



General Assembly

February Session, 2022

Raised Bill No. 5313

LCO No. 2111



Referred to Committee on AGING

Introduced by:
(AGE)

AN ACT CONCERNING TEMPORARY PRICE CONTROLS ON SERVICES PROVIDED BY TEMPORARY NURSING SERVICES AGENCIES.

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

1 Section 1. (NEW) (*Effective from passage*) (a) As used in this section, (1)
2 "nursing facility" has the same meaning as "nursing home" or "nursing
3 home facility" as provided in section 19a-490 of the general statutes, and
4 (2) "nursing pool agency" means any person, firm, corporation,
5 partnership or association engaged for hire in the business of providing
6 or procuring temporary employment in nursing facilities for nursing
7 personnel including, but not limited to, nurses, nursing assistants,
8 nurse's aides and orderlies. "Nursing pool agency" does not include an
9 individual who engages only in providing his or her own services on a
10 temporary basis to health care facilities, including nursing facilities, or
11 nursing services provided to such facilities during strikes or other labor
12 actions.

13 (b) On or before August 31, 2022, the Commissioner of Public Health
14 shall establish a registration system for nursing pool agencies. The

15 commissioner shall include in such system a registration fee not to
16 exceed seven hundred fifty dollars.

17 (c) On and after September 15, 2022, a nursing pool agency shall not
18 offer services in the state unless it is registered with the Commissioner
19 of Public Health. A nursing pool agency with multiple locations in the
20 state shall register each office operating in such locations with the
21 commissioner.

22 (d) The commissioner shall establish minimum standards for the
23 registration and operation of a nursing pool agency, including
24 qualifications of nursing personnel provided by such agency.

25 Sec. 2. (NEW) (*Effective from passage*) (a) The Commissioner of Social
26 Services, in consultation with the Commissioner of Public Health, shall
27 establish maximum rates a nursing pool agency may charge a nursing
28 facility by type of nursing personnel provided by such agency. For the
29 period beginning September 15, 2022, and ending on June 30, 2023, rates
30 per hour shall not exceed thirty dollars for a registered nursing assistant,
31 forty-five dollars for a licensed practical nurse and sixty dollars for a
32 registered nurse. The commissioner may set higher rates for certain
33 fixed-term employees who work exclusively at a nursing facility under
34 a contract with such facility for a period of not less than ninety days.

35 (b) The Commissioner of Social Services shall adopt regulations in
36 accordance with chapter 54 of the general statutes to set maximum rates
37 for nursing pool agency services for the period beginning July 1, 2023.
38 The commissioner may establish rates by geographic region. The rates
39 shall include an allowance for wages, payroll taxes, workers'
40 compensation insurance, training and fringe benefits, which shall be
41 based upon, and shall not exceed, median wages, payroll taxes and
42 fringe benefits paid to permanent staff nursing personnel of the same
43 type at nursing facilities in the same geographic region. The rates shall
44 also include an allowance for reasonable administrative expenses and a
45 reasonable profit factor for a nursing pool agency, as determined by the
46 commissioner, but in no event shall the administrative expenses or

47 profit factor exceed fifteen per cent.

48 (c) Beginning July 1, 2023, nursing pool agencies shall submit to the
49 commissioner annual cost reports, which may be subject to audit, that
50 include data on wages paid and benefits provided to nursing personnel.
51 On and after July 1, 2024, the commissioner shall consider such reports
52 and annual cost reports, provided by nursing facilities to the
53 commissioner pursuant to section 17b-340 of the general statutes, when
54 adjusting maximum rates nursing pool agencies may charge such
55 facilities for nursing personnel.

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| This act shall take effect as follows and shall amend the following sections: | | |
| Section 1 | <i>from passage</i> | New section |
| Sec. 2 | <i>from passage</i> | New section |

Statement of Purpose:

To require that temporary nursing services agencies register with the Department of Public Health and that the Department of Social Services set maximum rates for such services provided to nursing homes.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]