



Senate

General Assembly

File No. 520

February Session, 2022

Substitute Senate Bill No. 445

Senate, April 19, 2022

The Committee on Judiciary reported through SEN. WINFIELD of the 10th Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

AN ACT CONCERNING THE PROVISION OF EMERGENCY MEDICAL SERVICES TO AN INDIVIDUAL WHO IS IN THE CUSTODY OR CONTROL OF A PEACE OFFICER.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective October 1, 2022*) (a) As used in this section:

2 (1) "Emergency medical condition" means a medical condition,
3 whether physical, behavioral, or related to a substance use disorder or
4 mental health disorder, that manifests itself by symptoms of sufficient
5 severity, including severe pain, that in the absence of prompt medical
6 attention could reasonably be expected by a prudent layperson who
7 possesses an average knowledge of health and medicine to result in
8 placing the health of the person in serious jeopardy, serious impairment
9 to body function or serious dysfunction of any body organ or part;

10 (2) "Medically unstable" means any condition, whether physical,
11 behavioral, or related to a substance use disorder or mental health
12 disorder, that manifests in an unstable medical or mental health status,

13 which could reasonably be understood by a prudent layperson who
14 possesses an average knowledge of health and medicine to lead to an
15 emergency medical condition; and

16 (3) "Peace officer" has the same meaning as provided in section 53a-3
17 of the general statutes.

18 (b) Any person, who experiences an emergency medical condition or
19 is medically unstable while under the custody or control of a peace
20 officer, shall have the right to be provided with emergency medical
21 services.

22 (c) A peace officer shall immediately request emergency medical
23 services for any person under their custody or control who: (1) Has
24 communicated to the peace officer that such person is (A) experiencing
25 an emergency medical condition, or (B) medically unstable, or (2) has
26 been observed by the peace officer to be (A) experiencing an emergency
27 medical condition, or (B) medically unstable.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2022	New section

JUD *Joint Favorable Subst.*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note**State Impact:** None**Municipal Impact:** None**Explanation**

The bill requires a peace officer to request emergency medical services for a person in their custody in certain circumstances resulting in no fiscal impact to the state or municipalities.

The Out Years**State Impact:** None**Municipal Impact:** None

OLR Bill Analysis**sSB 445*****AN ACT CONCERNING THE PROVISION OF EMERGENCY MEDICAL SERVICES TO AN INDIVIDUAL WHO IS IN THE CUSTODY OR CONTROL OF A PEACE OFFICER.*****SUMMARY**

This bill gives anyone who experiences an emergency medical condition or is medically unstable while under a peace officer's custody or control the right to be provided emergency medical services.

It correspondingly requires a peace officer to immediately request emergency medical services for any such person in their custody or control. This applies whether the (1) person communicated to the officer that he or she was medically unstable or experiencing an emergency medical condition or (2) officer observed the person to be in this situation.

Under the bill, an "emergency medical condition" or being "medically unstable" can arise from a condition that is physical, behavioral, or related to a substance use or mental health disorder. An emergency medical condition causes symptoms severe enough that a prudent layperson with an average knowledge of health and medicine reasonably determines prompt medical attention is warranted to avoid serious jeopardy or impairment. A person is medically unstable if their condition could reasonably be understood to lead to an emergency.

EFFECTIVE DATE: October 1, 2022

BACKGROUND***Peace Officers***

By law, the following individuals are designated peace officers: state and local police, Division of Criminal Justice inspectors, state marshals

exercising statutory powers, judicial marshals performing their duties, conservation or special conservation officers, constables who perform criminal law enforcement duties, appointed special policemen, adult probation officers, Department of Correction officials authorized to make arrests in a correctional institution or facility, investigators in the Office of the State Treasurer, Police Officer Standards and Training Council (POST)-certified motor vehicle inspectors, U.S. marshals and deputy marshals, U.S. special agents authorized to enforce federal food and drug laws, and POST-certified police officers of a law enforcement unit created and governed under a state-tribal memorandum (CGS § 53a-3(9)).

COMMITTEE ACTION

Judiciary Committee

Joint Favorable Substitute

Yea 39 Nay 0 (03/31/2022)