60 permitted to testify, at such employee's request, without the presence
61 of any task force member who is an employee of Whiting Forensic
62 Hospital or Connecticut Valley Hospital.

63 ~~[(e)]~~ ~~(f)~~ The administrative staff of the joint standing committee of
64 the General Assembly having cognizance of matters relating to public
65 health shall serve as administrative staff of the task force.

66 ~~[(f)]~~ ~~(g)~~ In performing its review and evaluation under subsection
67 (a) of this section, the task force may hold a public forum, which shall
68 provide opportunity for public comment.

69 ~~[(g)]~~ ~~(h)~~ Not later than January 1, ~~[2019]~~ 2020, the task force shall
70 submit a preliminary report, in accordance with the provisions of
71 section 11-4a of the general statutes, on its findings and
72 recommendations to the joint standing committee of the General
73 Assembly having cognizance of matters relating to public health. Not
74 later than January 1, ~~[2021]~~ 2022, the task force shall submit a final
75 report on its findings and recommendations to said joint standing
76 committee. The task force shall terminate on the date that it submits

77 such final report or January 1, [2021] 2022, whichever is later.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	PA 18-86, Sec. 1

PH *Joint Favorable*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact: None

Municipal Impact: None

Explanation

The bill extends by one year the current deadlines for the task force to review and evaluate the Connecticut Valley Hospital (CVH) and Whiting Forensic Hospitals operations, conditions, culture, and finances. The bill specifically requires this review to include whether these matters have improved since Whiting's separation from CVH and its licensure and regulation by the Department of Public Health.

The task force shall submit its preliminary and final reports to the Public Health Committee. Under the bill, the deadlines are January 1, 2020, and January 1, 2022, respectively.

This bill has no fiscal impact as PA 17-236 prohibits transportation allowances for task force members.

The Out Years

State Impact: None

Municipal Impact: None

OLR Bill Analysis**SB 1101*****AN ACT CONCERNING AN EVALUATION OF HOSPITALS OPERATED BY THE DEPARTMENT OF MENTAL HEALTH AND ADDICTION SERVICES.*****SUMMARY**

This bill makes several changes to the task force established by PA 18-86 to review and evaluate Connecticut Valley Hospital (CVH) and Whiting Forensic Hospital (Whiting).

Under existing law, the task force must review and evaluate the hospitals' operations, conditions, culture, and finances. The bill specifically requires this review to include whether these matters have improved since Whiting's separation from CVH and its licensure and regulation by the Department of Public Health (DPH) (see BACKGROUND).

The bill allows CVH or Whiting employees offering testimony before the task force to do so, at their request, without the presence of any task force member who is a CVH or Whiting employee.

Lastly, the bill extends by one year the current deadlines for the task force to submit its preliminary and final reports to the Public Health Committee. Under the bill, the deadlines are January 1, 2020, and January 1, 2022, respectively.

EFFECTIVE DATE: Upon passage

BACKGROUND***Whiting Separation from CVH and Subsequent Licensure***

In December 2017, the governor issued an executive order designating Whiting as an independent division within the Department of Mental Health and Addiction Services, instead of a

division of CVH.

Among other things, PA 18-86 (1) made statutory changes to reflect Whiting's separation from CVH and (2) subjected Whiting to DPH licensure and regulation.

COMMITTEE ACTION

Public Health Committee

Joint Favorable

Yea 25 Nay 0 (03/29/2019)