



General Assembly

Amendment

January Session, 2021

LCO No. 9012



Offered by:

SEN. DAUGHERTY ABRAMS, 13th

Dist.

REP. STEINBERG, 136th Dist.

To: Subst. Senate Bill No. 1083

File No. 540

Cal. No. 334

"AN ACT CONCERNING VARIOUS REVISIONS TO THE PUBLIC HEALTH STATUTES."

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

3 "Section 1. Section 19a-404 of the general statutes is repealed and the
4 following is substituted in lieu thereof (*Effective October 1, 2021*):

5 The Chief Medical Examiner shall be a citizen of the United States
6 and a doctor of medicine licensed to practice medicine in Connecticut
7 and shall have had a minimum of four years postgraduate training in
8 pathology and such additional subsequent experience in forensic
9 pathology as the commission may determine, provided any person
10 otherwise qualified who is not licensed to so practice may be appointed
11 Chief Medical Examiner, provided he or she obtains such a license
12 within one year of his or her appointment. The Commission on
13 Medicolegal Investigations shall submit recommendations concerning

14 the Chief Medical Examiner's salary and annual increments to such
15 salary to the Commissioner of Administrative Services for review and
16 approval pursuant to section 4-40. The Chief Medical Examiner's term
17 of office shall be fixed by the commission and the Chief Medical
18 Examiner may be removed by the commission only for cause. Under the
19 direction of the commission, the Chief Medical Examiner shall prepare
20 for transmission to the Secretary of the Office of Policy and Management
21 as required by law estimates of expenditure requirements. The Chief
22 Medical Examiner shall account to the State Treasurer for all fees and
23 moneys received and expended by him or her by virtue of his or her
24 office. The Chief Medical Examiner may as part of his or her duties teach
25 medical and law school classes, conduct special classes for police
26 investigators and engage in other activities related to the work of the
27 office to such extent and on such terms as may be authorized by the
28 commission. On and after January 1, 2022, the Chief Medical Examiner
29 shall earn at least one contact hour of training or education in sudden
30 unexpected death in epilepsy as part of the continuing medical
31 education he or she is required to obtain pursuant to section 20-10b. As
32 used in this section, "sudden unexpected death in epilepsy" means the
33 death of a person with epilepsy that is not caused by injury, drowning
34 or other known causes unrelated to epilepsy.

35 Sec. 2. Section 21a-223 of the general statutes is repealed and the
36 following is substituted in lieu thereof (*Effective October 1, 2021*):

37 (a) Each individual place of business of each health club shall obtain
38 a license from the Department of Consumer Protection prior to the sale
39 of any health club contract. Application for such license shall be made
40 on forms provided by the Commissioner of Consumer Protection and
41 said commissioner shall require as a condition to the issuance and
42 renewal of any license obtained under this chapter (1) that the applicant
43 provide for and maintain on the premises of the health club sanitary
44 facilities; (2) that the applicant, on and after October 1, 2022, (A) (i)
45 provide and maintain in a readily accessible location on the premises of
46 the health club at least one automatic external defibrillator, as defined
47 in section 19a-175, and (ii) make such location known to employees of

48 such health club, (B) ensure that at least one employee is on the premises
49 of such health club during staffed business hours who is trained in
50 cardiopulmonary resuscitation and the use of an automatic external
51 defibrillator in accordance with the standards set forth by the American
52 Red Cross or American Heart Association, (C) maintain and test the
53 automatic external defibrillator in accordance with the manufacturer's
54 guidelines, and (D) promptly notify a local emergency medical services
55 provider after each use of such automatic external defibrillator; (3) that
56 the application be accompanied by (A) a license or renewal fee of two
57 hundred fifty dollars, (B) a list of the equipment and each service
58 [which] that the applicant intends to have available for use by buyers
59 during the year of operations following licensure or renewal, and (C)
60 two copies of each health club contract [which] that the applicant is
61 currently using or intends to use; and [(3)] (4) compliance with the
62 requirements of section 21a-226. Such licenses shall be renewed
63 annually. The commissioner may impose a civil penalty of not more
64 than three hundred dollars against any health club that continues to sell
65 or offer for sale health club contracts for any location but fails to submit
66 a license renewal and license renewal fee for such location not later than
67 thirty days after such license's expiration date.

68 (b) No health club shall (1) engage in any act or practice [which] that
69 is in violation of or contrary to the provisions of this chapter or any
70 regulation adopted to carry out the provisions of this chapter, including
71 the use of contracts [which] that do not conform to the requirements of
72 this chapter, or (2) engage in conduct of a character likely to mislead,
73 deceive or defraud the buyer, the public or the commissioner. The
74 Commissioner of Consumer Protection may refuse to grant or renew a
75 license to, or may suspend or revoke the license of, any health club
76 which engages in any conduct prohibited by this chapter.

77 (c) If the commissioner refuses to grant or renew a license of any
78 health club, the commissioner shall notify the applicant or licensee of
79 the refusal, and of [his] the applicant's or licensee's right to request a
80 hearing [within] not later than ten days [from] after the date of receipt
81 of the notice of refusal. If the applicant or licensee requests a hearing

82 within [ten days] such ten-day period, the commissioner shall give
83 notice of the grounds for [his] the commissioner's refusal to grant or
84 renew such license and shall conduct a hearing concerning such refusal
85 in accordance with the provisions of chapter 54 concerning contested
86 matters.

87 (d) The Attorney General at the request of the Commissioner of
88 Consumer Protection [is authorized to] may apply in the name of the
89 state of Connecticut to the Superior Court for an order temporarily or
90 permanently restraining and enjoining any health club from operating
91 in violation of any provision of this chapter.

92 Sec. 3. Subdivision (1) of subsection (a) of section 52-557b of the
93 general statutes is repealed and the following is substituted in lieu
94 thereof (*Effective October 1, 2021*):

95 (a) (1) A person licensed to practice medicine and surgery under the
96 provisions of chapter 370 or dentistry under the provisions of section
97 20-106 or members of the same professions licensed to practice in any
98 other state of the United States, a person licensed as a registered nurse
99 under section 20-93 or 20-94 or certified as a licensed practical nurse
100 under section 20-96 or 20-97, a medical technician or any person
101 operating a cardiopulmonary resuscitator or a person trained in
102 cardiopulmonary resuscitation in accordance with the guidelines set
103 forth by the American Red Cross or American Heart Association, or a
104 person operating an automatic external defibrillator, who, voluntarily
105 and gratuitously and other than in the ordinary course of such person's
106 employment or practice, renders emergency medical or professional
107 assistance to a person in need thereof, shall not be liable to such person
108 assisted for civil damages for any personal injuries which result from
109 acts or omissions by such person in rendering the emergency care,
110 which may constitute ordinary negligence. A person or entity that
111 provides or maintains an automatic external defibrillator shall not be
112 liable for the acts or omissions of such person or entity in providing or
113 maintaining the automatic external defibrillator, which may constitute
114 ordinary negligence. A person or entity that provides or maintains an

115 automatic external defibrillator in a cabinet, which also contains an
116 opioid antagonist used to treat or prevent a drug overdose, shall not be
117 liable for the acts or omissions of such person or entity in making
118 available the opioid antagonist, which may constitute ordinary
119 negligence. The immunity provided in this subsection does not apply to
120 acts or omissions constituting gross, wilful or wanton negligence. With
121 respect to the use of an automatic external defibrillator, the immunity
122 provided in this subsection shall only apply to acts or omissions
123 involving the use of an automatic external defibrillator in the rendering
124 of emergency care, except a health club licensed pursuant to section 21a-
125 223, as amended by this act, shall not be held liable on and after October
126 1, 2022, for acts or omissions involving the nonuse of the automatic
127 external defibrillator. Nothing in this subsection shall be construed to
128 exempt paid or volunteer firefighters, police officers or emergency
129 medical services personnel from completing training in
130 cardiopulmonary resuscitation or in the use of an automatic external
131 defibrillator in accordance with the guidelines set forth by the American
132 Red Cross or American Heart Association. For the purposes of this
133 subsection, "automatic external defibrillator" means a device that: (A) Is
134 used to administer an electric shock through the chest wall to the heart;
135 (B) contains internal decision-making electronics, microcomputers or
136 special software that allows it to interpret physiologic signals, make
137 medical diagnosis and, if necessary, apply therapy; (C) guides the user
138 through the process of using the device by audible or visual prompts;
139 and (D) does not require the user to employ any discretion or judgment
140 in its use.

141 Sec. 4. Section 19a-508a of the general statutes is repealed and the
142 following is substituted in lieu thereof (*Effective October 1, 2021*):

143 Upon admitting a patient to a hospital, hospital personnel shall
144 promptly ask the patient whether the patient desires for his or her
145 physician and any family member, caregiver or support person to be
146 notified of the hospital admission. If the patient so desires, hospital
147 personnel shall make reasonable efforts to notify the physician and any
148 family member, caregiver or support person designated by the patient

149 of the patient's hospital admission as soon as practicable, but not later
150 than twenty-four hours after the patient's request. For purposes of this
151 section, "hospital" has the same meaning as provided in section 19a-490;
152 and "physician" means a person licensed under the provisions of
153 chapter 370.

154 Sec. 5. Section 19a-285a of the general statutes is repealed and the
155 following is substituted in lieu thereof (*Effective July 1, 2021*):

156 (a) Any person who is seventeen years of age or older shall have the
157 legal capacity, without written authorization of his or her parent or
158 guardian, to donate blood or any component thereof and to consent to
159 the withdrawal of blood from his or her body, in conjunction with any
160 voluntary blood donation program.

161 (b) Any person who is sixteen years of age shall have the legal
162 capacity, with written authorization of his or her parent or guardian, to
163 donate blood or any component thereof and to consent to the
164 withdrawal of blood from his or her body in conjunction with any
165 voluntary blood donation program.

166 Sec. 6. Section 20-195ppp of the general statutes is repealed and the
167 following is substituted in lieu thereof (*Effective July 1, 2021*):

168 The Department of Public Health may issue a temporary permit to an
169 applicant for licensure as an art therapist who holds a graduate degree
170 in art therapy or a related field. Such temporary permit shall authorize
171 the holder of the temporary permit to practice art therapy under the
172 general supervision of a licensed art therapist at all times during which
173 the holder of the temporary permit performs art therapy. Such
174 temporary permit shall be valid for a period not to exceed [three
175 hundred sixty-five calendar days] two years after the date of attaining
176 such graduate degree and shall not be renewable. No temporary permit
177 shall be issued under this section to any applicant against whom
178 professional disciplinary action is pending or who is the subject of an
179 unresolved complaint in this state or any other state. The commissioner
180 may revoke a temporary permit for good cause, as determined by the

181 commissioner. The fee for a temporary permit shall be fifty dollars.

182 Sec. 7. (NEW) (*Effective July 1, 2021*) On or before January 1, 2022, the
183 Commissioner of Public Health shall revise the application for a
184 marriage license made under section 46b-25 of the general statutes and
185 any marriage certificate issued on or after January 1, 2022, under section
186 7-51a of the general statutes to eliminate (1) the references to "bride" and
187 "groom" and replace such references with "spouse one" and "spouse
188 two", and (2) any reference to the race or ethnicity of a spouse and any
189 race or ethnicity designation of a spouse.

190 Sec. 8. Section 19a-36i of the general statutes is repealed and the
191 following is substituted in lieu thereof (*Effective from passage*):

192 (a) No person, firm or corporation shall operate or maintain any food
193 establishment where food or beverages are served or sold to the public
194 in any town, city or borough without obtaining a valid permit or license
195 to operate from the director of health of such town, city or borough, in
196 a form and manner prescribed by the director of health. The director of
197 health shall issue a permit [or license] to operate a food establishment
198 upon receipt of an application if the food establishment meets the
199 requirements of this section. All food establishments shall comply with
200 the food code.

201 (b) All food establishments shall be inspected by a certified food
202 inspector in a form and manner prescribed by the commissioner. The
203 Commissioner of Public Health may, in consultation with the
204 Commissioner of Consumer Protection, grant a variance for the
205 requirements of the food code if the Commissioner of Public Health
206 determines that such variance would not result in a health hazard or
207 nuisance.

208 (c) No permit to operate a food establishment shall be issued by a
209 director of health unless the applicant has provided the director of
210 health with proof of registration with the department and a written
211 application for a permit in a form and manner prescribed by the
212 department. Temporary food establishments and certified farmers'

213 markets, as defined in section 22-6r, shall be exempt from registering
214 with the Department of Public Health.

215 (d) Each class 2 food establishment, class 3 food establishment and
216 class 4 food establishment shall employ a certified food protection
217 manager. No person shall serve as a certified food protection manager
218 unless such person has satisfactorily passed a test as part of a food
219 protection manager certification program that is evaluated and
220 approved by an accrediting agency recognized by the Conference for
221 Food Protection as conforming to its standards for accreditation of food
222 protection manager certification programs. A certified food inspector
223 shall verify that the food protection manager is certified upon inspection
224 of the food establishment. The owner or manager of the food service
225 establishment shall designate an alternate person or persons to be in
226 charge at all times when the certified food protection manager cannot
227 be present. The alternate person or persons in charge shall be
228 responsible for ensuring the following: (1) All employees are in
229 compliance with the requirements of this section; (2) foods are safely
230 prepared in accordance with the requirements of the food code; (3)
231 emergencies are managed properly; (4) a food inspector is admitted into
232 the food establishment upon request; and (5) he or she receives and
233 signs inspection reports.

234 (e) The commissioner shall collaborate with the directors of health to
235 develop a process that allows for the reciprocal licensing of an itinerant
236 food vending establishment that has obtained a valid permit or license
237 under subsection (a) of this section and seeks to operate as an itinerant
238 food vending establishment in another town, city or borough. Not later
239 than ~~[January 1, 2019]~~ December 1, 2021, the commissioner shall submit
240 a report, in accordance with the provisions of section 11-4a, to the joint
241 standing committee of the General Assembly having cognizance of
242 matters relating to public health, of the process developed pursuant to
243 this subsection. Not later than ~~[February 1, 2019]~~ January 1, 2022, the
244 commissioner and each director of health shall implement such process.

245 Sec. 9. (*Effective from passage*) (a) The Department of Mental Health

246 and Addiction Services shall convene, within available appropriations,
 247 a working group, which shall include members of the joint standing
 248 committee of the General Assembly having cognizance of matters
 249 relating to public health, to study the health benefits of psilocybin. Such
 250 study shall include, but need not be limited to, an examination of
 251 whether the use of psilocybin by a person under the direction of a health
 252 care provider may be beneficial to the person's physical or mental well-
 253 being. As used in this subsection, "psilocybin" means the chemical
 254 compound obtained from certain types of hallucinogenic mushrooms
 255 that grow naturally in regions of Europe, South America, Mexico and
 256 the United States.

257 (b) Not later than January 1, 2022, the working group shall submit a
 258 report on its findings and recommendations to the joint standing
 259 committee of the General Assembly having cognizance of matters
 260 relating to public health, in accordance with the provisions of section 11-
 261 4a of the general statutes. The working group shall terminate on the date
 262 that it submits such report or January 1, 2022, whichever is later.

263 Sec. 10. Section 19a-504c of the general statutes is amended by adding
 264 subsection (f) as follows (*Effective July 1, 2021*):

265 (NEW) (f) If the patient agrees, the written discharge materials
 266 referenced in this section may include electronic-only versions, and
 267 acknowledgment of any such written discharge materials may be
 268 documented through electronic means."

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2021</i>	19a-404
Sec. 2	<i>October 1, 2021</i>	21a-223
Sec. 3	<i>October 1, 2021</i>	52-557b(a)(1)
Sec. 4	<i>October 1, 2021</i>	19a-508a
Sec. 5	<i>July 1, 2021</i>	19a-285a
Sec. 6	<i>July 1, 2021</i>	20-195ppp
Sec. 7	<i>July 1, 2021</i>	New section
Sec. 8	<i>from passage</i>	19a-36i

Sec. 9	<i>from passage</i>	New section
Sec. 10	<i>July 1, 2021</i>	19a-504c