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Representative Michael
D'Agostino

SENATORS: Kissel, Osten, Winfield,
Witkos

REPRESENTATIVES: Ackert, Candelaria,
Cheeseman, D'Amelio,
Gibson, Hayes, Riley,
Rutigliano, Winkler

REP. D'AGOSTINO (91ST): Good morning. Welcome to the Public Hearing of the General Law Committee. We have a number of Bills on the agenda and we might as well get right to it. Mr. Clerk, I think we have the Commissioner of the Department of Consumer Protection up first.

SAMUEL CLARK: Yes. First is Michelle Seagull. Moving her as the panelist now. She should be coming in.

REP. D'AGOSTINO (91ST): There you are Commissioner. Hello, morning.

COMMR. COMMR. MICHELLE SEAGULL: Morning. Senator Maroney Senator Winfield, Representative D'Agostino, Representative Rutigliano, Honorable Members of the General Law Committee. Michelle Seagull, Commissioner of Consumer Protection. I want to thank you all for raising House Bill 6100, and Senate Bill 693. And for the opportunity to offer testimony on those Bills.

These Bills were requested by the department and they do they do a lot of things. They're fairly robust Bills, but a lot of it is aimed at streamlining our processes, and then strengthening or clarifying a number of consumer protections

throughout our statutes. Details about what each section does and why we're requesting it is in my written testimony, which I won't be -- read here, but I'm happy to answer any questions you may have or clarify anything in that. So thank you again, for having me.

REP. D'AGOSTINO (91ST): I think we'll open up to some questions. My general comments, and I think you'd often sort of communicate with your staff on this. We've got a number of submissions today with respect to 6100. In particular, it's a big Bill. And it just touches on a number of different things. And most of the speakers today have questions or concerns or have proposed revisions with that Bill. And rather than us playing intermediary, what I'm hoping you can do is just ask your staff to reach out to those folks to read the testimonies. I know they're already doing that. Reach out to the particular constituencies that have submitted testimony. And then we'll hear from today and come back to us with a red line just so everybody's aware of where we're losing our LCO Attorney here at the end of the month. This is a big Bill, it would take us a while to walk through all those suggested revisions, some of which I think, is from -- from a visceral reactions seem like they're well founded at least.

But till we get departmental input on them. So the easiest thing would just be to kind of sound as the middleman right now, let you work with those different constituencies. Propose to us any redline revision, some of which I know, you're already -- you're already working on. And that'll certainly help us for purposes of being able to be comfortable advancing the Bill. And I think I'll let the speakers later today, touching all those different pieces. But that would be a big help with the Bill while it's this large and encompassing.

COMMR. MICHELLE SEAGULL: Absolutely. And as you indicated, we've heard directly from a number of the

groups and we've been reading the testimony as it's been coming in. So we actually already probably have some substantive language that we've already agreed to with some groups, others that we're still working on and meeting with, but we're happy to be helpful and -- and get changes that to the extent they work for us and for other impacted stakeholders.

REP. D'AGOSTINO (91ST): Great, thank you. And I'd ask Members to keep that in mind as well, you're going to see a number of comments today. And if you look at the testimony on 6100. And I think we've just heard from the Commissioner, she's going to review those and get back to us. And I think we will obviously, as leadership on a bipartisan basis, make sure that you get that red line. So you can see how those comments have been addressed before the Bill is advanced. Senator Witkos.

SENATOR WITKOS (8TH): Thank you, Mr. Chairman, my apologies, Commissioner for getting on a little bit late. I did -- I guess I'll review the testimony and the red line. But I did have some conversations with some folks in the industry yesterday, regarding the language of background checks and things in -- my conversation -- are actually my concern was that the word using the FBI background check, when I believe that we could probably get the same data available to make sure we're -- the consumer is protected without using a full FBI background check.

My understanding is, from some of the industry folks that it takes up to two months to get that and their type of industry is they've got to try to place caregiver with a patient or a consumer, rather quickly. And so I have some thoughts about something I'd like to discuss offline with you. And maybe we can get to a place where everybody can be happy with the -- with the consumer being the most important aspect of that.

COMMR. MICHELLE SEAGULL: Okay, yeah, I'm hearing your thoughts on that. And we're aware of that concern, we do, you know, do want to make that background check process more robust, to make sure it's happening and to address issues, sometimes we see with identity theft. So we're comfortable that the correct person is being background checked. But we're aware of kind of the industry concerns, and we look forward to hearing your ideas as well.

SENATOR WITKOS (8TH): Yeah, you know -- Mr. Chairman, if I may, just kind of spend a minute to tell the Committee about what -- what my thoughts were on this.

So you know, my background, I was in law enforcement for 28 years. And so if I happened to have somebody that was in front of me, I had their driver's license or their ID, it's a simple matter of radioing in time to the dispatcher, saying check the national, it's called the NCIC computer, they would check that they would have all the states that are participants in that I think all but seven of our states in our country are participants. And then there's also another database called the Triple I, which is an Interstate Index, which has every state as a participant in that and you can get somebody's background information, convictions, and current arrests within a matter of minutes.

And so if we could come up with something where these folks could go to a local police department or state police barracks, we set the fee. So it's not outrageous. And it can be done through appointments, just like they'd have to do with the bus drivers going to get their background checks and things along those lines. I think that in that respect, you know, it helps the industry, it protects the consumer. And we have the data that we're looking forward to make sure that these folks are not hired if they've been charged within the past five years for those applicable crimes. But

just a thought, as we move through, and we can question some of the other folks that follow you.

REP. D'AGOSTINO (91ST): Senator, just a question for you through the Commissioner. And so you mentioned being able to go to a local police department and a number of the testimonies that we saw, with respect to this portion of the Bill, raise the concern of potential employees having to only go to a state police barracks, which, you know, as we know, are only in certain locations, and it may be a little difficult to get to, especially if they're off the highway. Is what you're proposing -- sounds like it would allow for a more -- more availability for potential workers to go get their get their background check done at a local BBs, is that correct?

SENATOR WITKOS (8TH): Yeah, and how I envision it, is that the department can come up with a form basically saying that, yes, this person has been convicted of -- or has been sentenced to these applicable crimes or no, they have not, and it's signed off from somebody from either the chief of police or somebody within a local police department or state police barracks.

So that way, we're not coming down on just the state police barracks. And folks -- it makes it a little bit easier that for folks that don't have the ability for transportation that they can just go to one of their local police departments. And you know, that can be done coordinated through the local departments, as to setting hours of when they can make, you know, appointments to do that. So it's not an overburdensome ask of them.

REP. D'AGOSTINO (91ST): Alright, thank you. Representative Cheeseman, I think you had your hand up.

REP. CHESSEMAN (37TH): Yes, I did. Thank you, Mr. Chairman. I put it down so I wouldn't forget later.

Thank you so much for being here today, Commissioner. And I just wanted to echo the good Chair D'Agostino's remarks. There has been -- certainly, a significant amount of testimony submitted on your Bill. And I would encourage you, as you look at this, obviously, with those red lines in mind, but particularly looking at some of the things to do with the health clubs that as you know, have been one of the industry's most severely affected by the pandemic in their limited business.

So by all means, let's protect the consumers. But let's do it in a way that recognizes the issues that the health clubs have been facing. And I look forward to you working with the constituents of the Committee to come up with something that's going to protect the consumers, but also recognize the business realities. Thank you. Thank you, Mr. Chair.

REP. D'AGOSTINO (91ST): Thank you, Representative. Representative Ackert, please.

REP. ACKERT (8TH): Thank you, Mr. Chairman, I missed your two most important minutes at the beginning of the meeting, when you probably mentioned that we have the Commissioners working on this Bill, so I thought part of that.

So what I will do is Reader's Digest questions here, I have four of them. But I'm going to give them all at once and essentially saying, to the Commissioner -- always the architects -- intersections that deal with architects and their big education, I imagine, I don't see anybody opposing that. So I believe that they're on Board with your work on the lines 294 on with the architects, I take that for that section which is pretty new. But I think it was something we looked at last year if I'm not mistaken. And I was making sure that they're on Board with that component of that legislation.

COMMR. MICHELLE SEAGULL: I'm not aware of any concerns from them, and a lot of this, you know, it's been out there for over a year now, because this was part of our agenda from last year. A lot of this, it's not really changing what industry needs to do. We're moving deadlines, what's often hard is continuing education.

And we have it sort of tied to a whole bunch of our license types. But when continuing education is due at the same date for renewal, it becomes a challenge because we want to ask, "Have you completed your continuing education?" But if you're renewing maybe three or four weeks before, you know, some people don't wait till the very last moment to renew. So now you've renewed you were planning to take continuing education before the deadline.

But you know, maybe during that two or three week gap, so what's helpful is if we can just move continuing education, have it do three months before the renewal cycle. And that way, when somebody renews we can ask them, and they can really be held to honestly answer, Have you completed your continuing education requirements, and we don't have that that weird situation of them renewing with a plan to take it.

REP. ACKERT (8TH): As an instructor in continuing education, I do, essentially -- I know, people that come in after the date, because I think the license says, "Have you or do you intend to complete the continuing education?" So I think that there's a concern by the providers to try to get everybody in the queue. I think that the individuals that are getting, I know especially electrical, you know, electrical, and H-back, H-Back plumbers, so all -- I know that some of the providers have mentioned, you know, maybe not the three months prior, maybe closer to the date.

And then the section of the contract section, then 13 lines 1375 the line saying who's working on the

job, so the contractor writes a contract with the owner, -- there's a -- the contract is only valid if there's a -- essentially that pretty big section that deals with the contracts, we did it in a home improvement contractor, Bill that's being worked on also.

But it says who's working on the job, and I believe that that's -- like, I gave you an example, I sent a crew out, that was -- you know, scheduling one job today. And because of the weather, we rearranged and had different kinds of -- different technicians going to that job now because of the weather. So it's kind of stringent. And then I've always struggled with the starting and finishing dates on some of these contracts of what we're looking for, what the problem with things like that is, material orders, things like that.

And I know that your office would review that if there was a concern and say, okay, you know, circumstances outside of the contractors, we understand that and then you know, can forget that. But it's got to be in writing in the -- in the, in this paperwork. So a couple of areas that I have concerns with, I think some of the people in the field knew but you know, we want to see what -- what comes at it from your work going forward.

COMMR. MICHELLE SEAGULL: And we've met with industry. There was actually substitute language that we intended to have in this Bill, but somehow didn't make it. So it'll be part of this red line that we'll be getting to everybody to address that very concern, where sometimes you don't know, at the time of the contract who the actual worker will be. So we have some language that I think we have agreement on with people, but we just need to get that substitute language into the Bill.

REP. D'AGOSTINO (91ST): Thank you for those questions. I think you're going to agree with me Commissioner, and we've kind of touched on different

portions of the Bill. It's a big Bill and I don't want to suggest that we're somehow faulting you and your staff, or, you know, we know we're always going to get industry comments, and consumer comments on something that touches on so many areas, and we do appreciate everybody's kind of understaffed right now. So we do appreciate the willingness that you and your staff to be able to do that, and turn that as best you can, and then we'll obviously take a look at it and see where we go from there. Thank you. Thank you.

COMMR. MICHELLE SEAGULL: Thank you.

REP. D'AGOSTINO (91ST): That's it. Thank you.

COMMR. MICHELLE SEAGULL: Thank you all.

REP. D'AGOSTINO (91ST): Thank you, Commissioner. I'm going to hand it off to our Esteemed Senate Co-Chair, Senator Maroney to poignantly grill the next two speakers.

SENATOR MARONEY (14TH): Thank you, Representative D'Agostino. Next up is Senator Will Haskell.

SENATOR HASKELL (26TH): Good morning, everybody.

SENATOR MARONEY (14TH): Good morning, Senator Haskell.

SENATOR HASKELL (26TH): Senator Maroney, Representative D'Agostino, Esteemed Vice-Chairs and Ranking Members. This is my first time appearing before the General Law Committee. And it's an honor to be with you. I know you have a packed agenda today. So I just wanted to pop in and say a few words about a Bill that's before you, that I introduced, Senate Bill 152.

Thank you so much for considering this legislation which comes -- requested actually, from a small business in my district. This concerns modernizing

a small portion of Connecticut statute, specifically Section 14-329, which requires the paper delivery of ticket -- of a sort of ticket upon the receipt of home heating fuel. As is intuitively obvious, this takes time and resources slowing down the productivity of these hard working drivers. And it's especially become problematic during the pandemic as this leads to needless exposure for both customers and for employees.

Now, a crucial portion of this Bill is that customers have the option to maintain the status quo if they prefer a paper ticket, it really just creates an opt-in system where customers who would prefer to have the truck idle in their driveway for less time to avoid a paper ticket being stuck on their door. They could actually move to an online system if they so prefer. And I know many Members of this Committee are wholehearted believers in modernizing our state statutes in a whole variety of areas. What this Bill seeks to accomplish is admittedly incredibly modest. But I believe it's -- it'll be important from an environmental perspective, to reduce idling and to reduce paper resources. It's important from a business perspective to help get these drivers on the road a little bit faster.

And it's probably something that could have been done years ago. But as we -- as our state statutes catch up to technology, I think it's an important change. And I really want to thank the Committee's leadership for taking a look at this Bill. I want to thank DCP, which has been supportive throughout this process. And obviously, their input is -- I look forward to hearing their input on the Bill. But we've had many productive conversations, and they've been nothing but supportive along the way. So I'm happy to answer any questions that you have. But I just wanted to put in two cents as to why I believe this Bill, is this makes a small but important change.

SENATOR MARONEY (14TH): Thank you very much. Senator Haskell. Thank you for bringing that concept to us. I believe Senator Witkos has a question for you.

SENATOR WITKOS (8TH): Thank you, Mr. Chairman. Thank you, Senator Haskell, for bringing this forward. You know, it was interesting that we all didn't even realize that you had to do that until your Bill came. I'll tell you, I filled out my co-sponsor forum this morning to co-sponsor this Bill. But just a quick question, do you know what the potential receipt would look like, if somebody were to get an electronic one? Would -- like for an email or did your guy explain to you, you know how easy it would be or how difficult would be for a business to transition if a customer wants to--

SENATOR HASKELL (26TH): Absolutely. Good to see you, Senator Witkos, in another Committee, in another context, and thank you for supporting this Bill. You'll be hearing later from the Connecticut Energy Marketers Association, which has been spearheading this Bill. I've been in conversations with Gault, which is the company located in Westport in my district. They hope to start sending these online tickets if the Bill should pass over email just like we get a variety of other receipts. I don't know exactly what it would look like. But I would -- I would guess that it would closely parallel what they're currently putting on people's front door.

SENATOR WITKOS (8TH): Excellent.

SENATOR HASKELL (26TH): And by the way, Senator, since I know you come from a law enforcement background, I didn't bring it up in my testimony. But an interesting point that Gault raised, is that some customers are actually frustrated when a paper ticket is left on their door if they're away on vacation, for example, because it signals to others that they're actually not home. So there's --

there's a public safety component to this Bill that I never would have thought of if the company hadn't brought it to my attention.

SENATOR WITKOS (8TH): Make sense. Good Bill, it'll pass. Thank you.

SENATOR MARONEY (14TH): Thank you, Senator Witkos. I believe, Representative Ackert, followed by Representative Cheeseman.

REP. ACKERT (8TH): Thank you Mr. Chairman, we all agree on a lot of things in legislation, but this one's like -- I want you to feel, my co-sponsor for a moment. It makes sense. You know, just like -- you just go really -- and I did -- and you just basically -- I just went away for a short vacation -- not really -- not a vacation in our world. But I think that the COVID -- before COVID just happened -- just so you know -- just make it sure I follow the guidelines of the state of Connecticut. But after his point, what was hanging on my door -- my door -- and it was, you know, delivered, you know, based on, you know, so you go back, you go, oh, yeah, well, I got my ticket, you know, and I've never thought of it. But this -- I just have one quick clarification, this does not mandate a company from using this process, right?

SENATOR HASKELL (26TH): No, not at all. And thank you, Representative Ackert, for that question. It's entirely optional, both for the company to utilize an electronic system. But also importantly, even if a company does decide to move to the electronic fuel delivery ticket system, it would still be opt-in for the customer. For whatever reason, maybe their folks who are attached to that tradition of a paper ticket, or who aren't as comfortable using an email system. So it's entirely opt-in for the company. And then it's entirely opt-in for the customer if they prefer to receive the ticket electronically. So, so glad we see eye to eye on this one, Representative and I appreciate your support.

REP ACKERT (8TH): Thank you Senator. Thank you, Mr. Chairman.

REP. D'AGOSTINO (91ST): Thank you for your question Representative Ackert. Representative Cheeseman.

REP CHEESEMAN (37TH): Thanks. Thank you, Senator Maroney. Good to see you, Senator Haskell. I think I'm going to be seeing a bit later in higher Ed if you went from meeting to meeting. Yes, I think Representative Ackert, you address that question for the customer.

It is an opt -in it is not default that you have to opt-out because as we've learned during the pandemic, there are still significant numbers of people for whom living and working in the electronic world is not as easy. But yes, it seems crazy that we haven't addressed this before. And I can tell you, as the owner of two large dogs who are very friendly, been very vocal, and will be very happy not to come to my front door to be greeted by 165 pounds of Chesapeake Bay retriever. So hey, thank you so much. And I think like Senator Witkos, I'd better sign on to co-sponsor this one because it sounds like a goodie. So thank you. Thank you, Senator Maroney. Thank you, Senator Haskell.

SENATOR HASKELL (26TH): Thank you Representative.

SENATOR MARONEY (14TH): Thank you. Thank you Representative Cheeseman. Seeing no other questions. Senator Haskell. Thank you very much for bringing this concept before us and coming to testify. And we invite you to come back to the General Law Committee more often for these Kumbaya moments.

SENATOR HASKELL (26TH): Definitely I will, man. I'll be back. Have a good day, everybody.

SENATOR MARONEY (14TH): Thank you. Have a nice day. Next, Senator Berthel.

SAMUEL CLARK: All right, they're all coming in now.

SENATOR MARONEY (14TH): Okay.

SENATOR BERTHEL (32ND): Good morning.

SENATOR MARONEY (14TH): Good morning, Senator Berthel.

SENATOR BERTHEL (32ND): So, good morning to the Co-Chairs Maroney and D'Agostino, Ranking Members Witkos and Rutigliano and Distinguished Members of the General Law Committee. I guess I could have had Senator Haskell kind of introduce my Bill as well. This is a very simple piece of legislation that I think will allow for some good changes to take place. I'm here to testify before you on Senate Bill 186, which I introduced on behalf of a constituent of mine who is going to testify as well this morning. This is AN ACT ALLOWING PERSONS 16 YEARS OF AGE OR OLDER TO OPERATE RIDES AT AMUSEMENT PARKS.

Essentially, the Bill, and my guests will speak to with much more intelligence and knowledge on this subject matter than I have I do not operate at an amusement park, or was -- or support them more than just being a good legislator for my constituents. But the crux of this is that this is done in other states and it will essentially expand employment opportunities for youth.

Mr. Francis will speak who is the third generation co-owner of Quassy Amusement Park in Middlebury. If you've never been down to Middlebury, it's right on Lake Quassapaug, it's a great old fashioned amusement park, been there for many, many years. And Quassy is very often the first employer for many youth, they employ about -- more than 200 young people seasonally each year.

I think this Bill will give them an opportunity to expand employment opportunities for young people. And as the experts can speak to in a moment, it's been done successfully in other states, very safely, and the protocols and training behind it.

So I appreciate the indulgence of the Committee to allow my guests to speak during my time this morning. I know you do have a busy agenda. But with that, before we have my guest speaker, I'm happy to answer any questions that the Committee Members may have of me before those guests appear before you. Thank you, Mr. Chairman.

SENATOR MARONEY (14TH): Thank you, Senator Berthel. Senator Kissel.

SENATOR KISSEL (7TH): Yes, thank you, Mr. Chairman. My question is, what's the current age limit? Is it 18?

SENATOR BERTHEL (32ND): Senator, thank you for the question. Yes, my understanding and again, my guest can speak more intelligently to that. But my understanding is the statute currently restricts the minimum age to 18 for operating an amusement park ride as defined by the law.

SENATOR KISSEL (7TH): And my second follow up question, it's the last one, is would the 16-year-olds who can drive a car, right? Would they get any kind of training as far as safety and things like that? I've been to a lot of carnivals and things like that some of these rides look a little dangerous. I have a 17-year-old. I don't know if I want them pulling the leavers on a Ferris wheel. But, you know.

SENATOR BERTHEL (32ND): Sure. Senator, thank you again, for the question. In conversations with Mr. Francis earlier this week, I actually asked him the same questions. And in addition to proper training,

which, again, one of the guests that's following me, will speak to the training protocols.

Connecticut already has in place some very stringent safety protocols that are required of the right itself, things like a so-called -- I think I'm using the wrong terminology. But it's like a Deadman switch that if the operator gets distracted, you know, someone walks by they -- a friend calls their name, if they take their hands off of the controls, the right comes to a control, but it safe-stops. So there's a lot of things that are already in place exactly the same concerns I had. And certainly we do license 16-year-olds to drive two ton cars down the highway. And, you know, this is something that I think is actually more controlled environment. And but again, the experts are on the call with us this morning and can speak, I think, with more eloquence than I can regarding that. So thank you, Senator.

SENATOR KISSEL (7TH): Well, thank you, Senator, as well. And as the father of a 17-year -who's put in applications all over the North Central Connecticut trying to get a job. And there's just not a lot of stuff out there. And they just want to sort of stay back. I think this is a great opportunity. I think, you know, as someone who started work at 14 myself, the faster you start to learn to work, the better off your life can be.

SENATOR BERTHEL (32ND): Yeah, I agree. Thank you, sir.

SENATOR KISSEL (7TH): Thank you.

SENATOR MARONEY (14TH): Thank you, Senator Kessel. Are there any other questions? Representative Rutigliano.

REP. RUTIGLIANO (123RD): Good morning, Senator. Can you hear me okay?

SENATOR MARONEY (14TH): I can.

REP. RUTIGLIANO (123RD): Okay, good. I'm having some Zoom issues this morning. I'm on my third reboot. I didn't know if people can hear me. My question really would be for your guest if that's okay. Are they -- are they ready to answer questions?

SENATOR BERTHEL (32ND): Yeah, I think they're all on all three of them are on as me.

REP. RUTIGLIANO (123RD): Okay. So if they can unmute. So really -- I really only have one question. And that is, would this -- by us not passing this Bill, this would not supersede any, any issues you would have with your insurance? If your insurance is okay, with a 16-year-old doing it, then the law would not -- or not okay with it, for that matter. The law wouldn't change that at all, would it sir, to you?

SENATOR BERTHEL (32ND): I think Eric, this probably is a better question for you because you're more global. But as far as our insurance company and our operation, I don't see that being correlation, because within our industry, and again, Eric Beard will testify more on that issue. There really isn't any data that there's a correlation between the safe operation of a 16 or 17-year-old override or an 18-year-old override.

REP. RUTIGLIANO (123RD): So one would presume that if there was an issue, your insurance company would either say no, or raise your rates to a point where you couldn't afford it. Correct?

SENATOR BERTHEL (32ND): Correct. And there's over a 41 other states that that allow 16 and 17-year-olds to operate rides. We're not -- we're not pioneers in this Bill.

REP. RUTIGLIANO (123RD): Thank you. That's all I had Mr. Chairman, Thank you very much.

SENATOR MARONEY (14TH): Thank you Representative Rutigliano. Senator Berthel, one of your constituents is going to speak?

SENATOR BERTHEL (32ND): Yeah, so I'm not sure who wanted to go first? But they're -- all three are on again. Mr. Francis, would you like to proceed? And, Mr. Chairman, with your indulgence, would that be okay, from Mr. Francis to proceed?

SENATOR MARONEY (14TH): Yeah. Mr. Francis can proceed, again, we were supposed to be a three minute total. We went to questions before, so--

SENATOR BERTHEL (32ND): It'll be quick, and it'll be brief and be gone.

SENATOR MARONEY (14TH): Okay. Thank you.

SENATOR BERTHEL (32ND): Thank you.

SENATOR MARONEY (14TH): We do have just a large agenda today. That's awesome. Thank you.

GEORGE FRANCIS: Again, Committee, I really appreciate you giving us the time today, to speak on behalf of the Bill that Senator Berthel is proposing on our behalf. And again, we are going to be brief because we do understand the length of time that you have today. And we greatly respect that.

So as a group, we've -- we've gotten together, we've really broken it out into segments that we feel are important to elaborate on. And I'm here basically, just to introduce the experts, let's say, that may be able to answer questions more specifically to the technical aspects of it. But before I do pass this on to my esteemed colleagues, I do want to make one quick statement that, you know, representing the amusement parks in Connecticut, which consists of,

Lake Compounce, Ocean Beach Park, Sonny's Place, and a few others, and Quassy Amusement Park.

I think we have well over 500 years of operation in the state of continuous operation in the state, and customer service and safety are the two most paramount issues that keep us sustained throughout the years. So compromising on both of those is not even a question.

So when I sat with Eric -- Senator Berthel, and requested him submit this Bill, it was after great thought and looking -- with what has been done around the country. And talking to my -- my co-Parks within the -- within the state and the New England Association, and the IWA , the International Association, we felt very comfortable being able to submit this and still maintain the level that we think our guests and our employees expect.

So on that note, I'd like to pass the rest of the time on to Eric Beard, who will be representing the ride -- International Ride Training Association. And then he'll pass it on to Ed, from the New England Association, who will be representing the industry. And so I think from those perspectives, we can get a pretty -- I think we hopefully -- we could educate this the Committee on how important this topic is, and the safety issues are, how important they are to us as well. So on that note, and with respect to time, I'm going to pass the torch to my esteemed colleague, Eric Beard from International Ride Training.

ERIC BEARD: Good morning, Members of the General Law Committee. My name is Eric Beard. I'm Managing Member in General Counsel of International Ride Training. We are a ride operations safety consulting firm. I live in Avon.

I've already submitted written testimony in support of this Bill. So I'm happy to answer any questions that you may have in that regard. I did want to

address Representative Rutigliano's question, if I may, about insurance rates, because I did inquire in -- of some operators that I work with in Michigan and Minnesota, both of whom lowered the operating age from 18 to 16.

Between the 2019 and 2020 operating seasons. Both of which commented to me that their insurance companies had absolutely no issue with it. That it was -- it was a -- it was a complete non-issue. They never even raised the question about it when -- when the Bill was being passed. So I think that also speaks to the risk profile that's involved here in lowering these ages. With that, I will take any other questions, you know, only to echo what George has said about guest safety. It is our primary and most important job function. And I can also speak to -- very quickly to something Senator Kissel raised earlier. As to the operation of these rides, I can assure you that any 16 and 17 -year-old who's driving a vehicle has far more control over the operation of that vehicle than your typical ride operator does. Modern rides.

And by modern I mean anything manufactured in the last 30 years really are very automated, speed is electronically controlled. Ride operators have important duties, but they are not able typically to change. Speed or to dispatch a ride without, you know, restraints in the proper position. They often have to be standing in particular places and holding a Deadman switch so that they can operate safely. So really the operation of a ride is -- is in reality far safer than the operation of an automobile. And yet, as Senator Kissel pointed out, we allow 16 -year-old stop rate automobiles on our highways every day. So with that, I don't want to take any more of the Committee's time. But I'm happy to take any questions.

SENATOR MARONEY (14TH): And I think, before we go to questions, if your colleague could speak, and then we'll just do the question. The questions I do

see, there are a few -- three people who have questions. So.

ERIC BEARD: Certainly, Ed Hodgdon is with us, from the New England Association of Amusement Parks and Attractions. Ed, do you want to go ahead?

ED HODGDON: Sure. Thank you, Members of Committee, I will be brief, you know, just echoing some of the points that have already been brought up. You know, there is no research or data that suggests that amusement rides are safer simply because they're operated by 18-year-olds, and conversely, that, you know what they are less safe when they're operated by 16-year-olds so we already know that -- that there is no data to support -- to support that.

And then, you know, any ride operator that does, or anyone who is hired to be a ride operator, regardless of age is going to receive the exact same training, there isn't going to be any differentiation between the training that is done for a 16-year-old to an 18-year-old on the same amusement device. Again, as Eric Beard and George Francis pointed out there are numerous safety features that are in there -- you know, Deadman Switches, other sensors, and things like that, that do make a ride operation very, very safe. So I would also entertain any questions.

SENATOR MARONEY (14TH): Before we go to questions, just one quick question. What are the ages for the other states in New England or the other states 18 or which states are 16, Ed, if you can answer that?

ED HODGDON: Sure. I know that -- well, I'm based in Maine, we are at 16 years old, New Hampshire has 15-year-olds for some rides, 16 for most others and up to 18. Eric Beard, the other states would be -- Rhode Island is it as at 16. If I'm not mistaken?

ERIC BEARD: Vermont -- Vermont and Massachusetts are both at 18. And Rhode Island has a mixture of

16 and 18 years old, depending upon the type of ride but primarily -- in practical effective, it works out to an 18-year-old requirement in Rhode Island. But there are a small group of rides that can be operated by 16-year-olds.

SENATOR MARONEY (14TH): Great, thank you very much. I'm going to go in the order that I saw the hands come up. So Representative Winkler, then Senator Kissel, then Senator Witkos.

REP. WINKLER (56TH): Thank you. Well, I respect the fact that there's limited research on 16 versus 18 year olds, there certainly is, you know, research concerning brain development. You know, brains not being fully developed to 25 impulse control, you know, in the teen years, etc. I looked into some of the other states, and most of them seem to have switched to 16 when they experienced a labor shortage, and needed to go lower in age in order to get people to run the rides. We don't seem to have a labor shortage in Connecticut right now. Are you having trouble hiring people to operate these rides?

GEROGE FRANCIS: I guess I'll take that question. There's -- even with the unemployment rate where it's at today, we do seem to -- I guess, there is a twofold answer. So at the end of the day, we're educators, we spend a lot of time on training young adults, to enter the workforce and give them an opportunity to start off.

There is a significant labor shortage in Connecticut, and again, be it COVID, be it people looking for full time, year round positions, I think most summer -- summer establishments, like ourselves, do struggle to obtain labor force of 18 and over. So you know, as far as the selfish part of the Bill, it would be extremely helpful for our industry to have that 16 and 17-year-olds to be employed.

And in my -- my -- and we do hire a substantial amount as it is already. And, you know, again, our training doesn't distinguish between 16, 17 or 18, we give everybody the same amount of training. There are some things, operations that we allow 16 and 17 of those to be attendants on rides, which means -- you know, they're -- they're assisting on the loading and unloading. And so their knowledge and their training is significant. So they do have proper knowledge.

REP: WINKLER (56TH): Thank you. Thank you, Mr. Chair.

SENATOR MARONEY (14TH): Thank you, Representative Winkler, Senator Kissel.

SENATOR KISSEL (7TH): Yeah, thank you, Mr. Chair. Just a very quick question. I think it's George, had mentioned Sonny's Place. And I believe I have a Sonny's Place in my district in the town of Somers. Is that what he was referring to?

GEORGE FRANCIS: Yes.

SENATOR KISSEL (7TH): And you consider that an amusement park? It has grown vastly.

GEORGE FRANCIS: Yes, they have amusement devices where it would be who have done -- this Bill would -- would help them as well.

SENATOR KISSEL (7TH): Okay. Thank you. Just a parochial question.

SENATOR MARONEY (14TH): Thank you, Senator Kissel, Senator Witkos.

SENATOR WITKOS (8TH): Thank you, Mr. Chairman. And thank you to Senator Berthel for bringing the Bill forward. I do have a concern, and I want you guys to speak to if you could, well, I understand the safety around -- built in for the amusement park

rides. I'm also very familiar with these carnival rides, where they come in on a Wednesday, and they're out of town on a Sunday. And you know, I've been involved -- my former life, law enforcement and working on the fire department where a Fire Marshal goes in and inspects these rides, and oftentimes, I've seen rides put out of commission, because of -- whatever the reason is. And so I have some concern that we would allow 16 -year-olds to be operating carnival rides that pop in for weekend and pop out where they don't have the history of the maintenance in the state and the long time operators that are doing the training. Would you be -- if we were to draft some language that would prohibit this for temporary facilities? Would you guys be opposed to that? And if so, why?

ERIC BEARD: I can take that question. The answer is no, we wouldn't be opposed to that. Because, in effect, this Bill really wouldn't affect the carnival operation anyway. And the reason for that is because Carnival operators tend to want an employee that can kind of do it all. They want somebody that can travel with them that can set up and tear down the ride and operate it. Under the Fair, -- the federal labor laws, 16-year-olds are not allowed to set up rides, maintain them or tear them down. So most carnivals don't have any interest in hiring a 16-year-old because they don't want somebody that can only do operation and then do nothing else. They want them to be able to stick with them from town to town and help maintain the rides. So in effect, the carnivals wouldn't be affected by this at all, because they don't even want to hire 16-year-olds. So if we wanted to put that in the Bill, you wouldn't get any pushback from us.

SENATOR WITKOS (8TH): All right. Because for me, for a comfort level, I like to have something in there. Because who's to say that somebody doesn't come down with a bug as the carnival is in town and they say, hey, we'll go -- you know, as they're

getting inspected, do you have any 16-year-olds that can run this ride for three days? I just don't feel comfortable with that. But the underlying Bill, I absolutely do want to support it. But I just wanted to make sure that you guys would not be averse to having some parallels put in there -- or some protections put in. Thank you. Thank you, Miss Chairman.

SENATOR MARONEY (14TH): Thank you, Senator Witkos. Thank you for bringing that concern. Are there any other questions?

SENATOR BERTHEL (32ND): Mr. Chairman, thank you again, for the indulgence of the Committee for a little extra time this morning. And I appreciate the comments and the questions to my guests. Thank you for the -- my guests for testifying as well. And I hope you have a quick and easy rest of your -- your public hearing this morning. Thank you.

SENATOR MARONEY (14TH): Thank you, Senator Berthel, and thank you for bringing this issue to us. I think my co-Chair, Representative D'Agostino is going to take over for now.

REP. D'AGOSTINO (91ST): I will. Thank you Senator for shepherding us through your -- your Senate colleagues. Mr. Clerk, who's next please?

SAMUEL CLARK: So now we can begin public individuals. So up next is Greta Wagner. Monitoring her now, and she should be coming up.

GRETA WAGNER: Hi, sorry.

REP. D'AGOSTINO (91ST): Hi Greta, you're on.

GRETA WAGNER: Okay, terrific. Thank you so much. Senator Maroney, Representative D'Agostino, Senator Witkos, Representative Rutigliano and Members of the General Law Committee. My name is Greta Wagner and in addition to operating a very large fitness and

sports club in Connecticut, I'm also on the Board of directors of IHRSA, the International Health and Racquet Sports Club Association. And our mission is to grow and protect and promote the health and fitness industry.

On behalf of the Connecticut Fitness Alliance, I thank you for the opportunity to provide comments concerning Section 1 and 2 of Senate Bill 693 AN ACT CONCERNING CHANGES TO THE CONSUMER PROTECTION STATUTES. I'm here to express our concerns about the financial and administrative burdens that this legislation could pose to health clubs, including those smaller individual health club businesses.

There are approximately 700 fitness clubs in the state that employ and serve millions of customers and even more when you include those small single studio operators. Our industry has been hit incredibly hard, like everybody else, but really hard by the pandemic. At a time when our clubs should have been deemed essential businesses, we were forced to close our doors. This was detrimental to many of our members, their mental and physical wellbeing. At the time, our industry froze memberships, and we really acted responsibly working with the Governor working with, you know all of our sector rules.

We've slowly and partially reopened our clubs responsibly and safely and our clubs have made substantial investments in our buildings, in our business practices, contactless plumbing, temperature, check equipment, signage, cleaning equipment, PPE, additional training for our staff, additional programming and for social distancing, you know, to really make sure our staff and our customers are safe. In fact, as members have returned to our centers, many of them tell us how important their club is to them and their workouts have helped them deal with chronic health conditions, and really have made a difference in dealing with the negative impact of the pandemic.

The Connecticut Fitness Alliance supports Section 1 of the Bill which brings the contract -- contract cancellation provisions up to the date -- up to date with expanding the method of notification to include electronic mail. We understand that this tracks with current date business, you know contracts, and it's important that both the consumer and the businesses have a written documentation for their records.

So Section 2 of Senate Bill No. 693, implements a notification requirement which would pose an administrative and financial challenge to many health clubs. Processing, you know, numerous renewal notifications, especially for the clubs that are smaller and have less resources, they might not have the technology or the infrastructure to help with such a requirement and won't be able to follow it. Since not all kinds of health clubs, contracts renew on the same day. We enroll members every day, many members every day, starting on the first of the month--

SAMUEL CLARK: Excuse me Ms. Wagner, you've got to the three minute mark. If you could wrap up please.

GRETA WAGNER: Okay, so a lot of those contracts rollover already into month to month, and it would be a significant burden. So it would, you know, be very time-consuming and add additional and unnecessary resources and financial burden. So, our contracts already have strict regulations and our operators are transparent in highlighting those options and communicating the benefits and restrictions and the commitment level of time. They can cancel any time after their initial commitment if they so choose in a year contract. They can commit, you know, cancel any time after the 30 days' notice. And it's common practice and convenient for all the consumers are accustomed to living in a subscription and contactless payment world. So a

huge burden for us. So I'm asking if you could take my comments to heart when you're reviewing the Bill.

REP. D'AGOSTINO (91ST): I'm sure we have some questions for you or maybe not. I though Rep. Cheeseman might.

REP. CHEESEMAN (37TH): Of course you've read my mind. Good Chair D'Agostino. Thank you for coming here today. And I just want you to -- you know, you've laid out what the administrative burdens would be, but could you just share with us what some of your members have experienced during the pandemic with that full shutdown.

And I, I have a vested interest in this not because I run a fitness center, but because I run a children's museum with a membership structure. And again, we were forced to shut down and how, you know, how we've dealt with that. So would you -- if you can just, you know, share both the economic impact and, you know, in effect decimation from many of the -- your industry and how this has played out. How you've responded with the pandemic to your members to ensure them that they will get value. So if you could just share some of that with us please.

GRETA WAGNER: Immediately during the pandemic, we notified and communicated with all of our members. Stops payments obviously credited the time that they had already prepaid for the month, because our shutdown was mid-month, and reimbursed or credited when they returned. So, you know, the key to everything is communication.

And we do that regularly. When we were able to reopen in June. So many people came back, obviously nervous, but they came back to us. And, you know, we had so much additional expenses for training, for signage for -- we had to bring people in to move equipment, and, you know, hand out masks and cleaning their own individual cleaning solutions. I added staff to clean the clubs. So, you know, we're

already under such great burden right now to have something else in the mix that would require more administrative responsibilities and additional expenses is just right now is -- you know, misplaced a little bit for what we're dealing with.

REP. CHEESEMAN (37TH): Okay, thank you.

GRETA WGNER: I hope that answers your question.

REP. CHEESEMAN (37TH): Yes, and I think unless you're actually dealing with this on a day to day basis, you know, and we want to protect the consumer, as does the Commission.

GRETA WAGNER: Absolutely.

REP. CHEESEMAN (37TH): But having lived this myself with the museum, investing tens of thousands of dollars into additional cleaning, additional improvements, and HVAC, totally operating -- changing the way you operate to make people safe and keep people safe.

I'm very aware of not wanting to put additional burdens on business owners like you and your members who are struggling to survive. And I do think particularly with the gyms and the fitness centers, for so many people, when we look at the mental health benefits of regular exercise, and there, you know,

I work a lot with the mental health community, the Suicide Prevention community, for many people, this is how they maintain a normal life, that that workout, that ability to do those things, keep them centered, keep them in a good place, not only physically but mentally. And I appreciate your testimony.

And I know the good Chair doesn't want me to rub it on anymore. But I think it's important when we consider these things, yes, protect the consumer,

but also be aware of what we are doing, an additional burden we may be placing on business owners, primarily small and medium sized business owners because we're not talking the giant chains here. And we should be cognizant of the fact that even little things that we do, can add just one more piece to their end, because you don't have huge departments who are going to produce this correspondence. It's going to be the owner or someone like that. So thank you. I've made my point. Thank you for coming today. And I look forward to you and the industry working with the Commissioner and this Committee to come up with a good solution. Thank you very much, Mr. Chair.

REP. D'AGOSTINO (91ST): Representative. Senator Kissel.

SENATOR KISSEL (7TH): Yeah. Hi, good morning. I know that Chairman D'Agostino, and I'm sure that Chairman Maroney is on the same page. Doesn't want us to be caught in the middle of this. Have you guys been in discussions with the Department of Consumer Protection to try to iron out some of these problems?

GRETA WAGNER: We are -- yes, we are working through our Representatives and lobbyists to work our way through the Bill. It's a little -- what's being asked is a bit redundant, because at the time of signing the agreements, they have many choices, they don't have to commit to a 12 month and then when they roll over to the month to month after that they can cancel at any time.

So to have to give notice 45 or 60 days beforehand, when we have them initial that they understand that it's an auto renew. We live in a subscription world it is an auto renew, you know for many, many businesses, Netflix or phone bills or newspapers. So I hope that yes, we're trying to make strides and -- and communicate why we think that this is not necessary. We don't want to -- we want our

consumers to be educated, they are very educated as far as you know, frequenting health clubs and fitness is important to them and health is important to them as to us. So, you know, we're very transparent, so it's unnecessary, in my opinion.

SENATOR KISSEL (7TH): Well, I appreciate that. But I also appreciate the Chairman's observation and the Ranking Member's observations that we don't want to get in the middle of this.

So you guys got to really work hard with the Commissioner and the department to try to redline that Bill as much as humanly possible. And then we'll see it at the end of the day. But I just think that that's, you know, given zoom and, you know, efficiency issues and the COVID.

I just think, you know, you've got to fight your own fight a little bit before we step in. There's complicated things that only our Committee can do. But there's other things that you guys can do. And she seemed pretty accommodating when she came to speak. So I'm hoping that that follows through. And this is sort of a little homily to her as well. I mean, I'm sure if -- if she herself is not still watching this hearing someone in her department probably is. I just -- I just wanted to say that.

GRETA WAGNER: Thank you.

REP. D'AGOSTINO (91ST): I'm sure -- I'm sure that they are. Yeah, there's no more questions because we only got one final thought, this is also more for the Committee. You know, this doesn't -- I appreciate everything you said. And we obviously that we always want her to find a balance between the consumer needs and the business needs, hopefully they don't diverge too much.

You know, this isn't coming out of the blue. DCP gets a number of compliance without cancellations every year. This is where this is coming from. For

the Committee that we also had members had -- I know I had House Members proposing Bills or asking me about Bills to just bar completely in the automatic renewal. And I told them all that DCP had a Bill that was dealing with this. So this isn't just something for DCP I'm hearing from my members and it is perennial complaint about your industry. So I do think this could do something on it, but you should work with DCP as Senator Kissel mentioned and try to find common line -- common ground.

GRETA WAGNER: If I could just make one more comment to that with the hundreds and hundreds of thousands of members that frequent our clubs throughout Connecticut and, you know, nationally, the amount of complaints that come in, in comparison to the number of members that we serve.

I mean, I can only, you know, yes, during a pandemic, when we had nobody in our offices, there was probably one or two complaints that came in that we missed, because we didn't have the opportunity. But, you know, there's less than a handful that I have seen in each club, you know, situation when they're -- when they're servicing thousands and thousands of people. So, just to put it in perspective, thank you. I appreciate it.

REP. D'AGOSTINO (91ST): Thank you Greta. And we move on to our next speaker. Thank you Ms. Wagner.

GRETA WAGNER: Thank you.

REP. D'AGOSTINO (91ST): So next is Raphael Podolsky.

SENATOR KISSEL (7TH): Oh, Rafi. Rafi.

SAMUEL CLARK: Coming on now.

RAPHAEL PODOLSKY: I'm sorry. Can people hear me I'm a little -- having a little difficulty on my computer?

REP. D'AGOSTINO (91ST): We can't hear you.

SENATOR KISSEL (7TH): Can't see you but we can hear you.

RAPHAEL PODOLSKY: Thank you.

REP. D'AGOSTINO (91ST): I can see you, there you are.

RAPHAEL PODOLSKY: This is -- I realize this is a new experience for a lot of people. Some of us I think are quicker to figure out how to do it than others. I'm on the slower category here. My name is Raphael Podolsky. I'm a lawyer with Connecticut Legal Services. We're part of the Legal Aid Programs.

I'm here to speak very briefly about Sections 36 and 37 of House Bill 6100. In this context, we represent people who live in mobile home parks. And those two sections make some small changes in mobile home park statute. The Department of Consumer Protection regulates mobile home parks. This is very important because people in mobile home parks typically own their own mobile homes, but they rent the lots. And if you lose your right to rent the lot, you run the risk of losing the entire value of your home.

The department has -- those two sections are there from the department and I think to help them with -- from the enforcement perspective, I submitted written testimony. There were some changes we would ask you to make. We've been in touch with the department about these and we're talking to them about it. So I would expect that we will follow up in the way the Committee has suggested, but just so you know what they are.

One year is as important to us that there'll be clarification that there will continue to be annual

inspections in the park, and there's some language in Section 36, that raises some question about that. I don't think it's intentional. The second thing is that in terms of the -- the department being able to take -- to act in emergency situations, where people's health or safety is immediately at risk in the park, we've suggested some brief additional language in Section 37.

And finally, there's a fairly subtle difference between the use of the terms inspection in the park and investigations done by the department. And we've asked that -- we're suggesting that in several places in Section 37, the -- both for both of those categories be referenced.

We would ask you to take a look at those things. And as I said, we are talking to the department directly, and we're doing our best to see if we can work something out with them. But our real concern is the importance of maintaining strong protections for Park residents, which protects their right to live in the park. And this is -- this goes back through many, many years. Those of you who've been around a while know there are some of the park protection laws. The laws go back into the 1970s. And it's quite important for a lot of people. So thank you very much for the opportunity to speak. And I'm happy to answer any questions for you that I can. Thank you.

REP. D'AGOSTINO (91ST): I do not see any for you Mr. Podolsky. So thank you for your testimony. And please continue to work with the department on your concerns.

RAPHAEL PODOLSKY: Thank you.

REP. D'AGOSTINO (91ST): Thank you. Mr. Clerk.

SAMUEL CLARK: Next is Mark McGoldrick. He should be here now.

REP. D'AGOSTINO (91ST): There you are I can see you, I can't hear you. There you are, you're on.

MARK MCGOLDRICK: Hear me?

REP. D'AGOSTINO (91ST): I hear and see you.

MARK MCGOLDRICK: All right. Thank you. Good morning Chairman Maroney and D'Agostino. Vice-Chairs and Ranking Members. Senator Witkos and Representative Rutigliano and other members of the General Law Committee. My name is Mark McGoldrick. I own and operate six offices around the state of Connecticut under the Comfort Keepers brand. I have offices in Bloomfield, Milford, Shelton, Southbury, West Hartford, and Westport, Connecticut. I am also the current Chairman of the Connecticut Chapter of the Homecare Association of America. I would like to thank the Committee for its opening comments suggesting to the Commissioner that the department worked closely with stakeholders on compromised language around House Bill 6100.

I would also add that we have -- we are in discussions with Commissioner Seagull and her department around modifications to Section 24 and 26. And I'm hopeful that with, you know, Senator Witkos's leadership, we can come to some compromised language. So I'm not going to go into a ton of detail today, because I posted very detailed testimony this morning, which you guys can read. And it kind of very clearly outlines all the problems with section 24 and 26 of House Bill 6100. I would like to state that, you know, protection of seniors is the number one prior priority of HCOA and really homecare agencies in the state, we support comprehensive background checks as an effective tool for protecting seniors.

And I believe the solution here is really around providing more structure and definition around the definition of what a comprehensive background check is, okay, section 20-675, paragraph 5 for 670.

Paragraph 5 is where the current definition resides. And I think there's modifications we can make to that definition that will satisfy everyone. And their changes, like, you know, maybe coming up with an approved vendor list of third party background check companies.

Putting more definition around the exact type of searches you want done. You want to state search done. You want a national search done. Do you want a social security trace done, which is another form of positive ID in the person so you don't have the type of misrepresentation and fraud that Senator -- Seagull mentioned in her comments.

So I think we can, we can drill down on some of these things. The other -- the other ideas, and this is what Senator Witkos is talking about, but identifying the specific databases, from law enforcement that people use right. That's another way to put clarity around this definition. So there's a lot of easy fixes here. I would also like to add that we don't need to reinvent the wheel here.

There's a huge multi-billion dollar industry that does third party background checks every day for corporate America, right. And I use a company called Checker. Okay. And it's a multi -- you know, it's a, it's a global company. I get a -- I can do a background check, which does, you know, criminal, state, national Social Security trace, driver's record check, seven years, I get it in two or three hours, it cost me \$30. And it's as good or better than any FBI background check. And it's done quickly, cost-effectively, expeditiously. These -- these searches, and these companies exist. So in the age of technology, there's -- there's kind of no reason to kind of go back to the Stone Age, which is, you know, making people go and fingerprint themselves.

SAMUEL CLARK: Excuse me Mr. McGoldrick, we are at the three minute marker and we can start wrapping up, please.

MARK MCGOLDRICK: Sure. All right, I'm going to -- the last comment I want to make is around section 26. Dementia Care. This is this is things in advertising. We'd ask for an exclusion to say that HCAs can do dementia care. The issue here is that there is no medical treatment for dementia care. Dementia care is provided today by HCA is it's really -- the only treatment is managing behaviors and communicating with dementia patients that is done by HCA. And if we don't have the ability to advertise on our website that we treat dementia patients, consumers in the state of Connecticut will have nowhere to go to find any kind of care for their loved ones. All right, I'm done. Thank you.

REP. D'AGOSTINO (91ST): We know you're in conversations with the department. And we do encourage you to continue those conversations. We look forward to the red line language. Senator Witkos.

SENATOR WITKOS (8TH): Thank you, Mr. Chairman, and thank you, Mark, for testifying this morning. What did you find was the difficulty that the section would have had if it said something about false advertisement and using the example of Alzheimer's or Alzheimer's care, something that could you explain a little bit on that for me?

MARK GOLDRICK: Sure. So the current position of the department is that we can't -- we cannot -- we cannot advertise that we provide care to patients with any medical condition. Okay. So they're taking -- they're saying that Alzheimer's is a disease and therefore it can only be treated or cared for by medical professionals.

Okay, but the fact of the matter is, Senator, there is no medical treatment. The tragedy of Alzheimer's

disease is there is no treatment, there's no medical treatment for Alzheimer's, right. People -- the way you take care of a dementia patient is through knowing how to communicate with them modifying behaviors, keeping them safe. And that's -- that service is really only performed in the state of Connecticut by HCAs.

You know, you call up your visiting Nurse Association, they won't do it because they don't do it. It's not a Medicare reimbursed thing. They don't do it. They don't have expertise in it or experience. And so what they're saying is, I can't put up on my website, the fact that I do advertise -- that I take care of people with Alzheimer's disease, because it's a medical condition, and I don't provide medical services.

And here's the challenge, 70% of home care is arranged for by the eldest daughter in a family. So what -- what happens in many circumstances is that daughter lives out of state. So I have a woman who lives in California who's trying to get care for her mom, in Milford and she has to go on the internet to do that and do a Google search. And if, if we're prohibited from having anything mentioning Alzheimer's on our website, they're not going to find any results in their search.

SENATOR WITKOS (8TH): I understand the predicament. Did the department -- without cutting hairs, I guess saying using the word Alzheimer's, Do they say anything about memory lapse or memory care? Would that be prohibited under what they're trying to accomplish?

MARK GOLDRICK: We've tried to modify the definition or the term and every time they've said no.

SENATOR WITKOS (8TH): Okay. Thank you. We'll have to ponder that a little bit. Thank you, Mr. Chairman.

REP. D'AGOSTINO (91ST): Thank you, Senator. Maybe you hear that the concerns are even more, and again, I know you're talking to the department. I don't see any more questions for you. So thank you for your testimony.

MARK GOLDRICK: Thank you.

REP. D'AGOSTINO (91ST): Mr. Clerk.

SAMUEL CLARK: Up next is Leah Cantor. She's a no I see. Ms. Cantor, can you hear us? You got to unmute.

LEAH CANTOR: There you are. Hi.

REP. D'AGOSTINO (91ST): You're on.

LEAH CANTOR: Okay. Good morning, distinguished Chairs and Members of the Committee. My name is Leah Cantor from Bloomfield, thank you for the chance to speak today in support of raised Bill 6100.

I'd like to share my thoughts and my proposals as to how it can be improved. So my mom hired a Connecticut Home Companion agency to provide 24/7 living care for my dad in their Bloomfield home, he had dementia and required 24 seven supervision as he was a fall risk. He could, however, get up from a chair by himself but he couldn't stand alone.

Two years later, my mom died and the caregiver stayed on. One day I made a surprise visit to my dad and found him home alone. This is called neglect. It's also called elder abuse according to DSS. I couldn't help but wonder how many other times she left him alone. In the nine month period after my mom died, the agency didn't provide a single unannounced supervisory visit to my dad's home to check up on the caregiver. Other than one daily required call to the agency's system. The agency had no idea if the caregiver was at work.

Though timesheets state that they required clients signatures she submitted them unsigned and was paid. After the caregiver was removed from my dad's assignment, the police had reason to believe that the caregiver's identity was questionable as they could find no trace of her. I was stunned to learn that I might not have known her true identity after two and a half years. I discovered a legal case brought against the same agency, where the client representative stated on record that he learned that his caregiver had assumed someone else's identity to gain employment with the same agency.

After two years of her employment, he learned that she was not who the agency had introduced her as. A legislative aide told me she had an elderly friend who had a daily caregiver who would often leave during the afternoon, only to return 15 minutes before the end of her day to clock out. We need to do better.

I am in full support of maximum background checks including fingerprints. And I'll explain why. First, healthcare workers in nursing homes are all fingerprinted. Why should my dad be provided with caregivers that are any less vetted because he chose to be cared for at home? He deserves the same safety as those in nursing homes, if not more so. In fact, because there's no regulation in place to monitor HCA caregivers, that caregiver should be fully vetted to the maximum potential. Second, caregivers can get to any client over the state -- in the state of Connecticut as well as to agencies for interviews, they should be able to get to one of the 13 or 14 police barracks. Otherwise, agencies can take prospective employees in a van all at once. Priority should be in the best interest of the clients, not the employees.

Third, if it's your parent, I would think you would want to know everything about the caregiver, not just the basic background check. That is beneficial

to the agency to prevent liability and to the client who can rest assured that their loved one is being taken care of by someone who is not a criminal. Fourth, the cost of fingerprinting is a lot less than a legal suit and attorney's fees. Choosing profits over people is no way to run an agency that is in the service industry of keeping clients as safe as possible.

SAMUEL CLARK: Excuse Ms. Cantor, you are at the three minute mark up if you could start wrapping up, please.

LEAH CANTOR: Oh sure. Fifth caregivers moved from agency to agency and often have many IDs fingerprinting is the only sure way for police to identify criminals. Home Depot requires fingerprints and urine test to sell hammers and nails. And agencies don't want to pay for comprehensive background checks to have someone living in a client's home.

Bill 6100 needs to go further and regulate the oversight of both the DCPs and HCAs. The DCP has, does not have the resources or the authority to regulate the quality of services provided by HCA. So I asked who is? Furthermore, I don't see any policies or regulations for issuing penalties for regulation violations. HCA is with repeat violations. Continue to have the registrations renewed. A post audit -- a DCP post audit letter issued in 2019 stated both the agency and its employees have embarked in a pattern of behavior designed to mislead, deceive, and defraud the public, as well as the Commissioner. Just one month prior to that statement--.

REP. D'AGOSTINO (91ST): Ms. Cantor, I do appreciate your testimony. Miss Cantor, we've got a full agenda today. So thank you for spending some time with us. I encourage you to submit your full written statement to us. So we've got it.

LEAH CANTOR: Yeah.

REP. D'AGOSTINO (91ST): Thank you. I don't see any questions for you. And we can move on to the next speaker. Mr. Clerk.

LEAH CANTOR: Thank you.

SAMUEL CLARK: Okay, up next is John Shulansky.

JOHN SHULANSKY: Good morning, am I--

REP. D'AGOSTINO (91ST): You are on.

JOHN SHULANSKY: Okay, and my video was -- on now. Great, thank you. Distinguished Chairs and Members of the Committee. My name is John Shulansky, and I'm Managing Director of Elders Choice, which is a homemaker companion agency that is classified as a registry. And I'm also an employer fee paid employment agency registered with the Department of Labor. I'm also the former President of the Connecticut Association of Homecare Registries. Registries is a separate animal in the statutes. And for all intent and purposes, my business is to -- is as an employment agency -- agency is to place a private duty caregiver as a homecare provider in a home or residence in the state of Connecticut.

You have my comments and my written comments, I'm really not going to go into them in much detail. I really respect the DCP and the Commissioner a great deal. I have appeared before multiple Committees for the last eight or 10 years, discussing the challenges of homecare. And I feel sorry for Leah Cantor, the prior speaker.

The fact of the matter is, first of all, we need background checks the way that background checks have been defined here in the statutes that's proposed. The problem here that the implementation is all but discriminatory. We fail to understand that homecare is an entry level position for the

workforce in Connecticut, occupied principally by first time individuals and many immigrants to the state. It is a minimum wage, in many cases, position. In Connecticut, and I really feel sorry for us, because we're really an outlier. There are no requirements in Connecticut, for any home caregiver to have any training, any experience a health exam, and we don't require an E-verified check.

And while we do require background checks, we don't have any substance to that. But this Bill attempts to -- attempt that. And we've got approximately -- it's been estimated 30,000 caregivers at any one day in the state of Connecticut, and there aren't enough of them. My animal of care provider on my roster, generally I find caregivers out of state, for me to have someone come here to the state to have their fingerprints taken, and then wait for them here to take a case. It's untenable. It would essentially put me out of business.

I presently follow the state of the Commonwealth of Pennsylvania regulations, which are worthy of looking at. It's a two-tiered background check system, but it does involve the Pennsylvania State Police. And it does have restrictions on who could be placed at home. But I do national background checks, Social Security traces. I used to use Papertrace, but they sold their business to another organization and I now use them. But every individual, every client that I work with gets a copy of the E-verification documents that traveled with the protective care provider. They get a copy of the background check and the Social Security trace. They get everything they know everything about the caregiver.

The challenge with the marketing piece, as Mark McGoldrick said very eloquently, is also the fact that -- it lends itself to the fact that no caregiver has any training. We have people who need -- people who are consumers who need as little as

just a little bit of companionship up to full time care because they're in bed.

SAMUEL CLARK: Mr. Shulansky, we're at the three minute marker if you could start wrapping up please.

JOHN SHULANSKY: Thank you, I'll close -- I'll finish up now Mr. Clerk. Mr. Clerk, Clark, Clerk. But what -- what I'm trying to say here is that the problem is much different. I've been saying this for years, we have no regulations on the people provide care. All of our consumers are at risk. This is really an issue between DCP and DPH. It's how you regulate homecare providers and protect the consumers. Background checks are part of it, but we can't do it in a way that's discriminatory. So I'll be glad to answer any questions.

REP. D'AGOSTINO (91ST): I'm Sure, DCP, and maybe some Members of this Committee will prefer that this regulation be at DPH than DCP. And why they're here. I'm not I'm not sure either.

JOHN SHULANSKY: There's no place in the General Assembly that actually is the focus point for home care. Steve Hernandez really is the place that -- really is the guy who should take this on. I met with him just before COVID he had to Yale University interns working with him. And they produced about 10 pages of research on the home care industry. And we started rewriting section 40 of the -- of the statutes. There's a lot of work to be done -- beyond the scope of this hearing, folks. But it's a problem

REP. D'AGOSTINO (91ST): Tell us what you want, we'll take a look at it. I don't see any questions for you. So thank you for your testimony.

JOHN SHULANSKY: Thank you very much, gentlemen. Ladies and gentlemen.

REP. D'AGOSTINO (91ST): Mr. Clark. Mr. Clerk.

SAMUEL CLARK: It took that long for people to make that joke. I've been laughing at that since day one. So up next is Joseph Markley. He called in so I'll let him in.

JOSEPH MARKLEY: Sorry. I had previously withdrawn my registration for this.

REP. D'AGOSTINO (91ST): No problem sir and it is nice to hear from you. You are on?

JOSEPH MARKLEY: No, I'm not. I'm not testifying today if somebody else from our company will be speaking.

REP. D'AGOSTINO (91ST): Okay, thank you. Appreciate it. Mr. Clerk, we can go to the next person.

SAMUEL CLARK: Okay, so next is Jamie Arber.

REP. D'AGOSTINO (91ST): Mr. Arber, you're on.

JAMIE ARBER: Hello. Thank you. Good morning, distinguished Chairs and Members of the Committee. My name is Jamie Arber, and I'm here to speak about House Bill 6100. Sections 26 and 24.

As a Director for Connecticut's largest, the most reputable non-medical community-based brain injury specific support provider, the supported living group, I believe it imperative to request that your attention be drawn to two specific requirements held within House Bill 6100. They have the potential to detrimentally impact those we support and our statewide employee population. House Bill 6100 Section 26 proposes a significant elevation to the currently mandated comprehensive background checks being deployed within our industry requiring steady FBI based state and national level checks to be universally implemented.

This is an unnecessary requirement. It is cost-prohibitive, time and resource-consuming and offers no greater level of insight than the commercially available screening tools currently being utilized throughout the industry to review our applicants.

Given the current tenuous operational climate being faced by providers throughout the care industry in Connecticut due to the ongoing COVID-19 pandemic, and the imbalances occurring between minimum wage increases and service reimbursement rates, it would appear ill-conceived for the screening mandate associated with section 26 to be implement.

The mandate will grossly increase staff onboarding costs and timelines while placing huge administrative burden and its associated costs on the state police locations, which the community based staff population will be required to attend for their fingerprinting.

In addition, there are unrecognized consequences of staffing delays associated with these screening checks that are going to be utilized, also having the potential to leave vulnerable individuals throughout our local communities without staff supports greatly elevating their risk of injury, exploit exploitation, and further cognitive and physical declines while they wait for staff to be to be on boarded in terms of Section 24, and it's attempted elimination of community homecare providers, utilization of specific service associated tech terminology in their marketing efforts. This limitation would drastically impact the identification of in the home community support options for an ever increasing population of vulnerable adults due to unnecessary and ill-advised semantical stats. We clearly -- our staff members are trained from the time they join the agencies and throughout with ongoing mandated trainings.

Therefore, to -- to remove the ability for the agencies to then document this training will impact

other people's abilities to find the services they need for their family members who they want to keep in the community that they want to allow to stay in their home with staff supports.

An inability to say that our staff are trained in specific dementia care or Alzheimer's care, or even traumatic and acquired brain injury care is deeply, deeply concerning. Because as I said, we are mandated to provide trainings. To remove that would be detrimental to the industry as a whole and also be detrimental to this specialized client population who have a significant level of care needs. That's -- that's all I wanted to say today. And I appreciate the time that you've provided to listen to those statements.

REP. D'AGOSTINO (91ST): We're done, thank you. I don't see any questions for you. Thank you very much for your testimony.

JAMIE ARBER: Thank you appreciate it.

REP. D'AGOSTINO (91ST): Mr. Clerk.

SAMUEL CLARK: Up next is David Humphrey.

REP. D'AGOSTINO (91ST): And you're on.

DAVID HUMPHREY: Good morning. Distinguished Chairs, Members of the Committee, good morning. Thank you for the opportunity to speak on Senate Bill 693. My name is David Humphrey and I'm CEO of ECP-PF Holdings one of the largest Planet Fitness ownership groups in the country with 106 gyms in six US states. But our headquarters are right here in Orange, Connecticut. We operate 32 Planet Fitness gyms in every corner of Connecticut, we employ about 400 people here. And I'm proud to tell you, we have about 170,000 Planet Fitness members here in Connecticut.

We can support the idea in Section 1 of SB 693 that members who want to cancel their gym membership should be allowed to do so via email. That's not currently our official policy. But during the pandemic, we've been allowing people to do it. So we have no problem with that becoming required by law.

But Section 2 of Senate Bill 693 is unnecessary and unreasonable, because there are already strong protections for consumers on those issues. On any day, when you might come in to join a Planet Fitness, we always offer prospective new members the option of a membership where there's no committed term at all. You pay a little more for a no-commitment, membership, but then you could cancel at any time. And in our membership agreements, we say very clearly, to new members who choose a membership with a 12 month commitment that their membership quote, will continue month to month basis at the monthly rate above until you cancel.

That is completely transparent in bold print. And there's nothing unusual about this approach. Hundreds of companies keep billing people every month or every year until they cancel. Just like my family, we have Netflix, internet service, T-Mobile phone service, my subscription with the Hartford current, Amazon Prime, Direct TV, all of them are services that will continue billing us every month until we cancel. There is nothing wrong with this.

But Section 2 of Senate Bill 693 would require just gyms to contact every member about 10 months after they join and remind them that they agreed 10 months ago that they're continuous members and be billed every month until they tell us to cancel them. And not only would we have to remind people they would have to answer and give us explicit permission to keep them on as members. And if they didn't read the emails we send them or if they didn't take the time to reply. We would be required to cut them off and terminate their membership.

Is there going to be a law that forces phone companies to cut off people's phones after 12 months unless they write into the company asking them to please keep my Verizon account open. It is not reasonable to single out one industry when dozens of industries use the same billing practices. And it is not necessary when strong protections already exist. I'm conscious of time, but I hope you'll read more details in my written testimony. So thank you for deleting Section 2 of Senate Bill 693. And I'd be happy to take questions.

REP. D'AGOSTINO (91ST): I don't think we're quite there yet. But I appreciate the sentiments. Representative Witkos.

SENATOR WITKOS (8TH): Thank you, Mr. Chairman. Thank you, Mr. Humphrey for testifying this morning, would you be opposed to language that still allowed an individual to send an email to cancel their contract after -- or for non-renewal, I guess, not the contract, but on the month by month basis, rather than having to go in person or put a handwritten letter?

DAVID HUMPHREY: What's important to us is that we have some sort of written record and an email is a written record. What we're trying to avoid, just to be clear, is a scenario where someone walks in and says, hey, you know, six or eight months ago, I asked you guys to cancel my membership, but you didn't do it. So I'd like to have a refund for the last eight months.

Obviously, most people don't do that. But we live in a world where some people do and we'd like to have a written record, either in a letter or an email. And as I said, we'd be willing to accept the terms of Section 1 of the Bill where it talks about canceling by email. Love to work with the department on the language, but it's not a difficult concept, we can absolutely agree to that.

SENATOR WITKOS (8TH): And would you be willing to make it easy, so somebody could get the email address if they wanted to do that, I found that sometimes through promotions and advertisements, you'll get some -- you know, a letter, but then you can't respond to that and says, Do not reply to this email, or it's just an -- it's a statement, it's not an email account, which could confuse folks that are not very computer-worthy, but make it so that it's easily discernible if somebody wanted to, then they they'd have the ability to do that.

DAVID HUMPHREY: I think that's entirely reasonable. And we can put it right in the contract. Again, we have all kinds of protections written right into the agreement. People actually have to sign a bold statement saying I have read and understood the cancellation rights and billing policies on the front and back and disagreement, they have to initial it.

So we -- and we can easily put the -- the email address as you're suggesting, not a problem, we're happy to -- there's a phrase in Section 1 about how they want to propose a section heading called buyers right to cancel. Not a problem. We're entirely reasonable about things like that. But that's very different than requiring us to contact every member who joined 10 months ago and say, hey, you do remember what you signed, right? And now you have to reply, and you have to positively affirm that you want to stay on as a member or else we got to cut you off. That's -- in Section 2 that we're concerned. Okay. Thank you. Thank you, Mr. Chairman.

REP. D'AGOSTINO (91ST): Thank you.

SENATOR KISSEL (7TH): I'm sorry.

REP. D'AGOSTINO (91ST): I saw your hand up. Do you have a question?

SENATOR KISSEL (7TH): Yeah, I do. Just a quick question. You listed off a litany of businesses that use this policy on a regular basis. I've been on this Committee long enough that we've had complaints from trash haul, from people that are subject to trash haulers where they had rolling three year contracts and businesses would come to us on the General Law Committee and say, Hey, I didn't know I was going to get re-upped for another three years. Are you aware of that?

DAVID HUMPHREY: No, I don't know the first thing about the trash hauling industry, to be honest with you, sir. But I would just add that in our case, we have only-- . We have nothing longer than a 12 month agreement, and people get copies of the agreement. I mean, it's not. There's definitely no -- we never bill anyone more than 12 months, and then once they renew, they go just month to month.

SENATOR KISSEL (7TH): Okay, thank you, sir. Thank you, Mr. Chairman.

REP. D'AGOSTINO (91ST): I do not see any more questions for you and we look forward to you continuing to work with the department on this language. Thank you very much. Mr. Clerk.

SAMUEL CLARK: Up next is Jane Bourdeau.

JANE BOURDEAU: Can you hear me?

REP. D'AGOSTINO (91ST): Yeah, and welcome you're on.

JANE BOURDEAU: Thank you. My name is Jane Bourdeau. And I want to thank all the members from the General Law Committee for the opportunity to speak today. I am a Senior Manager at Bantam Wesson. We are a family-owned energy company that's engaged in the sale of heating oil, bio heat and

propane, with locations in Waterbury, Cheshire, Canton, and Bantam.

We've been in business for 90 years, and we are in support of Senate Bill 152, AN ACT CONCERNING ELECTRONIC DELIVERY TICKETS FOR GASOLINE, KEROSENE, FUEL OILS, OR SIMILAR SUBSTANCES. I did here in the very beginning that most people seemed in favor of this. So I'm not going to take a lot of your time, I just -- I want to point out that most customers get electronic confirmations of the purchases of almost every product and service they do receive today. And the fuel industry has not kept up with that, because of the Connecticut law.

We are asking for is to respond to our customer's request and treat the purchase of heating oil the same way as other products are treated. COVID has really highlighted this issue for us, most customers no longer want to come to a door and take a ticket. Tickets fly away, they end up in the road. Someone had mentioned earlier, tickets pile up when people are snowbirds and head to Florida. And that's not a good thing for safety in a home. And we have to stop our trucks run the ticket, they idle. And as a as an industry that's working with biofuel to save energy, we keep them -- we have 18 trucks or X amount a minute that just idle in someone's driveway, while we're running a ticket off getting it to whichever door they've asked us to leave it at. And that's not good for the environment.

We do -- I guess they we've averaged it out to five minutes each call that you go on. And I guess every person who delivers fuel in the state of Connecticut, that's a whole lot of trucks idling, and a whole lot of non-clean air. And just excuse me because I'm trying not to make this too long. I'm trying to scan over my notes. In Connecticut energy markets associates, we sell approximately 450 million gallons of heating fuel per year with an average of 125 gallons on a delivery.

That totals 3.6 million total delivery statewide. So for every customer who takes an electronic delivery ticket, instead of leaving a ticket at their house, will result in 12,500 total days of same save time of reduced diesel emissions. And not to mention saving of paper. We do ask for your support in Senate Bill 152. We -- customers they work with email every day. Customers here who don't work with email can get a ticket at their request, we can, you know, it's an opt-in opt-out so we can do whatever works for our customers. But the majority of customers do everything on email and we'd like to be part of that same industry.

REP. D'AGOSTINO (91ST): Thank you. Yes, I think we can expect this probably to fly very quickly to the Committee, then our offices will be advanced rather quickly and without any issues through the General Assembly. So thank you for your testimony in this issue.

JANE BOURDEAU: You're very welcome. Thank you for your time.

REP. D'AGOSTINO (91ST): Thank you. Mr. Clerk.

SAMUEL CLARK: Next is Tracy Wodatch. You're on you're on mute. Everybody is on mute. Tracy, are you there?

TRACY WODATCH: Okay, yep, I am here. Can you hear me okay?

REP. D'AGOSTINO (91ST): You're good.

TRACY WODATCH: Great. Thank you very much. Senator Maroney. Representative D'Agostino, Members of the General Law Committee. My name is Tracy Wodatch, President and CEO of the Connecticut State Association for Healthcare at Home.

Our membership supports both the licensed and certified medically- oriented home healthcare

agencies, and the Department of Consumer Protection or DCP, registered non- medical Homemaker Companion Agencies, and there's other agencies who provide critically important supportive services in the community. The general public is often confused about the differences between these two types of homecare agencies available in the community.

But their goal is to help people age in place and their setting of choice, their own home. Regardless of type of homecare agency, it's imperative that we encourage only the regulations and statutes that will continue to promote aging in place and not find ways to discourage its growth or access to these much needed services.

We oppose the language in Sections 24 and 26 of House Bill 6100 as it does exactly that. Discourages meeting consumers' needs for in-home care to meet their own personal choices. DCP has made it clear to Homemaker Companion Agencies that they should not use certain terms in advertising such as dementia and memory care.

Their reasoning has been explained as dementia and memory care or Alzheimer's care is a medical approach to care and should not be allowed by a non-medical Homemaker Companion Agency. Now DCP is trying to legislate this interpretation. Yet with the aging demographics comes in increasing prevalence of dementia. For those with dementia to be able to receive appropriate non-medical care supportive in the community. The caregivers must be trained in appropriate communication and personal care approaches, neither of which are needed by a medical home healthcare agency. These services are not medical services and are best provided in a long term supportive care environment by a non-medical homecare agency. As for the proposed language, implement federal and state background checks in Section 26.

This includes the fingerprinting at one of the 13 state barracks, this to hinders the ability to provide timely care in the community and discourages potential workforce from being hired. Our DPH-licensed home health and hospice agencies have a similar, yet far more refined process in place including the ABC CMS portal, which offers registration of an applicant easy lookup and scheduling and the fingerprinting process. It certainly has its challenges, but once the entire process has been completed, an individual's results are good for three years, which is vital to provide our ability to hire timely and assign cases. This Bill asks for a process to be completed for each and every hire.

Reality is that caregivers work for several agencies at once and seek additional employment to make ends meet. This would be extremely time consuming and costly. In addition, the initial screen always a challenge. But both the candidate to get to the barriers, transportation can be a barrier, and it costs the employer nearly \$120 per screen, which is about four times what the homemaker companion agencies currently pay for their comprehensive screen, a screen that gives immediate results versus fingerprinting process, which is anywhere from 48 hours to two to three weeks.

Again, the proposed process will keep consumers from receiving much needed care in the home. I am working with the HCOA Association Mark McGoldrick had testified earlier. Just wanted to let you know, we urge you not to pass this proposal as written. Thank you for the opportunity, and I'm happy to answer questions.

REP. D'AGOSTINO (91ST): And, I don't see any questions for you Thank you for your testimony.

TRACY WODATCH: Thank you.

REP. D'AGOSTINO (91ST): Mr. Clerk.

SAMUEL CLARK: Up next is Sam Gault.

SAM GAULT: Can you guys hear me?

REP. D'AGOSTINO (91ST): Just make sure Mr. Gault is in.

SAM GAULT: Can you hear me?

REP. D'AGOSTINO (91ST): Yep, we can hear you. You're welcome. Thank you.

SAM GAULT: Thank you. Oh, good. Thank you. Thanks for your time, everybody. So I'm Sam Gault. I'm the President of Gault Family Companies and Gault Energy. We're a sixth generation company here in Westport and deliver heating oil propane, do HV city services as well as generators in lower Fairfield County and upper Fairfield County and we roughly have about 30 to 35 delivery trucks.

And I just wanted to reiterate all of Jane Bourdeau's comments, I don't want to spend a lot of time for you guys, because everything she hit on is exactly what I was going to hit on. I just like to reinforce one component there.

And that has to do with that, you know, energy companies are really becoming more and more environmentally friendly. You know, not only will this Bill allow for a great reduction in paper, but it will reduce the time delivery trucks spend idling at customer's homes. I know she mentioned that. I just want to though, that's the one point I want to just reiterate to the -- to the Committee.

Currently, after the delivery is complete, the driver returns the hose to the truck and goes into the truck cab to print the ticket, then he walks the delivery ticket back to the home to drop off to the consumer. The minutes that the truck spends idling while the driver drops, the ticket at the home would

be eliminated, multiplied by 1000s of deliveries in the state of Connecticut every day would be a huge, huge savings.

And I think it's something that you guys should really consider. So as you can tell that I'm very much in favor of Senate Bill 152. And again, I'm reinforcing Jane Bourdeau's comments from the Bantam Wesson team. They've done a really nice job of outlining everything that I had in my remarks for you guys. So I'm available for any type of questions that you may have for me. Thank you.

REP. D'AGOSTINO (91ST): Thank you. Yes, there's certainly some broad support for this. I do see a question for you from Senator Kissel, please.

SENATOR KISSEL (7TH): Hi, Sam. Good morning. Isn't there a rule or a law in Connecticut about idling? And how do you guys get around that?

SAM GAULT: Well, I think -- I don't -- I think there is, Senator Kissel that -- that we're -- that we're supposed to stop idling as much as we can. But it's just the reality of the industry that we're in, the guys are hustling out there.

So you know, we have -- most of our guys are doing somewhere between 25 and 35 stops a day. So to turn the truck off, at every single delivery is actually probably not realistic. So the fact that this Bill actually helps us dramatically, you know, when we finish and we bring that hose back to the truck, he gets in the truck, and he goes on to his next stop. But just so you know, the truck has to be running, okay, during the delivery process, because you need the engine to be running in order to pump the fuel, and it powers the pump to get the oil into the tank.

SENATOR KISSEL (7TH): All right, good to know. My house gets natural gas. The people across the street get oil. I -- you know, people next to me get oil. I've seen it all the time. This just

seems like an environmentally friendly Bill. That should have legs. And so I appreciate your testimony. Thank you, Mr. Chairman.

REP. D'AGOSTINO (91ST): Thank you, Senator. And see no further questions for you. Thank you for your testimony.

SAM GAULT: Thank you.

REP. D'AGOSTINO (91ST): Mr. Clerk.

SAMUEL CLARK: Next is Eric George.

ERIC GEORGE: Can you hear me?

REP. D'AGOSTINO (91ST): And see you, you're on. Welcome.

ERIC GEORGE: Thank you very much. Senator Maroney, Representative D'Agostino, Senator Witkos, Representative Rutigliano, and members of the General Law Committee. My name is Eric George, I'm the President of the Insurance Association of Connecticut.

The IAC would like to offer testimony on House Bill 5303, which would prohibit telemarketing for automobile warranties, insurance products and utility services. It's safe to assume that most consumers, maybe all may feel that they are already receiving too many unsolicited calls from entities attempting to engage them in commerce, and 5303 has been introduced to address this.

Upon learning of House Bill 5303 I did contact its chief sponsor. He conveyed to me his frustration with unsolicited calls and explained that one of his primary goals is to combat fraud. He also emphasized to me that he does not intend to impede good faith business practices.

I share, and the IAC shares both his commitment to good faith business practices, and opposition to fraudulent practices. I further understand that this Bill is an attempt to limit these calls. However, given that it is only a proposed Bill format, it's unclear as to precisely what it's going to do what it will accomplish.

I want everyone on the Committee to understand that the insurance industry is one of the most heavily regulated industries in the state of Connecticut and the country in general. Our companies are regulated by the Connecticut Department of Insurance and subject to continuous market conduct and examinations.

It's also important to know -- it's also important to know that insurance companies already comply with the rules of the National Do- No- Call Registry operated by the US Federal Trade Commission, given the intense regulation and scrutiny that the insurance industry is already subject to, we ask that in the event that this Committee chooses to move forward with House Bill 5303, that reference to the insurance industry is removed. I appreciate your time. And I am happy to answer any questions that you may have.

REP. D'AGOSTINO (91ST): Senator Kissel, please.

SENATOR KISSEL (7TH): Yeah, thank you, Mr. Chairman. I just want to say hi, Eric. And I hope you and your wife and your children are doing great. It's good to see you again.

ERIC GEORGE: Thank you Senator.

SENATOR KISSEL: And -- you bet, and just, if you have a direct email to my office regarding your issues, that would be helpful.

ERIC GEORGE: Okay. I really appreciate that sentiment, I will convey your -- your salutations to

my wife, and my family. And we will contact you. I appreciate that -- that comment, sir.

SENATOR KISSEL (7TH): You're welcome. Thank you, Mr. Chairman.

REP. D'AGOSTINO (91ST): Thank you. Senator Witkos, please.

SENATOR WITKOS (8TH): Thank you, Mr. Chairman. Eric, good morning.

ERIC GEORGE: Good morning sir.

SENATOR WITKOS (8TH): I think that a lot of folks, me included, were frustrated that -- and it happened to just start up seems like over the past few months, all of a sudden, regarding your, your automobile warranty is expiring. And you know, and that seems to be one of the constant ones, that's why that was mentioned, specifically in the Bill. I don't honestly recall getting any phone calls myself from anything regarding insurance. But are you aware, or does your association get notification of any campaign that's going out there from any insurance industries, about robo-calls or telemarketing campaigns prior to them happening?

ERIC GEORGE: The short answer is A the answer is no, we're not. But I want to give you a personal experience. I am sharing your experience with the car warranties. I -- there seems to come in -- they seem to come in waves, where I might go a few days without getting any, and then I'll get probably half a dozen to maybe even more than that maybe 10. In succession, and I do feel that they've learned well how to geo-map and geo-target folks.

So you'll see a -- you know, I live in Glastonbury and I might see a number that is a Glastonbury number. So it might sort of influence me that I might want to pick that up, I -- I get those and I'm as frustrated as everybody else. I have never

received an insurance-related robo-call. I am not aware of any campaign going on.

But the real concern here was, it happens whenever we have a proposed Bill. A proposed Bill just as an idea and where it goes from there is where the rubber meets the road. And that would -- was where our concern is. I mean, it is a direct prohibition on telemarketing for insurance products. That's rather broad. So we would like, again, everybody to appreciate the level of scrutiny that we're currently under, with the department and -- and everything and all of our market conduct examinations. We are analyzed quite heavily.

SENATOR WITKOS (8TH): I get it and to use your own words. You are frustrated by these automobile warranties, as is I think a lot of the Members on this Committee. So that's -- that's the nexus for the Bill as to why it's before us. And actually it needs some work. It's not fully drafted yet, and we'll take your comments into consideration.

But we're still trying to get at the root of the frustrations of a lot of Members, not only on this Committee, but other Committees that are receiving the same type of robo-calls. And you don't even understand if it's if they're valid or not. It's just -- it's out there, and it is extremely frustrating. Because, again, as you correctly stated, they're using local, pre digit numbers. So it looks like it's somebody from your community calling you. So you answer the phone, and then you get tied up in that phone call. But certainly, your comments are well received. And we'll take that into account if the Bill moves forward. Thank you, Mr. Chairman.

ERIC GEORGE: Thank you, Senator.

Thank you. Seeing no further questions for you. Thank you for your testimony.

ERIC GEORGE: Thank you.

REP. D'AGOSTINO (91ST): And just for our staff, Duke and Juliet, if you guys could dig up -- I think you did this before but it'd be helpful to recirculate memos or if you have them about just the interplay of federal and state law -- you know, and what precisely we can and cannot do given the TCPA Act and other interest federal preemption in this field versus what we can do as a Committee. That would be helpful for us. Mr. Clerk, next.

SAMUEL CLARK: Up next is Leslie Anderson.

LESLIE ANDERSON: Morning. Can you hear me?

REP. D'AGOSTINO (91ST): I can see and hear. Welcome.

LESLIE ANDERSON: Great. Thank you. Thank you, Mr. Chairman for the opportunity to speak with you today about Senate Bill 152. AN ACT CONCERNING ELECTRONIC DELIVERY TICKETS. My name is Leslie Anderson. I'm the President of the Propane Gas Association of New England. And we are a regional alternative energy trade association, representing members of the propane industry in the six New England states.

We exist to serve the industry by promoting safety, education and public awareness and our membership includes propane companies and suppliers, including many small companies that are often family-owned for many generations. Propane is a clean alternative fuel recognized by EPA in the Clean Air Act, and it's also an essential backup for our ever increasing use of the electrical grid. Using clean propane energy accelerates de-carbonization, and access to clean propane and shares environmental equity in the state of Connecticut. We support this Bill, our customers frequently complained to our member companies about leaving paper tickets following a delivery customers request that we

stopped leaving them that we leave them in a mailbox.

Both of these are illegal currently under the law. Customers also complain when they're hung on their front door, as it clearly announces the customers aren't home and this is a security concern when traveling or away from vacation, which has been mentioned previously.

We also have customers that complain when tickets are hung in plastic bags on their doorknob, that we're wasting plastic. And this is often necessary either to protect the tickets depending on the type that the company is using from winter and rain. And then also with COVID, a lot of companies have gone to that because it's perceived to be safer, you know, from -- from transmission standpoint.

I did want to say that during the pandemic, we have received more complaints than ever before regarding tickets, customers didn't want them left at their locations at first because of fear of transmission. And they've really been demanding across New England that we have electronic versions as a solution, which I believe everyone agrees is absurd in this day and age that electronic tickets would not be acceptable. We have a lot of companies that have websites or apps already where delivery data could be accessed by the customer as soon as it's uploaded, and other companies could easily mail or even email tickets following deliveries rather than leaving them at the door. Besides saving amount of paper, I did want to concentrate on one other point I served for 15 years as a risk manager and in house attorney for a large propane company in the northern New England states.

And we had frequent injuries from employees who were falling through porches when they were delivering tickets or tripping over or slipping on ice when they were walking up to the front door tripping over kids toys that were covered in snow. I mean, there

was a substantial amount of injuries that happened every year, through slips trips and falls to our employees during this step of taking the ticket and putting it onto a door. So that's another reason that I think it'd be beneficial both for our safety and for the safety of our customers who are concerned, especially during COVID with the risk of exposure. And it's good for the environment. So for these reasons, we respectfully request that the Committee pass Senate Bill 152. And I thank you very much for your consideration.

REP. D'AGOSTINO (91ST): Thank you. A lot of good reasons for this Bill. Thank you. But we're seeing that, I think you're hearing from the Committee, that we -- we agree and seeing their questions for you. Thank you for your testimony.

LESLIE ANDERSON: Thank you. Mr. Clerk.

SAMUEL CLARK: Up next is Kenneth Delohery. You're on mute.

KENNETH DELOHERY: Can you hear me now?

REP. D'AGOSTINO (91ST): You are on welcome.

KENNETH DELOHERY: Okay, thank you. Good morning. My name is Kenneth Laurie. I am here today on behalf of the Connecticut Manufacturing Homeowners Alliance, which is identified in state statutes as representing the interests of mobile home park tenants in the state. I'm also a member of the DCP Mobile Manufacturer Home Advisory Council, and I reside at the Cedar Springs mobile home park in Southington. Thank you for the opportunity to speak to the Committee today regarding provisions of House Bill 6100.

As you may know, mobile homes constitute one of the few sources of unsubsidized low cost homeownership in Connecticut. One of the goals of the homeowners Alliance is to ensure that mobile homes retain that

status going forward. One impediment to that goal is the unique nature of the landlord tenant relationship between mobile home park owners and their tenants when most situations own their homes, but lease the land the hope rests upon. When disagreements arise in a typical landlord tenant relationship, the tenant can pick up and move elsewhere. However, the cost of moving a mobile home together with limited availability of alternative sites makes a mobile home next to impossible to move when an impasse arises. In this situation, the park owner nearly always has the upper hand.

Accordingly, mobile home tenants rely upon statutory and regulatory protections enacted by this legislature, recognizing the unique status mobile home park tenants naturally the Alliance has an interest in any legislative action that could undermine those protections. According to our understanding Sections 36 and 37 of this Bill, are intended to strengthen DCP enforcement powers and contain some provisions we support. However, we believe there are a couple of provisions we think could cloud the intent of existing enforcement capabilities. For example, DCP is to inspect our parks once per year. Section 36 allows a DCP to do those inspections year round, what has language that could be interpreted as deleting the yearly inspection requirement. Section 36 -- sorry, these annual inspections are critical for maintaining the parks.

And we ask that you rework the section to ensure that being -- ensure continuance of annual inspections as part of the license renewal process, and make sure DCP retains the power to withhold license renewal if a park is not compliant after an inspection. In Section 37, we ask that you make sure the DCP's emergency powers include the ability to act in any emergency threatening the health and safety of residents of mobile home parks, not just the emergencies identified in the current statute.

For example, in the past two years, failure to remove dangerous trees, put residents' lives at extreme risk when trees fell on their homes, on at least two occasions. We urge you to make these changes to Sections 36 and 37 when deliberating on this Bill, and thank you again for the opportunity to speak today. And I'll take any questions you may have.

REP. D'AGOSTINO (91ST): Not seeing any. So well said, I appreciate you doing that in a concise manner. Thank you -- I'm sorry, Senator Witkos, I do see a question for you.

SENATOR WITKOS (8TH): Yeah, thanks. Sorry about that. Just a real quick question. Connecticut Legal Aid had testified that they felt that there was a very nuance between investigation and inspection. And I don't know if you had a chance to listen to Mr. Podolsky's testimony, but I was wondering if you could comment on if you think that that's something that really needs to be tweaked in that Section.

KENNETH DELOHERY: I have some familiar with -- familiar with it. We have been exchanging emails on this over the last 24 hours with one of Commissioner's Seagull's staff. I -- it's a fine line. I do think if from our perspective if there was a little bit of tweaking so that the investigations can continue to happen on a regular basis.

They -- they have some issue with the staff that does investigations and the staff that does inspections. And they're concerned that we not tie up their investigation staff with onsite inspections. I'm not exactly sure about how that works, but we're talking with them about that language, and I think it can be worked out.

SENATOR WITKOS (8TH): Okay, great. The Committee would love to have you guys read some -- some language. Senator--

KENNETH DELOHERY: We have a meeting -- we have a meeting scheduled, I believe, within the week on all this stuff.

SENATOR WITKOS (8TH): Excellent. Thank you. Thank you, Mr. Chairman.

REP. D'AGOSTINO (91ST): Thank you for noting that Senator. Seeing no further questions. I'll thank you for your testimony. Mr. Clerk.

SAMUEL CLARK: Up next is Ann Wilson.

ANN WILSON: Morning. Can you hear me?

REP. D'AGOSTINO (91ST): Ann, we can hear you. Yes. And I can see you so you are on, welcome.

ANN WILSON: Wonderful. Good morning. Thank you, Chairman and thank you Committee for allowing me to speak here today. Again, my name is Ann Wilson. I'm here representing Companions and Homemakers. We are one of the largest homecare, non-medical companies here in Connecticut that's been serving the entire state for 30 years now through 10 branch office locations, and we employ about 3000 hourly and live-in care workers. My capacity is to oversee Client Services, as well as recruiting. So I'm interacting with clients, caregivers, and their families on a daily basis. So I have a very personal and very vested interest in what's going on.

So I'm here today to talk about what we feel the impact of Section 26 of House Bill 6100 would do to the industry as a whole, I don't think it's any surprise to anybody, that recruiting and retaining and hiring good quality homecare workers is a challenge. It's a challenge nationally, and it's no

different here in Connecticut. The number of available resources to provide care is far less than the rate at which the need for homecare is increasing.

So we're impacted by challenges already. COVID has only exacerbated that. What it's also done is it's increased the level of people needing care and needing more critical supportive in-home care. And when I say that, I mean that, you know, if we take 10 new clients on board, and eight of them require personal care. So having an available pool of resources and immediate resources, is essential to being able to provide clients with the care that they need in their homes and provide that care immediately. When a situation arises, they don't have days or weeks to wait for an agency to put care in place. They need care now. What we're already doing -- putting quick care in place doesn't mean a lack of quality or a lack of thorough vetting. Like you, that's our number one priority to ensure that we have thoroughly vetted caregivers going into client's homes quickly for the protection of our clients.

Adding an additional step especially now is really going to impede that and make it increasingly difficult. What we've had in place under the state umbrella now for comprehensive background checks, and social security checks. All of those things have worked very effectively, for the past 10-plus years. To now put this extra step in place, I think is also going to be a deterrent to people wanting to come into this field and doing these things. So what we're asking is not why this but why now? We can't afford to face one more challenge. We just want the due diligence, the thorough exploration, looking at all the avenues so that we can make sure that any plan that we're putting in place is for everybody's protection and wellbeing. But it's thoroughly looking at all of the options from the protection of the vulnerable, elderly population to also the several 100 homecare agencies that employ

these critical care supportive workers in Connecticut. Thank you. And I'd be happy to answer any questions

REP. D'AGOSTINO (91ST): Nicely done. That's how a testimony should be done. And I don't see any questions for you? Well done. Thank you very much.

ANN WILSON: Thank you.

REP. D'AGOSTINO (91ST): Mr. Clerk.

SAMUEL CLARK: Next is Anna Doroghazi.

REP. D'AGOSTINO (91ST): I can see and hear you. Anna welcome.

ANNA DOROGHAZI: Great. Wonderful. Good morning. Good morning, Representative D'Agostino. Senator Maroney, Members of the Committee. My name is Anna Doroghazi, and I'm one of the Policy Directors at AARP Connecticut.

We submitted written testimony in support of sections 24 and 25 of House Bill 6100. I want to use my time today to just briefly elaborate on our support for Section 25, which would require homemaker companion agencies to conduct a state and national background check on prospective employees. I think the question here that we need to ask is what do we hope to accomplish with background checks? Background checks are not a way to assess the skills or competence of the person providing a service.

REP. D'AGOSTINO (91ST): Let's be on mute everybody. Sorry, Anna.

ANNA DOROGHAZI: So background checks are tools that we can use to try to figure out whether or not a worker can be trusted to provide -- trusted to be safe or to act honestly or respect to the home and body of the person in their care. Background checks

are absolutely not a perfect tool. Plenty of good people have made mistakes in the past that don't look good in a background check. And plenty of people who really shouldn't be trusted look fine when you look into their backgrounds.

But that said, Homemaker Companions do have the same level of access to a person's home, property and body as other job titles like home health aides that go through more rigorous screening processes. So if our goal in using a background check is to determine whether or not we can trust a person to act honorably with a vulnerable person when they're unsupervised, it makes sense for us to be consistent in the type of background check that we're using, regardless of the type of work that's being performed, or the job title of the worker or the state agency that regulates the employing business. You know, most people want to receive care in home community settings in their age -- as they age and homemaker companion agencies provide really important services to make this possible.

AARP's goal in supporting House Bill 6100 is absolutely not to make it more difficult for these agencies to hire good workers in a timely manner, and to provide their valuable services to the community. You know, we agree 100% with the previous comments about the need to build and support this workforce. However, we do occasionally hear from consumers who have had a negative experience with Homemaker Companions. And they're really upset when they learn that these workers were screened using a different standard than other home care and long term care workers.

I don't want to say that a state and national background check is inherently safer than a comprehensive background check, which is the standard that's used now for Homemaker Companions. But I do think that it's reasonable for consumers to expect some consistency and how we screen the workers that come into a person's home. So I'll

leave my remarks at that, our written testimony elaborates a little bit more. And thank you for the opportunity to speak today and happy to take any questions.

REP. D'AGOSTINO (91ST): I do have one for you, as a precursor comment, which is just simply that I think we're all on the same page here in terms of the Committee wanting a background checks, and hopefully under Senator Witkos' oversight, in particular, we can figure out a way to do that in the most efficient manner that doesn't, as you mentioned, impacting so many people actually seeing this work. So I'm really hopeful on that. I have a separate question for you, you touched upon it, but I didn't. And so please feel free to say you don't have a position.

But there's another testimony about the advertising and this attention, I'm starting to at least get a sense of with respect to we don't want these agencies advertising that they're doing, for example, Alzheimer's care, because they don't offer medical services. At the same time, we recognize that there is a non-medical component, and people are often seeking some just general assistance day to day for people with those ailments. And then what we're hearing from the department is that can lead to complaints saying I thought I was getting medical care. And they're -- they're not.

I mean, we want to be sensitive to both doing this to advertise their services, but also consumers to be informed. Do you have a view on that? And if not now, if AARP could think about that and give us their thoughts on that issue -- the problem, it would be appreciated.

ANNA DOROGHAZI: Yeah. So we do. You know, we support Section 24 of the Bill. with the caveat, you know, that -- I think I saw in some of this submitted testimony from some of the homemaker companion agencies that would be really helpful to

clarify what is meant by you know, words relating to medical or health care, licensure services?

I think the entire homecare market can be really difficult for consumers to navigate. I know just in my own research, trying to understand this Bill and trying to understand you know, homemaker companions, home health aides, homemaker, companion health agencies, registries, you know why? I think it's confusing for people to understand who provides what service, I think it's confusing for them to understand, you know, what due diligence goes into vetting these folks. I think it's very confusing.

And I have heard anecdotally of problems that arise from having -- this, this goes well beyond the, you know, the scope of, you know, 6100. But when problems do arise, it can get really complicated that we have two different regulating agencies for these services, at DCP and DPH. But I think anything we can do to -- you know, to certainly be honest with consumers that, you know, we're not having agencies that don't provide health services advertised that way. But, you know, I do appreciate that some of these home care companion agencies do invest time in helping their staff understand some of the social components of things like Alzheimer's and dementia, and that's important.

We want folks to invest in training for their staff that's going to make them responsive to those needs, even if it's not a specific, you know, health -- if they're not providing health care, you know, so we don't want to do anything to dis-incentivize providers from providing that additional training, or for telling consumers that they have made that investment. So I think it's just a matter of, you know, threading the needle so that consumers have information about exactly what they're getting. But that -- we're not so stringent about it that we're dis-incentivizing certain providers from -- from training and educating our staff. I hope that made sense.

REP. D'AGOSTINO (91ST): Yeah, I think we appreciate the intentions here. Thank you. Senator Witkos.

SENATOR WITKOS (8TH): Thank you. Thank you Anna, I don't know if you're going to be able to answer this question, it kind of piggybacks on what Chairman D'Agostino was speaking about. And you mentioned, it's -- could be confusing to folks when we have two licensing departments, whether it's DPC -- DPH-- DCP or DPH. And my thought is, that if you are -- and this is a guess. And I don't know if you could say if I'm right or wrong, if you're under the Department of Public Health, chances are that the services that you provide will be more costly than the agency that falls under DCP because there's the medical component, versus somebody that I don't mean to diminish it, but you're just a home health aide where you're just helping them because they just need -- the example, this one woman gave, her dad could get out of a Chair, but he couldn't negotiate himself walking and just needed somebody there to assist in that manner.

So that for -- from a consumers perspective, that if you don't know where to look, you could be paying for something that you really don't need as a family for a loved one. And so, I guess I would look towards (a) my question was, it's probably more expensive for DPH's and DCP. If you know that one, and (b) if we could come up with something, even if the state sponsored something a website that gave you know, they could do the advertising, say Alzheimer's, you know, caregivers, or whatever you want to call it, you know, whatever we determined it to be.

And then all these other agencies could be listed their agencies underneath it. So it gives somebody an example, from California looking for assistance for a loved one here in Connecticut, who do they call, they're doing Google searches. And because they're so far away, they just cannot deal with it.

Sometimes it's something that's imminent, if there was a fall, and they're getting released from hospital, they got to get somebody there. So I understand the urgency behind it, but any thought you'd give to that?

ANNA DOROGHAZI: So I, you know, I don't have enough information to speak to -- you know, whether DCP regulated agencies have higher or lower costs than DPH regulated folks. You know, I -- I would guess, just intuitively, if you're providing, you know, kind of RN level, homecare, you're -- you're looking at a different price point, than, you know, than other services.

But yeah, I completely agree on -- you know, the need to make all of this a little more consumer-friendly. I think the other component, you know, in addition to a lot of folks out of state trying to navigate Connecticut's home health, or, you know, homecare market, I think you also have people who are in -- typically, like in an immediate point of crisis, they usually -- there's been some kind of, you know, some kind of fall or some kind of diagnosis or something where the family is already kind of having a difficult time. And that's what the moment when they're trying to educate themselves trying to make these decisions. So anything that we could do as a state, you know, to help consumers understand the general landscape and give them information that they need to make the right choice for their family, I think would be really helpful.

SENATOR WITKOS (8TH): Thank you. Thank you, Mr. Chairman.

REP. D'AGOSTINO (91ST): Thank you. Seeing no further question for you, thank you for your testimony.

ANNA DOROGHAZI: Thank you very much.

REP. D'AGOSTINO (91ST): Mr. Clerk.

SAMUEL CLARK: Up next is Camille Gardener.

REP. D'AGOSTINO (91ST): Just a reminder members, make sure you're on mute. Camille we can see and hear you. You're on.

CAMILLE GARDENER: Good morning, everyone. Thank you to Chair and Committee for allowing me to speak today. My name is Camille Gardener and I am the owner of Care for You LLC in Bloomfield.

I actually won't go over everything that every one of the numerous homecare agencies as discussed already so far, but I did want to speak a little bit towards the Alzheimer's DCP's position on [inaudible] if agencies is to do Alzheimer's care, I, myself actually took a training through the Alzheimer's Association so that I could train the caregivers that work with us to be able to understand the clients that they're caring for.

And I was specifically told that what we do is we clean houses and we run errands and so no training is needed. But majority of the people that we care for, they have some type of Alzheimer's and dementia. And there's -- it makes it very difficult for us to effectively care for the individual if we don't have an understanding of what they're going through, and what they're -- what they're experiencing, even when it comes to the family members.

So being able to administer this training for caregivers, it makes a huge difference. And us not being able to put that on our website, I now have to -- I was told that I need to remove all of this from the vehicle, we have a vehicle we have to remove it from our website. And for -- from all of our publication which we have -- have been given 30 days to do. It -- it makes it very difficult for us as an agency as well as the families who are looking for someone who is able to understand what their

loved one is experiencing. I do feel that a lot of -- there are a lot of challenges that we face as a homecare agency.

And another thing is the part -- the reimbursement for us, especially from Medicaid as a non-medical agency is very, very low. And that limits the quality of caregivers that we -- that we get to be honest with you, we have to put time into training these caregivers. And then even when we put the time into training these caregivers, we don't get reimbursements that are substantial enough to be able to pay them so that they will want to stay long enough with the clients that they are with and it creates a problem for us, high turnover continue, -- we continue to retrain caregiver, because they will come and they will leave and go somewhere else for an extra 10 cents. It just -- it's just one more thing that we are struggling with. That's pretty much all I have to say.

REP. D'AGOSTINO (91ST): That's well done. Thank you. Senator Witkos has a question for you.

SENATOR WITKOS (8TH): Thank you, Mr. Chairman. And thank you Camille. A lot of the HCAs came on and testified against Section 26, which is the background check portion. But you testify now that you have a very, very high turnover rate. And they leave for a variety of reasons. And don't you think that it's important to -- with such a high turnover rate that you got to -- may be time consuming to some degree, it may be a cost factor, but to make sure that you've got the right people doing the right job? And it's not just saying if you've ever been arrested, I mean, it's very specific in the types of crimes that you would be ineligible for, for the job if you've committed within the past five years.

CAMILLE GARDENER: I agree that we definitely need to do an extensive background check, but I'm going

to tell you right now, that the extensive background check doesn't change the pay rates.

And it doesn't change the amount of training that we can provide for them. So I think there are other -- you know, there are other issues that are just as important as the background checks for -- for these individuals that we are hiring. And I do believe that the background check is not going to change the fact that we have high turnover rate, because there are other factors that's leading to the high turnover rate. We also use Checker and we pay to do the -- I know Mike spoke about it before it does, you know, the statewide the social security and all of that we also do the same thing. We still see a high turnover rate.

SENATOR WITKOS (8TH): Let me ask if you could. You spoke about training a couple times now what's involved in -- in the training and is it by the individual ailment of the of the client or is there a general amount of training you provide each person when they come on board?

CAMILLE GARDENER: Well, we are credentialed to provide services for Connecticut community care, mental health care programs and they required us for us to have annual training some of those training that we do communications, training, house, and personal care. One of the training that I took personally was the rehabilitation training through the Department of -- through Alzheimer's Association, which allows me to train a caregiver to -- say, okay, this is how you handle a client who's very upset because his wife is taking too long to come home when his wife actually passed away 10 years ago.

The caregiver, if we don't train them how to do these things, or how to -- there's even though they're sitting there with the client, and they don't have to, you know, do any medical related services for the client, if they're sitting there

with a client and the client is having you know behavioral episode, because he's waiting for his wife to come home. And his wife passed away 10 years ago, if the caregiver doesn't know how to handle this situation, is the current situation to calm him down. And she has no way of doing that, because doesn't understand what he's going through.

SENATOR WITKOS (8TH): Right. But how many hours? Would you say that somebody has training? So if I apply for a job at your agency, and I passed a background check, and you're ready to assign me to a client, what's involved with my train? How much training do I get in like an hour? So I know you do annually retraining.

CAMILLE GARDENER: We do -- we use a company called, -- it's probably about maybe two hours of training, but this train is not done at once. And we do training in between, we do the Alzheimer's training, not for everyone. But if someone is going to be working with a client that has the Alzheimer's, dementia, the training that we give to them, we can give them the training in the office, or we could give them a DVD that we have. And we can give them a test. In addition to that, there are also other mandatory training. So it's, it's anywhere from two to six hours of training. And this is done not just once a year.

SENATOR WITKOS (8TH): Okay, and my last question is, you don't assign anybody to a client that has dementia unless they've been trained in that, is that correct?

CAMILLE GARDENER: Yes, we make sure that they have experience working with someone with dementia. These are questions that I would ask when and I -- and even in an interview, when I'm talking to someone, I ask, and we also give them a test to know what they know about working with a client with dementia because quite honestly, a very large

percentage of these clients that we care for they do have some form of dementia.

SENATOR WITKOS (8TH): Right. Okay. Thank you. Thank you, Mr. Chairman.

CAMILLE GARDENER: Thank you.

REP. D'AGOSTINO (91ST): Thank you Senator for the questions. Thank you Camille. Appreciate your testimony. Clerk.

SAMUEL CLARK: Up next is Meredith Donaher.

REP. D'AGOSTINO (91ST): Meredith, can you hear us? Meredith? Sam, they're in the room right?

SAMUEL CLARK: Yes. And she's unmuted -- she -- you just can't -- you just can't see your video.

REP. D'AGOSTINO (91ST): Meredith. All right. So why don't we go to the next speaker. We'll come back to Meredith when she's cam come on.

SAMUEL CLARK: Okay, up next is Chris Herb.

NIKKI CALLIE: Good morning. I am going to be sitting in for Chris Herb today. He had to attend a funeral. So I'm Nikki Callie not Chris Herb. So good morning to the General Law Committee. And we are just here again to submit support and -- well, we're in support of Senate Bill--

REP. D'AGOSTINO (91ST): I'm sorry, who are you with Nikki?

NIKKI CALLIE: Can you hear me?

REP. D'AGOSTINO (91ST): Yep, I can't thank you. So Sam, you can Meredith out of the room, and she can email you when she's ready. And then Nikki, you could just give us your, your full name again, Nikki and who you represent, that would be great.

NIKKI CALLIE: Great. Alright, so I'm not Chris Herb, but I am Nikki Callie and I work for the Connecticut Energy Marketers Association, CEMA, and we are submitting testimony in support of Senate Bill 152, which I -- we are support of but I will just go and say that we represent 600 local family owned energy companies here in Connecticut, and employing over 30,000 people and provide approximately 450 million gallons of heating oil and propane to nearly half the homes.

And we just want to thank Senator Haskell for introducing this Bill and the Committee leadership for allowing it to be heard a lot of you co-signing it today. And we also want to recognize the Department of Consumer Protection for their work with the industry on this issue and their willingness to respond to the needs of the consumers in the industry.

The Bill in the suggested language that Chris attached in his written testimony will allow customers to receive an electric delivery ticket if they choose to. And not a paper ticket. Again, you guys have heard over and over why. But again, this Bill accomplishes several things, including modernizing the law to allow for heating fuel delivery to electronically sent confirmation, like most products and services, reduces diesel emissions by reducing the amount of time a field truck idles while the driver is printing a paper delivery ticket, which you guys also heard already. Reduces the contact between the driver and consumers, protects them against criminals who might be tipped off, they're not home and want to try to rob them. And in response to consumers who do not want to deal with the paper tickets. So again, we attached our written testimony with additional language in. Thank you for listening to this testimony. Any questions?

REP. D'AGOSTINO (91ST): Yes, I think we did have one for you, Senator Witkos.

SENATOR WITKOS (8TH): Thank you actually, this just -- this just dawned on me. Would you be okay, if there was some language in the Bill that provided that if you opted in for an electronic ticket that it'd be delivered no later than 24 hours after the delivery of the fuel to your residence?

Because if you have a driver dropping off and giving a hardcopy, it's immediate, you're getting it right then and there. And I can foresee an issue where, well, you know, we put all the information on an iPad gets downloaded once a week. So now the consumer is getting it a week later. And you know, I'd like to see if we add some protections for the consumer that says, you know, you'll receive an electronic, whatever it is, we'll call it a ticket within 24 hours of your delivery. Would you guys be opposed to something like that?

NIKKI CALLIE: Oh, we wouldn't be opposed to that. Honestly, I would refer back to my colleagues, and we can, you know, work with the Committee and DCP on getting that included in the Bill. But I don't see that as being a problem.

SENATOR WITKOS (8TH): Thank you. Thank you Mr. Chairman.

REP. D'AGOSTINO (91ST): I was kind of assuming that this would be instantaneous on delivery.

NIKKI CALLIE: Yes.

REP. D'AGOSTINO (91ST): Like, when with UPS or other things where you sign automatically and get it. Maybe that's a good follow up, so Nikki, just let us know what's the technology there. That it has to go back to the main office and then being sorted out I think -- Senator is -- because it's a good

one. But if you're using more instantaneous technology, let us know that as well.

NIKKI CALLIE: Thank you. We'll do thank you.

REP. D'AGOSTINO (91ST): Seeing no further questions for you. Thank you for your testimony. Sam, we're able to get Ms. Donaher back online.

SAMUEL CLARK: Making her panels begin to see if she is ready.

MEREDITH DONAHER: Hi, can you hear me?

REP. D'AGOSTINO (91ST): I can't. Thank you. Welcome.

MEREDITH DONAHER: Sorry, I apologize. I was having some technical difficulties. Good morning. Thank you for the opportunity to speak. My name is Meredith Donaher. My family owns and operates an energy company in Westport, called Energy and Home Solutions. So I am speaking in regards to Senate 152. Concerning the electronic delivery tickets. I know you guys have heard from a couple people already in support of this. So I just want to reiterate a couple of points that have been said. We're in support of the Senate Bill 152 because it will allow customers to have more choice and how they can do business with us.

For the past five to 10 years, our customers have been requesting electronic delivery tickets, you know, as people have become accustomed to being paperless with every company that they do business with. So as we go forward, I think, you know, giving our customers Option is going to be crucial in order to meet the consumers expectations. I also think doing electronic delivery tickets is going to allow us to be more transparent. And this sort of goes off with the question that you just asked Nikki. So most of -- the majority of our customers are not home when we make the delivery. So for them

to be able to get the ticket in real time, you know, while they're at work through email, or as a text message, I think is beneficial for the consumer.

And again, just give people more options of how they want to do business with us. And then lastly, just mentioning COVID-19, we've -- we've seen a huge demand in people asking us for this over the last year, for obvious reasons, they don't want to interact with our drivers, and they -- they don't want to touch anything that's left at their home. So I think overall, this is going to be very bit beneficial for both the customer and myself and our company are in support. Thank you.

REP. D'AGOSTINO (91ST): Perfect. Thank you very much. Appreciate that. Not seeing any questions for you, thank you for your testimony. Mr. Clerk.

SAMUEL CLARK: Sorry, sorry about that. Up next is Cameron Champlin. He's in now. There we go.

REP. D'AGOSTINO (91ST): We all set? There you are. Cameron, we can hear you go ahead.

CAMERON CHAMPLIN: Thank you for the opportunity to testify today, everyone. I'm all set. I don't have to testify. Everything's been taken care of. Appreciate it. Sorry to waste your time.

REP. D'AGOSTINO (91ST): Very efficiently done, Cameron. Good to hear from you again. Thank you, Cam. Mr. Clerk was he our last speaker.

SAMUEL CLARK: He was our last speaker. Everyone else is

REP. D'AGOSTINO (91ST): That's terrific. Thank you, Committee Members. Appreciate your patience this morning. And very efficiently done. We will have public hearings next week. Sam will send around the agenda as if he's not already on Tuesday and Thursday. And then I would expect Committee

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GENERAL LAW COMMITTEE

February 18, 2021
9:00 A.M.

meetings probably the first week of March to try to start moving some Bills out. So please stay tuned and keep your schedules open. Thank you, everybody.