JOURNAL OF THE SENATE

Friday, March 8, 2019

The Senate was called to order at 10:40 a.m. in accordance with the provisions of Senate Rule 9(d), and under the authority of the President Pro Tempore and the Senate Republican Leader.

The prayer was offered by Acting Chaplain, Kathy Zabel of Burlington, Connecticut

The following is the prayer:

Help us to guard with care the things we say. Let us remember that our words have the power to build up or tear down.

Pursuant to Senate Rule 9(d) the Senate is called into Session, by the Office of the Senate Clerk’s under the authority of the President Pro Tempore and the Senate Republican Leader.

It is hereby moved that Senate Agenda Number 1, dated Friday, March 8, 2019, is adopted, the items on said Agenda shall be acted upon as indicated and that the Agenda shall be incorporated into the Senate Journal and Senate Transcript.

REPORT

The following report was received, read by the Clerk and referred to the Committee indicated:

Report - Office of Policy and Management - Annual Report of State-wide Trends Related to Taxable Property and Exemptions from Property Tax on the 2017 Grand List. (Pursuant to Section 12-120a of the Connecticut General Statutes) Date received: March 7, 2019
Referred to Committee on Finance, Revenue and Bonding

INTRODUCTION OF BILLS

In accordance with the provisions of Senate Rule 9(d), the first reading of the following bills and resolutions was waived, the list of bills and resolutions as prepared by the Clerks was accepted, and the bills and resolutions referred to the Committees as indicated thereon in concurrence:

INSURANCE AND REAL ESTATE

S.B. No. 15 (COMM) INSURANCE AND REAL ESTATE. 'AN ACT REQUIRING HEALTH INSURANCE COVERAGE FOR MOTORIZED WHEELCHAIRS', to require health insurance coverage for motorized wheelchairs, including, but not limited to, used motorized
wheelchairs, repairs to motorized wheelchairs and replacement batteries for motorized wheelchairs.

S.B. No. 31 (COMM) INSURANCE AND REAL ESTATE, 'AN ACT CONCERNING SURPRISE MEDICAL BILLS FOR LABORATORY SERVICES', to expand the definition of "surprise bill" to include bills for nonemergency health care services rendered by out-of-network clinical laboratories upon the referral of in-network providers.

S.B. No. 33 (COMM) INSURANCE AND REAL ESTATE, 'AN ACT CONCERNING HEALTH INSURANCE COVERAGE OF ORALLY AND INTRAVENOUSLY ADMINISTERED PRESCRIPTION DRUGS', to require health insurance policies providing coverage for prescription drugs to provide coverage for orally administered prescription drugs on a basis that is no less favorable than the basis on which such policies provide coverage for intravenously administered prescription drugs.

S.B. No. 36 (COMM) INSURANCE AND REAL ESTATE, 'AN ACT PROHIBITING HEALTH CARRIERS FROM REQUIRING THE USE OF STEP THERAPY FOR DRUGS PRESCRIBED TO TREAT DISABLING, CHRONIC OR LIFE-THREATENING DISEASES OR CONDITIONS', to prohibit health carriers from requiring the use of step therapy for drugs prescribed to treat disabling, chronic or life-threatening diseases or conditions.

S.B. No. 37 (COMM) INSURANCE AND REAL ESTATE, 'AN ACT REQUIRING HEALTH INSURANCE COVERAGE OF A PRESCRIBED DRUG DURING ADVERSE DETERMINATION REVIEWS AND EXTERNAL REVIEW PROCESSES', to require health insurance coverage of prescribed drugs during adverse determination reviews and external review processes.

S.B. No. 38 (COMM) INSURANCE AND REAL ESTATE, 'AN ACT REDUCING THE TIME FRAME FOR URGENT CARE ADVERSE DETERMINATION REVIEW REQUESTS AND EXPEDITED EXTERNAL REVIEWS', to reduce the time frame for urgent care adverse determination review requests and expedited external reviews from seventy-two to forty-eight hours.

S.B. No. 42 (COMM) INSURANCE AND REAL ESTATE, 'AN ACT CONCERNING COINSURANCE, COPAYMENTS AND DEDUCTIBLES AND CONTRACTING BY HEALTH CARRIERS', to: (1) Modify the manner in which coinsurance, copayment and deductible payments are calculated, and provide that any failure to calculate such payments in the specified manner shall constitute an unfair trade practice in violation of the Connecticut Unfair Trade Practices Act; (2) prohibit health carriers from entering into or amending contracts that, by their terms, would require them to violate the fiduciary duties that they owe to their insureds; and (3) modify the manner in which managed care plans calculate deductible and coinsurance payments.

S.B. No. 87 (COMM) INSURANCE AND REAL ESTATE, 'AN ACT PROHIBITING DISCRETIONARY CLAUSES IN DISABILITY INCOME INSURANCE POLICIES', to prohibit discretionary clauses in disability income insurance policies.

S.B. No. 317 (COMM) INSURANCE AND REAL ESTATE, 'AN ACT REQUIRING HEALTH INSURANCE COVERAGE FOR CERTAIN SURGICAL PROCEDURES PERformed TO TREAT SEVERE OBESITY', to require health insurance coverage for certain surgical procedures performed to treat severe obesity.

S.B. No. 327 (COMM) INSURANCE AND REAL ESTATE, 'AN ACT REQUIRING HEALTH INSURANCE COVERAGE FOR MEDICALLY NECESSARY AMBULANCE SERVICES AT AN IN-NETWORK LEVEL AND PROHIBITING BALANCE BILLING FOR SUCH SERVICES', to require health insurance coverage for medically necessary ambulance
services at an in-network level, including, but not limited to, at an in-network level of cost sharing, and prohibit balance billing for such services.

S.B. No. 330 (COMM) INSURANCE AND REAL ESTATE. 'AN ACT CONCERNING EQUAL ENJOYMENT OF THE HIGHEST ATTAINABLE STANDARD OF HEALTH', to express the General Assembly's finding that equal enjoyment of the highest attainable standard of health is a human right and a priority of this state.

**VETERANS' AFFAIRS**

S.B. No. 778 (COMM) VETERANS' AFFAIRS. 'AN ACT ESTABLISHING A GREEN ALERT SYSTEM FOR MISSING VETERANS', to establish a green alert system for locating missing veterans.

**HUMAN SERVICES**

S.B. No. 1051 (RAISED) HUMAN SERVICES. 'AN ACT STRENGTHENING HOME CARE SERVICES', to improve home care services by requiring certain training levels, background checks and a directory of home care workers.

S.B. No. 1052 (RAISED) HUMAN SERVICES. 'AN ACT EXPANDING MEDICAID COVERAGE OF TELEHEALTH SERVICES', to require the Commissioner of Social Services to expand Medicaid coverage of telehealth services state wide whenever such coverage meets federal Medicaid requirements for efficiency, economy and quality of care.

S.B. No. 1053 (RAISED) HUMAN SERVICES. 'AN ACT EXPANDING MEDICAID AND HUSKY B COVERAGE FOR CHILDREN', to provide Medicaid and Husky B coverage to immigrant children regardless of legal immigration status.

**JUDICIARY**

S.B. No. 1054 (RAISED) JUDICIARY. 'AN ACT CONCERNING DRIVING WHILE INTOXICATED', to (1) establish the offenses of smoking or otherwise inhaling or ingesting a cannabis-type substance while operating a motor vehicle and smoking a cannabis-type substance as a passenger in a motor vehicle as class C misdemeanors, (2) provide immunity to certain persons withdrawing blood for a blood alcohol test, (3) provide that the Commissioner of Motor Vehicles may suspend driving privileges of and require the use of an ignition interlock device by a surviving operator of a motor vehicle who has an elevated blood alcohol content based on a blood, breath or urine sample of such operator involved in an accident resulting in the serious physical injury or death of a person, and (4) clarify and improve the effectiveness of the statutes prohibiting the operation of a motor vehicle under the influence of alcohol or drugs.

**INSURANCE AND REAL ESTATE**

H.B. No. 5213 (COMM) INSURANCE AND REAL ESTATE. 'AN ACT EXPANDING REQUIRED HEALTH INSURANCE COVERAGE FOR HEARING AIDS', to expand required health insurance coverage for hearing aids to individuals older than twelve years of age.

H.B. No. 5425 (COMM) INSURANCE AND REAL ESTATE. 'AN ACT REQUIRING HOME IMPROVEMENT CONTRACTORS TO MAINTAIN LIABILITY INSURANCE COVERAGE', to require home improvement contractors to maintain liability insurance coverage in an amount that is not less than two hundred fifty thousand dollars.

H.B. No. 5517 (COMM) INSURANCE AND REAL ESTATE. 'AN ACT CONCERNING LIFE INSURANCE POLICIES AND CONTRACTS THAT INSURE THE LIVES OF CONVICTED FELONS', to prohibit life insurance companies doing business in this state from
refusing to deliver or issue a life insurance policy or contract solely on the basis that such policy or contract insures, or will insure, the life of an individual who has been convicted of a felony.

H.B. No. 5850 (COMM) INSURANCE AND REAL ESTATE. 'AN ACT REQUIRING HEALTH INSURANCE COVERAGE FOR THE PURCHASE OF SERVICE ANIMALS', to require health insurance coverage for the purchase of service animals.

H.B. No. 6087 (COMM) INSURANCE AND REAL ESTATE. 'AN ACT RESTRICTING THE USE OF PRIOR CLAIMS FOR NALOXONE HYDROCHLORIDE', to prohibit health insurers from discriminating against individuals on the basis of prior claims for naloxone hydrochloride.

H.B. No. 6088 (COMM) INSURANCE AND REAL ESTATE. 'AN ACT CONCERNING CONTRACTING HEALTH ORGANIZATIONS AND DENTISTS, DENTAL PLANS AND PROCEDURES', to subject dentists, dental plans and procedures to fee transparency requirements that apply to contracts between other providers and contracting health organizations.

H.B. No. 6093 (COMM) INSURANCE AND REAL ESTATE. 'AN ACT CONCERNING A STUDY OF THE AVAILABILITY OF HEALTH INSURANCE COVERAGE TO IMMIGRANTS IN THIS STATE', to require the Insurance Commissioner to study the availability of health insurance coverage to individuals in this state who are unable to establish legal presence in the United States or present a valid Social Security number.

H.B. No. 6095 (COMM) INSURANCE AND REAL ESTATE. 'AN ACT CONCERNING REQUIRED HEALTH INSURANCE COVERAGE FOR DETOXIFICATION AND SUBSTANCE ABUSE SERVICES', to modify required health insurance coverage for detoxification and substance abuse services.

H.B. No. 6096 (COMM) INSURANCE AND REAL ESTATE. 'AN ACT LIMITING CHANGES TO HEALTH INSURERS' LISTS OF COVERED OUTPATIENT PRESCRIPTION DRUGS', to limit when health insurers may change lists of covered outpatient prescription drugs during a policy term.

VETERANS' AFFAIRS

H.B. No. 6775 (COMM) VETERANS' AFFAIRS. 'AN ACT CONCERNING MILITARY-CONNECTED STUDENTS AND PUBLIC SCHOOL ENROLLMENT', to connect certain students enrolled in public schools with certain available resources.

HUMAN SERVICES

H.B. No. 7335 (RAISED) HUMAN SERVICES. 'AN ACT CONCERNING OUT-OF-STATE USE OF ELECTRONIC BENEFIT TRANSFER CARDS', to limit the potential for fraudulent use of electronic benefit transfer cards by persons who have moved out of state.

H.B. No. 7336 (RAISED) HUMAN SERVICES. 'AN ACT EXPANDING MENTAL AND BEHAVIORAL HEALTH CARE OPTIONS UNDER THE MEDICAID PROGRAM', to expand access to mental and behavioral health treatment and reduce costs by expanding the types of mental and behavioral health providers who may be reimbursed under the Medicaid program.

H.B. No. 7337 (RAISED) HUMAN SERVICES. 'AN ACT CONCERNING THE DEPARTMENT OF SOCIAL SERVICES' ENERGY ASSISTANCE PAYMENTS', to protect fuel vendors in the energy assistance program from delayed payments by requiring that the Department of Social Services release fuel assistance funds to community action agencies before such agencies authorize fuel vendors to make deliveries.
H.B. No. 7338 (RAISED) HUMAN SERVICES. 'AN ACT INCREASING FUNDING FOR ELDERLY NUTRITION, ENSURING EQUITABLE RATES FOR PROVIDERS OF MEALS ON WHEELS AND COLLECTING DATA ON MALNUTRITION', to increase funding for elderly nutrition, ensure equitable rates for providers of meals on wheels and collect and analyze data on malnutrition.

H.B. No. 7339 (RAISED) HUMAN SERVICES. 'AN ACT CONCERNING A PUBLIC INSURANCE OPTION', to expand access to affordable, quality health insurance.

JUDICIARY

H.B. No. 7340 (RAISED) JUDICIARY. 'AN ACT CONCERNING THE USE OF THE INSTRUMENTALITY TEST TO DETERMINE THE LIABILITY OF THE SHAREHOLDERS OF A CORPORATION AND THE MEMBERS OR MANAGERS OF A LIMITED LIABILITY COMPANY', to codify the common law use of the instrumentality test when making determinations as to (1) the liability of the shareholders of a corporation for the act or debts of the corporation, and (2) the liability of the members or managers of a limited liability company for the debts, obligations or other liability of the limited liability company.

H.B. No. 7341 (RAISED) JUDICIARY. 'AN ACT CONCERNING RAPE BY IMPERSONATION', to provide that inducing a victim to participate in sexual intercourse with the perpetrator based on the victim's false belief caused by the perpetrator that the perpetrator is another person known to the victim.

H.B. No. 7342 (RAISED) JUDICIARY. 'AN ACT CONCERNING A MANDATORY MINIMUM SENTENCE FOR INJURY OR RISK OF INJURY OF A CHILD', to protect children by creating a mandatory sentence of thirty consecutive days of imprisonment for injury or risk of injury to a child.

H.B. No. 7343 (RAISED) JUDICIARY. 'AN ACT CONCERNING THE OFFICE OF THE CLAIMS COMMISSIONER', to: (1) Increase the Claims Commissioner's threshold for settling claims from twenty thousand dollars to fifty thousand dollars, (2) permit the Claims Commissioner to hold hearings on liability only, (3) to permit certain medical malpractice claims to be initiated in state court instead of the Office of the Claims Commissioner, and (4) give the Claims Commissioner authority to delegate certain decision making authority to a magistrate.

ADJOURNMENT

The Senate at 10:44 a.m. adjourned under provisions of Senate Rule 9(d) subject to the call of the chair.