



House Bill No. 5229

Public Act No. 22-78

AN ACT CONCERNING THE LEGISLATIVE COMMISSIONERS' RECOMMENDATIONS FOR TECHNICAL REVISIONS TO HUMAN SERVICES-RELATED STATUTES.

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

Section 1. Subsection (b) of section 4-216a of the 2022 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(b) No state agency contracting with a nonprofit provider of human services may attempt to recover or otherwise offset funds obtained or retained by such nonprofit provider through loan forgiveness. For purposes of this subsection, "attempt to recover or otherwise offset" means (1) reductions in contracted amounts for the same or similar services from the contract period before such loan forgiveness to the next contract period, or (2) demands for reimbursement of state funds from such providers in the amount of any loan forgiveness.

Sec. 2. Subsection (b) of section 17b-59a of the 2022 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(b) The Commissioner of Social Services, in consultation with the executive director of the Office of Health Strategy, established under

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section 19a-754a, shall (1) develop, throughout the Departments of Developmental Services, Public Health, Correction, Children and Families, Veterans Affairs and Mental Health and Addiction Services, uniform management information, uniform statistical information, uniform terminology for similar facilities, and uniform electronic health information technology standards, (2) plan for increased participation of the private sector in the delivery of human services, and (3) provide direction and coordination to federally funded programs in the human services agencies and recommend uniform system improvements and reallocation of physical resources and designation of a single responsibility across human services agencies lines to facilitate shared services and eliminate duplication.

Sec. 3. Section 17b-261w of the 2022 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

The Commissioner of Social Services may waive or suspend, in whole or in part, to the extent the commissioner deems necessary, any prior authorization or other utilization review criteria and procedures for the [Connecticut] state medical assistance program. The commissioner shall include notice of any such waiver or suspension in a provider bulletin sent to affected providers and posted on the [Connecticut Medical Assistance Program] state medical assistance program's Internet web site not later than fourteen days before implementing such waiver or suspension. As used in this section, ["Connecticut medical assistance program"] "state medical assistance program" means the state's Medicaid program and the Children's Health Insurance Program under Title XXI of the Social Security Act, as amended from time to time.

Sec. 4. Subsection (b) of section 7-127h of the 2022 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

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(b) A multipurpose senior center established pursuant to subsection (a) of this section may [, but need not be limited to, providing] provide assistance, including, but not limited to: (1) Nutrition services; (2) health programs, including, but not limited to, mental health, behavioral health and wellness programs; (3) employment assistance; (4) intergenerational initiatives; (5) community service and civic engagement opportunities; (6) public benefits counseling; (7) socialization and educational opportunities; (8) transportation; (9) peer counseling; (10) financial and retirement counseling; (11) arts and recreation programs; and (12) case management services.

Sec. 5. Subsection (b) of section 19a-550b of the 2022 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(b) (1) A resident shall have the right to use technology of the resident's choice that facilitates virtual monitoring or virtual visitation, provided:

[(1)] (A) The purchase, activation, installation, maintenance, repair, operation, deactivation and removal of such technology is at the expense of the resident;

[(2)] (B) The technology and any recordings and images obtained therefrom are used by the resident and any person communicating with the resident or monitoring the resident in a manner that does not violate any individual's right to privacy under state or federal law and in accordance with the provisions of this section;

[(3)] (C) A clear and conspicuous notice is placed on the door of the resident's room or living unit indicating that technology enabling virtual monitoring and intended for such use may be in use;

[(4)] (D) In cases where the resident intends to use technology for virtual monitoring in shared living situations, the resident or resident

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representative provides advance notice to a roommate or the roommate's representative specifying the type of technology, the proposed location of the device, its intended use, intended hours of operation and whether the device is capable of recording audio or video or being activated remotely;

[(5)] (E) The resident or resident representative [(A)] (i) obtains the written consent of all roommates or resident representatives of all roommates for the use of the technology for virtual monitoring, and [(B)] (ii) if any roommate withdraws consent, ceases using the technology for virtual monitoring until consent is obtained; and

[(6)] (F) The resident or resident representative files a signed, written notice with the nursing home facility and a copy of any written consent of any roommate not less than seven days before installing or using such technology for virtual monitoring that [(A)] (i) identifies the type of technology, its intended use, intended hours of operation and location of such technology in the room or living quarters, [(B)] (ii) states whether the technology is capable of recording audio or video or being activated or controlled remotely, [(C)] (iii) acknowledges that the resident is responsible for the purchase, activation, installation, maintenance, repair, operation, deactivation and removal of such technology, and [(D)] (iv) includes a waiver of all civil, criminal and administrative liability for the nursing home facility in accordance with subsection (d) of this section.

(2) Except [for the provisions of subdivision (2)] as provided in subparagraph (B) of subdivision (1) of this subsection, the provisions of this subsection shall not apply to cellular mobile telephones used primarily for telephonic communication or tablets not used for virtual monitoring. If a roommate withdraws consent for the use of technology for virtual monitoring, a resident or resident representative shall inform the facility, in writing, not later than seven days after the roommate withdraws consent.

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Sec. 6. Subdivision (1) of subsection (c) of section 19a-550b of the 2022 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(c) (1) A nursing home facility shall provide Internet access, electricity and a power source for technology used for virtual monitoring or virtual visitation at no cost to a resident, provided (A) a nursing home facility includes the cost of providing Internet access in cost reports filed with the Department of Social Services for purposes of Medicaid reimbursement, (B) the cost is reimbursed to the facility if the department determines that such cost is eligible for reimbursement pursuant to section 17b-340, (C) the Commissioner of Social Services uses any available funding provided by the federal government to the state and authorized by the federal government for expenses related to COVID-19 at nursing home facilities to provide grants-in-aid to such facilities for such upgrades, provided such use is approved by the federal government, and (D) a nursing home facility may assess a prorated portion of any unreimbursed cost of such upgrades to any resident privately paying for a residence in such facility and using such technology. A resident may also procure his or her own Internet connectivity. A private-paying resident who procures his or her own Internet connectivity shall not be charged for the cost of any Internet infrastructure upgrades by the nursing home facility necessary for residents to use such technology. For purposes of this subdivision, "COVID-19" means the respiratory disease designated by the World Health Organization on February 11, 2020, as coronavirus 2019, and any related mutation thereof recognized by said organization as a communicable respiratory disease.

Sec. 7. Subdivision (10) of subsection (b) of section 46a-60 of the 2022 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(10) For an employer, by the employer or the employer's agent, after

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informing an employee, pursuant to subdivision (9) of this subsection, of a workplace exposure to substances which may cause birth defects or constitute a hazard to an employee's reproductive system or to a fetus, to fail or refuse, upon the employee's request, to take reasonable measures to protect the employee from the exposure or hazard identified, or to fail or refuse to inform the employee that the measures taken may be the subject of a complaint filed under the provisions of this chapter. Nothing in this subdivision is intended to prohibit an employer from taking reasonable measures to protect an employee from exposure to such substances. For the purpose of this subdivision, "reasonable measures" [shall be] are those measures which are consistent with business necessity and are least disruptive of the terms and conditions of the employee's employment;

Sec. 8. Subsection (d) of section 46a-60 of the 2022 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(d) (1) An employer shall provide written notice of the right to be free from discrimination in relation to pregnancy, childbirth and related conditions, including the right to a reasonable accommodation to the known limitations related to pregnancy pursuant to subdivision (7) of subsection (b) of this section to: (A) New employees at the commencement of employment; (B) existing employees within one hundred twenty days [after the effective date of this section] of October 1, 2017; and (C) any employee who notifies the employer of her pregnancy within ten days of such notification. An employer may comply with the provisions of this section by displaying a poster in a conspicuous place, accessible to employees, at the employer's place of business that contains the information required by this section in both English and Spanish. The Labor Commissioner may adopt regulations, in accordance with chapter 54, to establish additional requirements concerning the means by which employers shall provide such notice.

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(2) The Commission on Human Rights and Opportunities shall develop courses of instruction and conduct ongoing public education efforts as necessary to inform employers, employees, employment agencies and persons seeking employment about their rights and responsibilities under this section.

Approved May 24, 2022