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:

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

(b) On or before August 31, 2022, the Commissioner of Public Health shall establish a registration system for nursing pool agencies. The
commissioner shall include in such system a registration fee not to exceed seven hundred fifty dollars.

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

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

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

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

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

This act shall take effect as follows and shall amend the following sections:

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**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.]