



General Assembly

Amendment

January Session, 2019

LCO No. 8718



Offered by:

REP. STEINBERG, 136th Dist.

SEN. DAUGHERTY ABRAMS, 13th Dist.

REP. PETIT, 22nd Dist.

To: Subst. House Bill No. 6146

File No. 554

Cal. No. 336

"AN ACT CONCERNING THE EXPANSION OF CERTIFICATION COURSES IN CARDIOPULMONARY RESUSCITATION AND EDUCATION AND TRAINING COURSES IN THE USE OF AUTOMATIC EXTERNAL DEFIBRILLATORS AND THE ADMINISTRATION OF FIRST AID."

1 Strike everything after the enacting clause and substitute the
2 following in lieu thereof:

3 "Section 1. Section 19a-113a of the general statutes is repealed and
4 the following is substituted in lieu thereof (*Effective October 1, 2019*):

5 The Commissioner of Public Health shall adopt regulations, in
6 accordance with chapter 54, requiring that persons who are employed
7 as lifeguards shall be certified in cardiopulmonary resuscitation by the
8 American Heart Association, the American Red Cross, [or] the
9 American Safety and Health Institute or an organization using
10 guidelines for cardiopulmonary resuscitation and emergency
11 cardiovascular care published by the American Heart Association and

12 the International Liaison Committee on Resuscitation.

13 Sec. 2. Subsections (b) and (c) of section 52-557b of the general
14 statutes are repealed and the following are substituted in lieu thereof
15 (*Effective October 1, 2019*):

16 (b) A paid or volunteer firefighter or police officer, a teacher or
17 other school personnel on the school grounds or in the school building
18 or at a school function, a member of a ski patrol, a lifeguard, a
19 conservation officer, patrol officer or special police officer of the
20 Department of Energy and Environmental Protection, or emergency
21 medical service personnel, who (1) has completed a course in first aid
22 offered by the American Red Cross, the American Heart Association,
23 the National Ski Patrol, the Department of Public Health, [or] any
24 director of health [, as] or an organization using guidelines for first aid
25 published by the American Heart Association and the American Red
26 Cross, that is certified by the [agency] organization or director of
27 health offering the course, and, [who] (2) renders emergency first aid
28 to a person in need thereof, shall not be liable to such person assisted
29 for civil damages for any personal injuries which result from acts or
30 omissions by such person in rendering the emergency first aid, which
31 may constitute ordinary negligence. No paid or volunteer firefighter,
32 police officer or emergency medical service personnel who forcibly
33 enters the residence of any person in order to render emergency first
34 aid to a person whom such firefighter, police officer or emergency
35 medical service personnel reasonably believes to be in need thereof
36 shall be liable to such person for civil damages incurred as a result of
37 such entry. The immunity provided in this subsection does not apply
38 to acts or omissions constituting gross, wilful or wanton negligence.

39 (c) An employee of a railroad company, including any company
40 operating a commuter rail line, who has successfully completed a
41 course in first aid, offered by the American Red Cross, the American
42 Heart Association, the National Ski Patrol, the Department of Public
43 Health, [or] any director of health [, as] or an organization using
44 guidelines for first aid published by the American Heart Association

45 and the American Red Cross, that is certified by the [agency]
46 organization or director of health offering the course, and who renders
47 emergency first aid or cardiopulmonary resuscitation to a person in
48 need thereof, shall not be liable to such person assisted for civil
49 damages for any personal injury or death which results from acts or
50 omissions by such employee in rendering the emergency first aid or
51 cardiopulmonary resuscitation which may constitute ordinary
52 negligence. The immunity provided in this subsection does not apply
53 to acts or omissions constituting gross, wilful or wanton negligence.

54 Sec. 3. Subsection (h) of section 52-557b of the general statutes is
55 repealed and the following are substituted in lieu thereof (*Effective*
56 *October 1, 2019*):

57 (h) Any person who has completed a course in first aid offered by
58 the American Red Cross, the American Heart Association, the National
59 Ski Patrol, the Department of Public Health, [or] any director of health
60 [, as] or by an organization using guidelines for first aid published by
61 the American Heart Association and the American Red Cross, that is
62 certified by the [agency] organization or director of health offering the
63 course, or has been trained in the use of a cartridge injector by a
64 licensed physician, physician assistant, advanced practice registered
65 nurse or registered nurse, and who, voluntarily and gratuitously and
66 other than in the ordinary course of such person's employment or
67 practice, renders emergency assistance by using a cartridge injector on
68 another person in need thereof, or any person who is an identified staff
69 member of a before or after school program, day camp or child care
70 facility, as defined in section 19a-900, and who renders emergency
71 assistance by using a cartridge injector on another person in need
72 thereof, shall not be liable to such person assisted for civil damages for
73 any personal injuries which result from acts or omissions by such
74 person in using a cartridge injector, which may constitute ordinary
75 negligence. The immunity provided in this subsection does not apply
76 to acts or omissions constituting gross, wilful or wanton negligence.
77 For the purposes of this subsection, "cartridge injector" has the same
78 meaning as provided in subdivision (1) of subsection (e) of this section.

79 Sec. 4. Subsection (a) of section 19a-79 of the general statutes is
80 repealed and the following is substituted in lieu thereof (*Effective*
81 *October 1, 2019*):

82 (a) The Commissioner of Early Childhood shall adopt regulations,
83 in accordance with the provisions of chapter 54, to carry out the
84 purposes of sections 19a-77 to 19a-80, inclusive, and 19a-82 to 19a-87,
85 inclusive, and to assure that child care centers and group child care
86 homes meet the health, educational and social needs of children
87 utilizing such child care centers and group child care homes. Such
88 regulations shall (1) specify that before being permitted to attend any
89 child care center or group child care home, each child shall be
90 protected as age-appropriate by adequate immunization against
91 diphtheria, pertussis, tetanus, poliomyelitis, measles, mumps, rubella,
92 hemophilus influenzae type B and any other vaccine required by the
93 schedule of active immunization adopted pursuant to section 19a-7f,
94 including appropriate exemptions for children for whom such
95 immunization is medically contraindicated and for children whose
96 parents or guardian objects to such immunization on religious
97 grounds, and that any objection by parents or a guardian to
98 immunization of a child on religious grounds shall be accompanied by
99 a statement from such parents or guardian that such immunization
100 would be contrary to the religious beliefs of such child or the parents
101 or guardian of such child, which statement shall be acknowledged, in
102 accordance with the provisions of sections 1-32, 1-34 and 1-35, by (A) a
103 judge of a court of record or a family support magistrate, (B) a clerk or
104 deputy clerk of a court having a seal, (C) a town clerk, (D) a notary
105 public, (E) a justice of the peace, or (F) an attorney admitted to the bar
106 of this state, (2) specify conditions under which child care center
107 directors and teachers and group child care home providers may
108 administer tests to monitor glucose levels in a child with diagnosed
109 diabetes mellitus, and administer medicinal preparations, including
110 controlled drugs specified in the regulations by the commissioner, to a
111 child receiving child care services at such child care center or group
112 child care home pursuant to the written order of a physician licensed

113 to practice medicine or a dentist licensed to practice dental medicine in
114 this or another state, or an advanced practice registered nurse licensed
115 to prescribe in accordance with section 20-94a, or a physician assistant
116 licensed to prescribe in accordance with section 20-12d, and the written
117 authorization of a parent or guardian of such child, (3) specify that an
118 operator of a child care center or group child care home, licensed
119 before January 1, 1986, or an operator who receives a license after
120 January 1, 1986, for a facility licensed prior to January 1, 1986, shall
121 provide a minimum of thirty square feet per child of total indoor
122 usable space, free of furniture except that needed for the children's
123 purposes, exclusive of toilet rooms, bathrooms, coatrooms, kitchens,
124 halls, isolation room or other rooms used for purposes other than the
125 activities of the children, (4) specify that a child care center or group
126 child care home licensed after January 1, 1986, shall provide thirty-five
127 square feet per child of total indoor usable space, (5) establish
128 appropriate child care center staffing requirements for employees
129 certified in cardiopulmonary resuscitation by the American Red Cross,
130 the American Heart Association, the National Safety Council,
131 American Safety and Health Institute, [or] Medic First Aid
132 International, Inc. or an organization using guidelines for
133 cardiopulmonary resuscitation and emergency cardiovascular care
134 published by the American Heart Association and International
135 Liaison Committee on Resuscitation, (6) specify that on and after
136 January 1, 2003, a child care center or group child care home (A) shall
137 not deny services to a child on the basis of a child's known or
138 suspected allergy or because a child has a prescription for an
139 automatic prefilled cartridge injector or similar automatic injectable
140 equipment used to treat an allergic reaction, or for injectable
141 equipment used to administer glucagon, (B) shall, not later than three
142 weeks after such child's enrollment in such a center or home, have staff
143 trained in the use of such equipment on-site during all hours when
144 such a child is on-site, (C) shall require such child's parent or guardian
145 to provide the injector or injectable equipment and a copy of the
146 prescription for such medication and injector or injectable equipment
147 upon enrollment of such child, and (D) shall require a parent or

148 guardian enrolling such a child to replace such medication and
149 equipment prior to its expiration date, (7) specify that on and after
150 January 1, 2005, a child care center or group child care home (A) shall
151 not deny services to a child on the basis of a child's diagnosis of
152 asthma or because a child has a prescription for an inhalant medication
153 to treat asthma, and (B) shall, not later than three weeks after such
154 child's enrollment in such a center or home, have staff trained in the
155 administration of such medication on-site during all hours when such
156 a child is on-site, and (8) establish physical plant requirements for
157 licensed child care centers and licensed group child care homes that
158 exclusively serve school-age children. When establishing such
159 requirements, the Office of Early Childhood shall give consideration to
160 child care centers and group child care homes that are located in
161 private or public school buildings. With respect to this subdivision
162 only, the commissioner shall implement policies and procedures
163 necessary to implement the physical plant requirements established
164 pursuant to this subdivision while in the process of adopting such
165 policies and procedures in regulation form. Until replaced by policies
166 and procedures implemented pursuant to this subdivision, any
167 physical plant requirement specified in the office's regulations that is
168 generally applicable to child care centers and group child care homes
169 shall continue to be applicable to such centers and homes that
170 exclusively serve school-age children. The commissioner shall print
171 notice of the intent to adopt regulations pursuant to this subdivision in
172 the Connecticut Law Journal not later than twenty days after the date
173 of implementation of such policies and procedures. Policies and
174 procedures implemented pursuant to this subdivision shall be valid
175 until the time final regulations are adopted.

176 Sec. 5. Subdivisions (4) and (5) of subsection (a) of section 10-220l of
177 the general statutes are repealed and the following is substituted in
178 lieu thereof (*Effective October 1, 2019*):

179 (4) "Qualified educator" means any person who (A) holds a valid
180 certificate issued by the State Board of Education, pursuant to section
181 10-145b, with an endorsement in physical education, (B) (i) is certified

182 as a lifeguard by the American Red Cross or another nationally
183 recognized organization that conducts aquatic training programs, (ii)
184 has completed a safety training course for swim coaches and
185 instructors [course] offered by the American Red Cross or an
186 organization approved by the State Board of Education, or (iii) was
187 certified as a lifeguard for at least five years during the previous ten
188 years and has at least five years' experience as a swimming coach or an
189 instructor of a physical education course that makes use of a school
190 swimming pool, (C) is certified in cardiopulmonary resuscitation,
191 pursuant to section 19a-113a-1 of the regulations of Connecticut state
192 agencies, as amended from time to time, and (D) has completed a
193 course in first aid offered by the American Red Cross, the American
194 Heart Association, the Department of Public Health, [or] any director
195 of health or an organization using guidelines for first aid published by
196 the American Heart Association and the American Red Cross;

197 (5) "Qualified lifeguard" means any person who (A) is sixteen years
198 of age or older, (B) is certified as a lifeguard by the American Red
199 Cross or another nationally recognized organization that conducts
200 aquatic training programs, (C) is certified in cardiopulmonary
201 resuscitation, pursuant to section 19a-113a-1 of the regulations of
202 Connecticut state agencies, as amended from time to time, and (D) has
203 completed a course in first aid offered by the American Red Cross, the
204 American Heart Association, the Department of Public Health, [or] any
205 director of health or an organization using guidelines for first aid
206 published by the American Heart Association and the American Red
207 Cross.

208 Sec. 6. Subsection (b) of section 19a-900 of the general statutes is
209 repealed and the following is substituted in lieu thereof (*Effective*
210 *October 1, 2019*):

211 (b) Upon the request and with the written authorization of the
212 parent or guardian of a child attending any before or after school
213 program, day camp or child care facility, and pursuant to the written
214 order of (1) a physician licensed to practice medicine, (2) a physician

215 assistant licensed to prescribe in accordance with section 20-12d, or (3)
216 an advanced practice registered nurse licensed to prescribe in
217 accordance with sections 20-94a and 20-94b, the owner or operator of
218 such before or after school program, day camp or child care facility
219 shall approve and provide general supervision to an identified staff
220 member trained to administer medication with a cartridge injector to
221 such child if the child has a medically diagnosed allergic condition that
222 may require prompt treatment in order to protect the child against
223 serious harm or death. Such staff member shall be trained in the use of
224 a cartridge injector by a licensed physician, physician assistant,
225 advanced practice registered nurse or registered nurse or shall
226 complete a course in first aid offered by the American Red Cross, the
227 American Heart Association, the National Ski Patrol, the Department
228 of Public Health, [or] any director of health or an organization using
229 guidelines for first aid and published by the American Heart
230 Association and the American Red Cross.

231 Sec. 7. Subdivision (1) of subsection (b) of section 20-266o of the
232 general statutes is repealed and the following is substituted in lieu
233 thereof (*Effective October 1, 2019*):

234 (b) (1) Each person seeking licensure as a tattoo technician on or
235 before January 1, 2015, shall make application on a form prescribed by
236 the department, pay an application fee of two hundred fifty dollars
237 and present to the department satisfactory evidence that the applicant:
238 (A) Is eighteen years of age or older; (B) has successfully completed,
239 within the three years preceding the date of application, a course on
240 prevention of disease transmission and blood-borne pathogens that
241 complies with the standards adopted by the federal Occupational
242 Safety and Health Administration, as described in 29 CFR 1910.1030 et
243 seq., as amended from time to time, and that requires the successful
244 completion of a proficiency examination as part of such course; and (C)
245 holds current certification by the American Red Cross or the American
246 Heart Association in basic first aid or by an organization using
247 guidelines for first aid published by the American Heart Association
248 and the American Red Cross."

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2019</i>	19a-113a
Sec. 2	<i>October 1, 2019</i>	52-557b(b) and (c)
Sec. 3	<i>October 1, 2019</i>	52-557b(h)
Sec. 4	<i>October 1, 2019</i>	19a-79(a)
Sec. 5	<i>October 1, 2019</i>	10-220l(a)(4) and (5)
Sec. 6	<i>October 1, 2019</i>	19a-900(b)
Sec. 7	<i>October 1, 2019</i>	20-266o(b)(1)