

Public Health Committee JOINT FAVORABLE REPORT

Bill No.: HB-6298

AN ACT CONCERNING PAYMENT OF CIVIL PENALTIES BY NURSING

Title: HOMES AND RESIDENTIAL CARE HOMES.

Vote Date: 3/20/2023

Vote Action: Joint Favorable

PH Date: 2/22/2023

File No.:

***Disclaimer:** The following JOINT FAVORABLE Report is prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and does not represent the intent of the General Assembly or either chamber thereof for any purpose.*

SPONSORS OF BILL:

The Public Health Committee.

REASONS FOR BILL:

The purpose of this bill is to ensure that civil penalties for violating state laws related to licensure, operation and maintenance, assessed to nursing homes by the Department of Public Health (DPH), are paid from administrative costs set aside for this purpose and not subtracted from the costs of providing care to the residents.

RESPONSE FROM ADMINISTRATION/AGENCY:

Mairead Painter, State Long-Term Care Ombudsman:

The Long-Term Care Ombudsman testified that any subtraction of resources from resident care can have a serious negative impact on the quality of care. Enforcement of regulations and accountability ensure that nursing homes are following guidelines and regulations to provide quality care and protect residents from neglect and abuse.

Jane Garibay, State Representative, 60th District, CT General Assembly:

Rep. Garibay testified in support of this bill, stating that we are in a crisis of neglect and abuse in our nursing home facilities. The bill provides the State Long-Term Care Ombudsman with the tools to hold nursing home leadership accountable. We need enforcement of current requirements regarding staffing and conduct, as well as removal of financial loopholes.

NATURE AND SOURCES OF SUPPORT:

There was no written testimony in support of the bill.

NATURE AND SOURCES OF OPPOSITION:

Mag Morelli, President, LeadingAge CT:

LeadingAge CT does not believe there is a need for this bill. The quality of care in nursing homes is currently regulated by the Centers for Medicare and Medicaid (CMS) and the CT Department of Public Health (DPH). DPH is empowered to act against nursing homes that do not provide proper care to their residents. DPH is also empowered by CMS to enforce federal regulations as well. LeadingAge CT will work with the state DPH to address concerns regarding safeguards and the quality of care in the nursing homes.

Matt Barrett, President and CEO, CT Association of Health Care Facilities (CAHCF):

This bill addresses requirements consistent with current state and federal law and is, therefore, unnecessary. Severe penalties are already imposed by DPH and CMS if patient care is inadequate and can go as far as closing the facility or revoking the license of the administrator.

Reported by: David Rackliffe, Asst. Clerk

Date: 3/28/2023