
OLR Bill Analysis

SB 1062 (File 600, as amended by Senate "A")*

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

SUMMARY

This bill gives anyone who experiences an emergency medical condition or is medically unstable the right to be provided emergency medical services if this occurs while the person is (1) in direct audio or video contact with a peace officer or (2) under a peace officer's custody or control.

It correspondingly requires a peace officer to immediately request emergency medical services for any such person. This applies when the (1) person communicates to the officer that he or she is medically unstable or experiencing an emergency medical condition or (2) officer observes the person to be in one of these situations. However, the bill exempts a peace officer from this requirement if he or she (1) has made a reasonable determination that the person is not (a) experiencing an emergency medical condition or (b) medically unstable, and (2) knows that this person was seen by a medical professional within the last 24 hours and was released from care after the medical professional made the same determination.

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, including severe pain, 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.

*Senate Amendment "A" adds the provision exempting a peace officer from requesting emergency medical services under certain circumstances.

EFFECTIVE DATE: October 1, 2023

BACKGROUND

Peace Officers

By law, the following people 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)).

Related Bill

HB 6581, favorably reported by the Public Safety and Security Committee, requires police officers, when finding someone who appears to be incapacitated by drugs or due to a medical emergency, to take the person into protective custody and bring them to a (1) treatment facility that provides medical triage or (2) hospital. Existing law requires them to do so for those incapacitated by alcohol.

COMMITTEE ACTION

Judiciary Committee

Joint Favorable

Yea 33 Nay 4 (03/28/2023)