JOINT FAVORABLE REPORT

Bill No.: SB-920
Title: AN ACT CONCERNING THE DEPARTMENT OF PUBLIC HEALTH'S RECOMMENDATIONS FOR VARIOUS REVISIONS TO THE PUBLIC HEALTH STATUTES.
Vote Date: 3/29/2019
Vote Action: Joint Favorable Substitute
PH Date: 3/13/2019

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SPONSORS OF BILL:
The Public Health Committee

REASONS FOR BILL:
This legislation implements the recommendations of the Department of Public Health (DPH) regarding various revisions to the public health statutes.

RESPONSE FROM ADMINISTRATION/AGENCY:

Raul Pino, MD, MPH, Commissioner of the Department of Public Health (DPH): The Department supports this legislation and thanks the Committee for raising the bill.

Below is a list of the issues in each Section of the bill. For further information regarding each section, refer to the DPH testimony:

Section 1 allows the Commissioner of DPH to make an appointment to the School Based Health Center Advisory Committee if the seat is vacant for more than a year.

Section 2 expands the streamlined process by which drinking water infrastructure funding is provided to towns and other eligible public water systems.

Section 3 and 4 make minor technical revisions to the model food code.

Section 5 extends the timeframe from 90 to 120 days for a nursing home to submit a change of ownership application when such a change is proposed.
Section 6 revises the definition of a multicare institution to include outpatient behavior services and other health care services. Section 7 includes a formal agreement not to renew, or to surrender, a healthcare practitioner's license under certain situations.

Section 8 through 12 update various statutes related to the Connecticut AIDS drug assistance program to reflect DPH's assumption of program responsibility from the Department of Social Services.

Section 13 through 18 and 26 modify the requirement for the Department to adopt regulations regarding radon testing; medication administration in residential care homes; in-service training and education for various licensed facilities; substance use programs; hairdressing and cosmetology schools; and auricular acupuncture.

Section 19 repeals a requirement that DPH research, develop, track and report appropriate quantifiable measures for the state’s emergency medical service (EMS) system on a yearly basis.

Section 20 removes the requirement in Connecticut General Assembly (CGS) 4-67x for budgeted state agencies that provide prevention services to children.

Section 21 revises the reporting requirement in CGS Sec. 19a-6q to align it with the Centers for Disease Control (CDC) “6/18” Initiative.

Section 22 revises several definitions in CGS Sec. 19a-37 pertaining to the protection of well water.

Section 23 extends the date by which DPH must adopt regulations pertaining to the Model Food Code until January 1, 2020.

Section 24 updates the listing of mandated reporters of child abuse and neglect.

Section 25 concerns that the current language in CGS Sec. 17a-227a which limits the ability of the DPH to access national criminal history records for all DDS employees

Sections 27 through 41 repeal CGS Sec.17b-256 and Sec. 19a-7b and makes conforming changes to the various statutes referenced in these sections.

Jordan A. Scheff, Commissioner of the Department of Developmental Services (DDS):
DDS is in supports Section 25 of the bill which will remove a restriction to the Department’s ability to provide a criminal history records check for all DDS employees that may have access to individuals with intellectual disabilities.
Representative Gillian Gilchrest, 118 Assembly District: Rep. Gilchrest’s testimony is in support of Section 25 of the bill. The issue of licensing nail salons is one that has been before the Committee numerous times. However, we remain the only state in the country that does not license the nail, eyelash, and esthetics professions. Just recently, 24 nail salons were closed for labor violations including failure to provide employees’ worker’s compensation, failure to properly maintain payroll records, and misclassification of employees as contractors to avoid providing certain benefits. Not requiring licensure for these professions negatively impacts Connecticut by jeopardizing public health; increasing the potential for human trafficking and hindering the growth of small predominately women-owned businesses. Today, anyone in the state can work or open a business as a nail or eyelash technician, or an esthetician with no training or oversight except for an occasional health inspection by local departments of public health. Rep. Gilchrest shared that she has research pertaining to the licensure process in the 49 other states and would welcome the opportunity to discuss this issue with her colleagues.

NATURE AND SOURCES OF SUPPORT:

All of the following testimony was submitted in support of Section 18 of SB 920:

Connecticut Association of Directors of Health (CADH): CADN is a nonprofit organization comprised of the Directors of Connecticut’s local health departments and districts. Local health directors serve as the statutory agents of the Commissioner of Public Health and are critical providers of essential public health services. While CADH supports this section of the bill, the organization does not believe it goes far enough to protect the public health. The organization recommends the formation of a study group comprised of all the stakeholders including industry experts, local directors, as well as state health and labor officials to establish comprehensive regulations for this industry on the state level. Currently, any oversight is conducted on a local level with no standardized guidelines or regulations.

Mindy Chambrelli, President-Elect of Connecticut Environmental Health Association (CEHA): CEHA is an organization composed of several hundred environmental and public health professionals including health department Sanitarians. One responsibility of sanitarians is to conduct mandatory inspections at all barber, hairdressing and nail salons annually. These inspections underscore the critical need for a minimum standard of education, experience, knowledge of potential risks and proper prevention techniques. This poses an elevated risk to public health. CEHA believes that these types of professions would greatly benefit from a required minimum curriculum. They also encourage the Committee to elevate this curriculum to include the licensing of nail technicians, eyelash technicians and estheticians.

Andrea Doyle A Nail Services Professional in Branford, CT: Ms. Doyle shares her experience as a nail professional since 1995, business owner since 2003, National Nail Educator since 2011, and District Health Department Consultant since 2015. Over the years, Ms. Doyle has witnessed numerous health risks and negative outcomes as a result of untrained, inexperienced and unqualified individuals being allowed to perform nail and other
Ms. Doyle has been to meetings with local sanitarians where they have found evidence of human trafficking, prostitution and witnessed poor living conditions for employees in the basements of some salons. She noted that discount salons are also seen as a “red flag” that either employees are not being paid, or the salon is using unregulated products. Ms. Doyle strongly urges the Committee to pass legislation that would develop a mandated curriculum including standards and guidelines to regulate the industry and strengthen the public health.

**Julia Trigila, representing the Connecticut Coalition of Esthetics:** In her testimony, Ms. Trigila is in support of the legislation and requests amending the language to include nail technicians, eyelash technicians, and estheticians in addition to cosmetologists, hairdressers and barbers. She notes that Connecticut is the only state in the country that does not recognize the spa services industry. Documented injuries and health issues have occurred when services are provided by untrained and unskilled workers. This is a critical concern. In addition to these health concerns, Ms. Trigila notes that a lack of regulations has inhibited the growth of businesses owned by women. Expansion of a multi-billion dollar industry in Connecticut is stunted due to the inability of owners to hire educated and skilled professionals. Ms. Trigila recommends the Committee consider adding a minimum curriculum of 600 hours of esthetics, 300 hours for nail technology and 100 or more hours for those applying eyelash extensions. Finally, Ms. Trigila notes that providing education and licensure to practice these services would eliminate the free-for-all that has existed in Connecticut over the past 40 years, promote businesses owned by women and improve enrollment at schools that provide this education and training.

**Similar testimony was submitted by the following individuals who support the views expressed above:**

Kate Sobotka, Esthetician
Andrea Alchimo, Esthetician
Gisele Workman Tyler, owner and operator of Fairfield Lash and Brow Center
Tina Gilbert, Co-Owner of a Cosmetics company in Deep River, CT

**Also of note, four pieces of testimony were submitted requesting to amend the language in SB. 920 to include licensure for Certified Nuclear Medicine Technologists. However, this request was not included in the substitute language voted on by the Committee.**

**NATURE AND SOURCES OF OPPOSITION:**

None submitted.

**Reported by:** Kathleen Panazza **Date:** April 10, 2019