
OLR Bill Analysis

sSB 975

AN ACT STRENGTHENING THE BILL OF RIGHTS FOR LONG-TERM CARE FACILITY RESIDENTS.

SUMMARY

This bill adds to the nursing home patients' bill of rights (see BACKGROUND), which applies to patients in nursing homes, residential care homes, and chronic disease hospitals. For these patients, the bill adds the right to treat their living quarters as their own home. It also specifies that they have no fewer rights than other state residents, subject to rules designed to protect other patients' privacy, health, and safety at the facility. Under the bill, this includes the right to:

1. associate and communicate privately with people the patient chooses and
2. purchase and use technology the patient chooses, including technology that facilitates virtual visitation with family and others, provided the technology's use and operation does not violate any individual's right to privacy under state or federal law.

The bill also extends these rights to residents of managed residential communities (e.g., assisted living facilities) under their bill of rights, which is generally similar to the nursing home patients' bill of rights.

Under current law, the nursing home patients' bill of rights grants patients the right to be encouraged and assisted in exercising their rights as a patient and citizen, including:

1. being fully informed about their rights by state and federal advocacy programs and

2. voicing grievances and recommending changes to facility staff or outside representatives without restraint, discrimination, coercion, or reprisal.

The bill expands this right to also include the right to access representatives of the Public Health and Social Services departments and the Office of the Long-Term Care Ombudsman.

EFFECTIVE DATE: July 1, 2021

BACKGROUND

Patients' Bill of Rights

Existing law establishes a patients' bill of rights for nursing home, residential care home, and chronic disease hospital patients. It contains a broad and detailed set of rights an individual must be fully informed of before or upon admission to the facility and during the patient's stay. Among other things, patients have the right to (1) be free from abuse and neglect, (2) participate in the planning of their care, (3) manage their own financial affairs, and (4) have their grievances resolved promptly (CGS § 19a-550). Federal nursing home law contains provisions generally similar to state law concerning these rights (42 U.S.C. § 1395i-3(c) and 42 C.F.R. § 483.10).

COMMITTEE ACTION

Aging Committee

Joint Favorable Substitute

Yea 16 Nay 0 (03/11/2021)