

**Proposed Substitute
Bill No. 5001**

LCO No. 3820

**AN ACT SUPPORTING CONNECTICUT SENIORS AND THE
IMPROVEMENT OF NURSING AND HOME-BASED CARE.**

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

1 Section 1. Subsection (c) of section 17b-706a of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective October*
3 *1, 2024*):

4 (c) The Personal Care Attendant Workforce Council shall have the
5 following duties and responsibilities relating to personal care
6 attendants: (1) Study issues relating to the recruitment, retention and
7 adequacy of personal care attendants; and (2) develop a plan to improve
8 the quality, stability and availability of personal care attendants by (A)
9 developing a means to identify and recruit personal care attendants, (B)
10 developing training and educational opportunities for personal care
11 attendants and consumers, including, on and after January 1, 2025,
12 training for personal care attendants on techniques for recognizing and
13 responding to harassment, abuse and discrimination by consumers, (C)
14 developing one or more registries to (i) provide routine, emergency and
15 respite referrals of qualified personal care attendants to consumers and
16 surrogates who are authorized to receive long-term, in-home personal
17 care services by a personal care attendant, (ii) enable consumers and
18 surrogates to access information about prospective personal care
19 attendants such as their training, educational background and work
20 experience, and (iii) provide appropriate employment opportunities for
21 personal care attendants, and (D) establishing standards for wages,
22 benefits and conditions of employment for personal care attendants.

23 Sec. 2. Subsection (h) of section 19a-491 of the 2024 supplement to the
24 general statutes is repealed and the following is substituted in lieu
25 thereof (*Effective October 1, 2024*):

26 (h) (1) The commissioner may require as a condition of the licensure
27 of a home health care agency, hospice agency and home health aide
28 agency that each agency meet minimum service quality standards. In
29 the event the commissioner requires such agencies to meet minimum
30 service quality standards as a condition of their licensure, the
31 commissioner shall adopt regulations, in accordance with the
32 provisions of chapter 54, to define such minimum service quality
33 standards, which shall [(1)] (A) allow for training of home health aides
34 by adult continuing education, [(2)] (B) require a registered nurse to visit
35 and assess each patient receiving home health aide services as often as
36 necessary based on the patient's condition, but not less than once every
37 sixty days, and [(3)] (C) require the assessment prescribed by
38 [subdivision (2) of this subsection] subparagraph (B) of this subdivision
39 to be completed while the home health aide is providing services in the
40 patient's home.

41 (2) On and after January 1, 2025, the commissioner shall require as a
42 condition of the licensure of a home health care agency, hospice agency
43 and home health aide agency that each agency require its employees to
44 complete training, in a form and manner prescribed by the
45 commissioner, that teaches techniques to recognize and respond to
46 harassment, abuse and discrimination by agency clients.

47 Sec. 3. (NEW) (*Effective October 1, 2024*) The Commissioner of Social
48 Services shall post in a prominent location on the Department of Social
49 Services' Internet web site a link to the Medicare online reporting tool
50 that allows the public to compare nursing homes by quality of care.

51 Sec. 4. (NEW) (*Effective October 1, 2024*) The Commissioner of Public
52 Health shall post in a prominent location on the Department of Public
53 Health's Internet web site a link to the Medicare online reporting tool
54 that allows the public to compare nursing homes by quality of care.

55 Sec. 5. (*Effective from passage*) The Commissioner of Emergency
56 Services and Public Protection, in consultation with the Commissioner
57 of Public Health, shall develop and implement a plan to expand
58 fingerprinting locations in the state to facilitate greater access to such
59 locations for persons requiring state and national criminal history
60 records checks for employment or licensing purposes. Not later than
61 January 1, 2025, the commissioner shall report, in accordance with the
62 provisions of section 11-4a of the general statutes, to the joint standing
63 committees of the General Assembly having cognizance of matters
64 relating to public safety, aging and public health regarding such plan.

65 Sec. 6. (NEW) (*Effective October 1, 2024*) Each home health care agency,
66 home health aide agency and hospice agency, as defined in section 19a-
67 490 of the general statutes, shall require each agency employee to wear
68 an identification badge that includes the employee's name and
69 photograph during each appointment with a client. In any case in which
70 the Commissioner of Public Health determines that a home health care
71 agency, home health aide agency or hospice agency has failed to comply
72 with the requirements established under this section, the commissioner
73 may initiate disciplinary action against the agency pursuant to section
74 19a-494 of the general statutes.

75 Sec. 7. (NEW) (*Effective October 1, 2024*) On and after July 1, 2025, each
76 homemaker-companion agency shall require each agency employee to
77 wear an identification badge that includes the employee's name and
78 photograph during each appointment with a client. In any case in which
79 the Commissioner of Consumer Protection determines that a
80 homemaker-companion agency has failed to comply with the
81 requirements established under this section, the commissioner may
82 initiate disciplinary action against the agency pursuant to section 20-675
83 of the general statutes, as amended by this act.

84 Sec. 8. Section 20-675 of the 2024 supplement to the general statutes
85 is repealed and the following is substituted in lieu thereof (*Effective*
86 *October 1, 2024*):

87 (a) The Commissioner of Consumer Protection may revoke, suspend
88 or refuse to issue or renew any certificate of registration as a
89 homemaker-companion agency or place an agency on probation or issue
90 a letter of reprimand for: (1) Conduct by the agency, or by an employee
91 of the agency while in the course of employment, of a character likely to
92 mislead, deceive or defraud the public or the commissioner; (2)
93 engaging in any untruthful or misleading advertising; (3) failure of such
94 agency that acts as a registry to comply with the notice requirements of
95 section 20-679a; (4) failing to perform a comprehensive background
96 check of a prospective employee or maintain a copy of materials
97 obtained during a comprehensive background check, as required by
98 section 20-678; [or] (5) failing to provide a written notice, obtain a signed
99 notice or maintain a copy of a signed notice, as required by section 20-
100 679c; or (6) on and after July 1, 2025, failing to require an employee
101 scheduled to provide services to a client to wear a badge, as required by
102 section 7 of this act.

103 (b) The commissioner shall revoke a certificate of registration if a
104 homemaker-companion agency is found to have violated, after an
105 administrative hearing conducted in accordance with chapter 54, the
106 provisions of subdivisions (1) to [(5)] (6), inclusive, of subsection (a) of
107 this section three times in one calendar year.

108 (c) The commissioner shall not revoke or suspend any certificate of
109 registration except upon notice and hearing in accordance with chapter
110 54.

111 Sec. 9. Subsection (a) of section 10-40 of the general statutes is
112 repealed and the following is substituted in lieu thereof (*Effective October*
113 *1, 2024*):

114 (a) The Department of Education, in conjunction with the
115 Department of Social Services, shall coordinate a family resource center
116 program to provide comprehensive child care services, remedial
117 educational and literacy services, families-in-training programs and
118 supportive services to parents who are recipients of temporary family

119 assistance and other parents, nonparent caretaker relatives and legal
120 guardians in need of such services. The family resource centers shall be
121 located in or associated with public schools, and any family resource
122 center established on or after July 1, 2000, shall be located in a public
123 elementary school unless the Commissioner of Education waives such
124 requirement. The commissioner shall determine the manner in which
125 the grant recipients of such program, such as municipalities, boards of
126 education and child care providers, shall be selected. The family
127 resource center shall provide: (1) Quality full-day child care and school
128 readiness programs for children age three and older who are not
129 enrolled in school and child care for children enrolled in school up to
130 the age of twelve for before and after regular school hours and on a full-
131 day basis during school holidays and school vacation, in compliance
132 with all state statutes and regulations governing child care services, as
133 described in section 19a-77, and, in the case of the school readiness
134 programs, in compliance with the standards set for such programs
135 pursuant to section 10-16p; (2) support services to parents, nonparent
136 caretaker relatives and legal guardians of newborn infants to ascertain
137 their needs and provide them with referrals to other services and
138 organizations and, if necessary, education in parenting skills; (3)
139 support and educational services to parents, nonparent caretaker
140 relatives and legal guardians whose children are participants of the
141 child care services of the program and who are interested in obtaining a
142 high school diploma or its equivalent. Parents and their preschool age
143 children and nonparent caretaker relatives, legal guardians and
144 preschool age children in their care may attend classes in parenting and
145 child learning skills together so as to promote the mutual pursuit of
146 education and enhance parent-child interaction; (4) training, technical
147 assistance and other support by the staff of the center to operators and
148 staff of family child care homes, as described in section 19a-77, in the
149 community and serve as an information and referral system for other
150 child care needs in the community or coordinate with such systems as
151 may already exist in the community; (5) a families-in-training program
152 to provide, within available appropriations, community support

153 services to expectant parents and parents, nonparent caretaker relatives
154 and legal guardians of children under the age of three. Such services
155 shall include, but not be limited to, providing information and advice to
156 parents, nonparent caretaker relatives and legal guardians on their
157 children's language, cognitive, social and motor development, visiting a
158 participant's home on a regular basis, organizing group meetings at the
159 center for neighborhood parents, nonparent caretaker relatives and
160 legal guardians of young children and providing a reference center for
161 parents, nonparent caretaker relatives and legal guardians who need
162 special assistance or services. The program shall provide for the
163 recruitment of parents, nonparent caretaker relatives and legal
164 guardians to participate in such program; [and] (6) a sliding scale of
165 payment, as developed in consultation with the Department of Social
166 Services, for child care services at the center; and (7) referrals of parents,
167 nonparent caretaker relatives and legal guardians to community
168 programs concerning childhood development and positive parenting
169 practices. The center shall also provide a teen pregnancy prevention
170 program for adolescents emphasizing responsible decision-making and
171 communication skills.

172 Sec. 10. Section 17a-54 of the general statutes is repealed and the
173 following is substituted in lieu thereof (*Effective October 1, 2024*):

174 The Department of Children and Families shall establish, within
175 available appropriations, community-based, multiservice parent
176 education and support centers. The goal of each center shall be to
177 improve parenting and enhance family functioning in order to provide
178 children and youths increased opportunities for positive development.
179 Each center shall provide: (1) Parent, nonparent caretaker relative and
180 legal guardian education and training services; (2) parent, nonparent
181 caretaker relative and legal guardian support services; (3) information
182 about and coordination of other community services; (4) consultation
183 services; [and] (5) coordination of child care and transportation services
184 to facilitate participation in the center's programs; and (6) referrals of
185 parents, nonparent caretaker relatives and legal guardians to

186 community programs concerning childhood development and positive
187 parenting practices. Each center shall conduct outreach programs and
188 shall be accessible with respect to schedule and location.

189 Sec. 11. Section 7-127b of the general statutes is repealed and the
190 following is substituted in lieu thereof (*Effective October 1, 2024*):

191 (a) The chief elected official or the chief executive officer if by
192 ordinance of each municipality shall appoint a municipal agent for
193 elderly persons. Such agent shall be a staff member of a senior center, a
194 member of an agency that serves elderly persons in the municipality or
195 a responsible resident of the municipality who has demonstrated an
196 interest in [the] assisting elderly persons or has been involved in
197 programs in the field of aging.

198 (b) The duties of the municipal agent [may] shall include, but [shall]
199 need not be limited to: (1) Disseminating information to elderly persons,
200 assisting such persons in learning about the community resources
201 available to them and publicizing such resources and benefits; (2)
202 assisting elderly persons [to apply] in applying for federal and [other
203 benefits] state benefits, and accessing community resources, available to
204 such persons; and (3) reporting to the chief elected official or chief
205 executive officer of the municipality and the Department of Aging and
206 Disability Services any needs and problems of the elderly and any
207 recommendations for action to improve services to the elderly. For the
208 purposes of this subsection, "community resources" means resources
209 that assist the elderly in gaining access to housing opportunities,
210 including, but not limited to, information regarding access to elderly
211 housing waitlists, applications and consumer reports.

212 (c) Each municipal agent shall serve for a term of two or four years,
213 at the discretion of the appointing authority of each municipality, and
214 may be reappointed. If more than one agent is necessary to carry out the
215 purposes of this section, the appointing authority, in its discretion, may
216 appoint one or more assistant agents. The town clerk in each
217 municipality shall notify the Department of Aging and Disability

218 Services immediately of the appointment of a new municipal agent.
219 Each municipality may provide to its municipal agent resources
220 sufficient for such agent to perform the duties of the office.

221 (d) The Department of Aging and Disability Services shall adopt and
222 disseminate to municipalities guidelines as to the role and duties of
223 municipal agents and such informational and technical materials as may
224 assist such agents in performance of their duties. The department, in
225 cooperation with the area agencies on aging, may provide training for
226 municipal agents within the available resources of the department and
227 of the area agencies on aging.

228 (e) On or before January 1, 2025, the Commissioner of Aging and
229 Disability Services shall create a directory of municipal agents
230 appointed pursuant to the provisions of this section, which shall
231 include, but need not be limited to, the name, title, telephone number,
232 electronic mail address and mailing address of each municipal agent.
233 The commissioner shall post a link to the directory on the Department
234 of Aging and Disability Services' Internet web site.

235 Sec. 12. Section 19a-700 of the general statutes is repealed and the
236 following is substituted in lieu thereof (*Effective from passage*):

237 A managed residential community shall enter into a written
238 residency agreement with each resident that clearly sets forth the rights
239 and responsibilities of the resident and the managed residential
240 community, including the duties set forth in section 19a-562. The
241 residency agreement shall be set forth in plain language and printed in
242 not less than fourteen-point type. The residency agreement shall be
243 signed by the managed residential community's authorized agent and
244 by the resident, or the resident's legal representative, prior to the
245 resident taking possession of a private residential unit and shall include,
246 at a minimum:

247 (1) An itemization of assisted living services, transportation services,
248 recreation services and any other services and goods, lodging and meals

249 to be provided on behalf of the resident by the managed residential
250 community;

251 (2) A full and fair disclosure of all charges, fees, expenses and costs
252 to be borne by the resident including, for written residency agreements
253 entered into on and after October 1, 2024, nonrefundable charges, fees,
254 expenses and costs;

255 (3) A schedule of payments and disclosure of all late fees or potential
256 penalties;

257 (4) For written residency agreements entered into on and after
258 October 1, 2024, the manner in which the managed residential
259 community may adjust monthly fees or other recurring fees, including,
260 but not limited to, (A) how often fee increases may occur, (B) the
261 schedule or specific dates of such increases, and (C) the history of fee
262 increases over the past three calendar years;

263 ~~[(4)]~~ ~~(5)~~ The grievance procedure with respect to enforcement of the
264 terms of the residency agreement;

265 ~~[(5)]~~ ~~(6)~~ The managed residential community's covenant to comply
266 with all municipal, state and federal laws and regulations regarding
267 consumer protection and protection from financial exploitation;

268 ~~[(6)]~~ ~~(7)~~ The managed residential community's covenant to afford
269 residents all rights and privileges afforded under title 47a;

270 ~~[(7)]~~ ~~(8)~~ The conditions under which the agreement can be terminated
271 by either party;

272 ~~[(8)]~~ ~~(9)~~ Full disclosure of the rights and responsibilities of the
273 resident and the managed residential community in situations
274 involving serious deterioration in the health of the resident,
275 hospitalization of the resident or death of the resident, including a
276 provision that specifies that in the event that a resident of the
277 community dies, the estate or family of such resident shall only be

278 responsible for further payment to the community for a period of time
279 not to exceed fifteen days following the date of death of such resident as
280 long as the private residential unit formerly occupied by the resident
281 has been vacated; and

282 ~~[(9)]~~ (10) Any adopted rules of the managed residential community
283 reasonably designed to promote the health, safety and welfare of
284 residents.

285 Sec. 13. Section 19a-694 of the 2024 supplement to the general statutes
286 is repealed and the following is substituted in lieu thereof (*Effective*
287 *October 1, 2024*):

288 (a) All managed residential communities operating in the state shall:

289 (1) Provide a written residency agreement to each resident in
290 accordance with section 19a-700, as amended by this act;

291 (2) Provide residents or residents' representatives not less than ninety
292 days' notice of any increase to monthly or reoccurring fees and disclose
293 in writing any nonrefundable charges;

294 (3) Provide residents prorated or full reimbursements of certain
295 charges if the managed residential community determines it can no
296 longer meet the resident's needs during the first forty-five days after
297 occupancy by the resident of the managed residential community unit,
298 including, but not limited to, prorated first month's rent, prorated
299 community fee, full last month's rent and full security deposit;

300 ~~[(2)]~~ (4) Afford residents the ability to access services provided by an
301 assisted living services agency. Such services shall be provided in
302 accordance with a service plan developed in accordance with section
303 19a-699;

304 ~~[(3)]~~ (5) Upon the request of a resident, arrange, in conjunction with
305 the assisted living services agency, for the provision of ancillary medical
306 services on behalf of a resident, including physician and dental services,

307 pharmacy services, restorative physical therapies, podiatry services,
308 hospice care and home health agency services, provided the ancillary
309 medical services are not administered by employees of the managed
310 residential community, unless the resident chooses to receive such
311 services;

312 [(4)] (6) Provide a formally established security program for the
313 protection and safety of residents that is designed to protect residents
314 from intruders;

315 [(5)] (7) Afford residents the rights and privileges guaranteed under
316 title 47a;

317 [(6)] (8) Comply with the provisions of subsection (c) of section 19-13-
318 D105 of the regulations of Connecticut state agencies;

319 [(7)] (9) Assist a resident who has a long-term care insurance policy
320 with preparing and submitting claims for benefits to the insurer,
321 provided such resident has executed a written authorization requesting
322 and directing the insurer to (A) disclose information to the managed
323 residential community relevant to such resident's eligibility for an
324 insurance benefit or payment, and (B) provide a copy of the acceptance
325 or declination of a claim for benefits to the managed residential
326 community at the same time such acceptance or declination is made to
327 such resident; and

328 [(8) On or before January 1, 2024, encourage] (10) Encourage and
329 assist in the establishment of a family council in managed residential
330 communities offering assisted living services. Such family council shall
331 not allow a family member or friend of a resident who is not a resident
332 of a dementia special care unit to participate in the family council
333 without the consent of such resident.

334 (b) No managed residential community shall control or manage the
335 financial affairs or personal property of any resident, except as provided
336 for in subdivision (7) of subsection (a) of this section.

337 Sec. 14. Subsection (e) of section 19a-564 of the 2024 supplement to
338 the general statutes is repealed and the following is substituted in lieu
339 thereof (*Effective October 1, 2024*):

340 (e) An assisted living services agency shall: [ensure that] (1) Ensure
341 that all services being provided on an individual basis to clients are fully
342 understood and agreed upon between either the client or the client's
343 representative; [, and] (2) ensure that the client or the client's
344 representative are made aware of the cost of any such services; (3)
345 disclose fee increases to a client or a client's representative not later than
346 ninety days prior to such fees taking effect; and (4) provide, upon
347 request, to a client and a client's representative the history of fee
348 increases over the past three calendar years. Nothing in this subsection
349 shall be construed to limit an assisted living services agency from
350 immediately adjusting fees to the extent such adjustments are directly
351 related to a change in the level of care or services necessary to meet
352 individual client safety needs at the time of a scheduled resident care
353 meeting or if a client's change of condition requires a change in services.

354 Sec. 15. (NEW) (*Effective October 1, 2024*) Not later than thirty days
355 after granting licensure to an assisted living services agency that
356 operates a managed residential community or an assisted living services
357 agency that provides services at a managed residential community, the
358 Commissioner of Public Health shall notify the State Ombudsman of
359 such licensure.

360 Sec. 16. (NEW) (*Effective October 1, 2024*) Each managed residential
361 community shall provide not less than thirty days' notice to its residents
362 and residents' legal representatives before (1) the operator of the
363 managed residential community changes from one business entity to
364 another, or (2) the assisted living services agency providing services at
365 the managed residential community changes from one agency to
366 another.

367 Sec. 17. (NEW) (*Effective from passage*) The State Ombudsman, in
368 consultation with the Commissioner of Public Health, shall develop a

369 managed residential community consumer guide. Such guide shall
370 contain information regarding (1) resident protections, (2) housing
371 protections, including, but not limited to, protections relating to
372 evictions, (3) managed residential community fees, and (4) any other
373 information deemed relevant by the State Ombudsman. The State
374 Ombudsman and Commissioner of Public Health shall post the
375 consumer guide on the Internet web sites of the Office of the Long-Term
376 Care Ombudsman and the Department of Public Health not later than
377 January 1, 2025. The Commissioner of Social Services shall post the
378 consumer guide on the MyPlaceCT Internet web site not later than
379 January 1, 2025.

380 Sec. 18. Section 17a-882 of the general statutes is repealed and the
381 following is substituted in lieu thereof (*Effective October 1, 2024*):

382 The state agency shall:

383 (1) Provide that the files and records maintained by the program may
384 be disclosed only at the discretion of the State Ombudsman or the
385 person designated by the ombudsman to disclose the files and records;
386 and

387 (2) Prohibit the disclosure of the identity of any complainant or
388 resident with respect to whom the office maintains such files or records
389 unless (A) the complainant or resident, or the legal representative of the
390 complainant or resident, consents to the disclosure and the consent is
391 given in writing; (B) (i) the complainant or resident gives consent orally,
392 visually or through the use of auxiliary aids and services; and (ii) the
393 consent is documented contemporaneously in a writing made by a
394 representative of the office in accordance with such requirements as the
395 state agency shall establish; or (iii) the disclosure is required by court
396 order.

<p>This act shall take effect as follows and shall amend the following sections:</p>
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Proposed Substitute Bill No. 5001

Section 1	<i>October 1, 2024</i>	17b-706a(c)
Sec. 2	<i>October 1, 2024</i>	19a-491(h)
Sec. 3	<i>October 1, 2024</i>	New section
Sec. 4	<i>October 1, 2024</i>	New section
Sec. 5	<i>from passage</i>	New section
Sec. 6	<i>October 1, 2024</i>	New section
Sec. 7	<i>October 1, 2024</i>	New section
Sec. 8	<i>October 1, 2024</i>	20-675
Sec. 9	<i>October 1, 2024</i>	10-4o(a)
Sec. 10	<i>October 1, 2024</i>	17a-54
Sec. 11	<i>October 1, 2024</i>	7-127b
Sec. 12	<i>from passage</i>	19a-700
Sec. 13	<i>October 1, 2024</i>	19a-694
Sec. 14	<i>October 1, 2024</i>	19a-564(e)
Sec. 15	<i>October 1, 2024</i>	New section
Sec. 16	<i>October 1, 2024</i>	New section
Sec. 17	<i>from passage</i>	New section
Sec. 18	<i>October 1, 2024</i>	17a-882