



General Assembly

January Session, 2021

Raised Bill No. 1083

LCO No. 5394



Referred to Committee on PUBLIC HEALTH

Introduced by:
(PH)

AN ACT CONCERNING VARIOUS REVISIONS TO THE PUBLIC HEALTH STATUTES.

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

1 Section 1. Section 19a-404 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2021*):

3 The Chief Medical Examiner shall be a citizen of the United States
4 and a doctor of medicine licensed to practice medicine in Connecticut
5 and shall have had a minimum of four years postgraduate training in
6 pathology and such additional subsequent experience in forensic
7 pathology as the commission may determine, provided any person
8 otherwise qualified who is not licensed to so practice may be appointed
9 Chief Medical Examiner, provided he or she obtains such a license
10 within one year of his or her appointment. The Commission on
11 Medicolegal Investigations shall submit recommendations concerning
12 the Chief Medical Examiner's salary and annual increments to such
13 salary to the Commissioner of Administrative Services for review and
14 approval pursuant to section 4-40. The Chief Medical Examiner's term
15 of office shall be fixed by the commission and the Chief Medical

16 Examiner may be removed by the commission only for cause. Under the
17 direction of the commission, the Chief Medical Examiner shall prepare
18 for transmission to the Secretary of the Office of Policy and Management
19 as required by law estimates of expenditure requirements. The Chief
20 Medical Examiner shall account to the State Treasurer for all fees and
21 moneys received and expended by him or her by virtue of his or her
22 office. The Chief Medical Examiner may as part of his or her duties teach
23 medical and law school classes, conduct special classes for police
24 investigators and engage in other activities related to the work of the
25 office to such extent and on such terms as may be authorized by the
26 commission. On and after January 1, 2022, the Chief Medical Examiner
27 shall earn at least one contact hour of training or education in sudden
28 unexpected death in epilepsy as part of the continuing medical
29 education he or she is required to obtain pursuant to section 20-10b. As
30 used in this section, "sudden unexpected death in epilepsy" means the
31 death of a person with epilepsy that is not caused by injury, drowning
32 or other known causes unrelated to epilepsy.

33 Sec. 2. Section 21a-223 of the general statutes is repealed and the
34 following is substituted in lieu thereof (*Effective October 1, 2021*):

35 (a) Each individual place of business of each health club shall obtain
36 a license from the Department of Consumer Protection prior to the sale
37 of any health club contract. Application for such license shall be made
38 on forms provided by the Commissioner of Consumer Protection and
39 said commissioner shall require as a condition to the issuance and
40 renewal of any license obtained under this chapter (1) that the applicant
41 provide for and maintain on the premises of the health club sanitary
42 facilities; (2) that the applicant (A) (i) provide and maintain in a readily
43 accessible location on the premises of the health club at least one
44 automatic external defibrillator, as defined in section 19a-175, and (ii)
45 make such location known to employees of such health club, (B) ensure
46 that at least one employee is on the premises of such health club during
47 staffed business hours who is trained in cardiopulmonary resuscitation
48 and the use of an automatic external defibrillator in accordance with the
49 standards set forth by the American Red Cross or American Heart

50 Association, (C) maintain and test the automatic external defibrillator in
51 accordance with the manufacturer's guidelines, and (D) promptly notify
52 a local emergency medical services provider after each use of such
53 automatic external defibrillator; (3) that the application be accompanied
54 by (A) a license or renewal fee of two hundred fifty dollars, (B) a list of
55 the equipment and each service [which] that the applicant intends to
56 have available for use by buyers during the year of operations following
57 licensure or renewal, and (C) two copies of each health club contract
58 [which] that the applicant is currently using or intends to use; and [(3)]
59 (4) compliance with the requirements of section 21a-226. Such licenses
60 shall be renewed annually. The commissioner may impose a civil
61 penalty of not more than three hundred dollars against any health club
62 that continues to sell or offer for sale health club contracts for any
63 location but fails to submit a license renewal and license renewal fee for
64 such location not later than thirty days after such license's expiration
65 date.

66 (b) No health club shall (1) engage in any act or practice [which] that
67 is in violation of or contrary to the provisions of this chapter or any
68 regulation adopted to carry out the provisions of this chapter, including
69 the use of contracts [which] that do not conform to the requirements of
70 this chapter, or (2) engage in conduct of a character likely to mislead,
71 deceive or defraud the buyer, the public or the commissioner. The
72 Commissioner of Consumer Protection may refuse to grant or renew a
73 license to, or may suspend or revoke the license of, any health club
74 which engages in any conduct prohibited by this chapter.

75 (c) If the commissioner refuses to grant or renew a license of any
76 health club, the commissioner shall notify the applicant or licensee of
77 the refusal, and of [his] the applicant's or licensee's right to request a
78 hearing [within] not later than ten days [from] after the date of receipt
79 of the notice of refusal. If the applicant or licensee requests a hearing
80 within [ten days] such ten-day period, the commissioner shall give
81 notice of the grounds for [his] the commissioner's refusal to grant or
82 renew such license and shall conduct a hearing concerning such refusal
83 in accordance with the provisions of chapter 54 concerning contested

84 matters.

85 (d) The Attorney General at the request of the Commissioner of
86 Consumer Protection [is authorized to] may apply in the name of the
87 state of Connecticut to the Superior Court for an order temporarily or
88 permanently restraining and enjoining any health club from operating
89 in violation of any provision of this chapter.

90 Sec. 3. Subdivision (1) of subsection (a) of section 52-557b of the
91 general statutes is repealed and the following is substituted in lieu
92 thereof (*Effective October 1, 2021*):

93 (a) (1) A person licensed to practice medicine and surgery under the
94 provisions of chapter 370 or dentistry under the provisions of section
95 20-106 or members of the same professions licensed to practice in any
96 other state of the United States, a person licensed as a registered nurse
97 under section 20-93 or 20-94 or certified as a licensed practical nurse
98 under section 20-96 or 20-97, a medical technician or any person
99 operating a cardiopulmonary resuscitator or a person trained in
100 cardiopulmonary resuscitation in accordance with the guidelines set
101 forth by the American Red Cross or American Heart Association, or a
102 person operating an automatic external defibrillator, who, voluntarily
103 and gratuitously and other than in the ordinary course of such person's
104 employment or practice, renders emergency medical or professional
105 assistance to a person in need thereof, shall not be liable to such person
106 assisted for civil damages for any personal injuries which result from
107 acts or omissions by such person in rendering the emergency care,
108 which may constitute ordinary negligence. A person or entity that
109 provides or maintains an automatic external defibrillator shall not be
110 liable for the acts or omissions of such person or entity in providing or
111 maintaining the automatic external defibrillator, which may constitute
112 ordinary negligence. A person or entity that provides or maintains an
113 automatic external defibrillator in a cabinet, which also contains an
114 opioid antagonist used to treat or prevent a drug overdose, shall not be
115 liable for the acts or omissions of such person or entity in making
116 available the opioid antagonist, which may constitute ordinary

117 negligence. The immunity provided in this subsection does not apply to
118 acts or omissions constituting gross, wilful or wanton negligence. With
119 respect to the use of an automatic external defibrillator, the immunity
120 provided in this subsection shall only apply to acts or omissions
121 involving the use of an automatic external defibrillator in the rendering
122 of emergency care, except a health club licensed pursuant to section 21a-
123 223, as amended by this act, shall not be held liable for acts or omissions
124 involving the nonuse of the automatic external defibrillator. Nothing in
125 this subsection shall be construed to exempt paid or volunteer
126 firefighters, police officers or emergency medical services personnel
127 from completing training in cardiopulmonary resuscitation or in the use
128 of an automatic external defibrillator in accordance with the guidelines
129 set forth by the American Red Cross or American Heart Association. For
130 the purposes of this subsection, "automatic external defibrillator" means
131 a device that: (A) Is used to administer an electric shock through the
132 chest wall to the heart; (B) contains internal decision-making electronics,
133 microcomputers or special software that allows it to interpret
134 physiologic signals, make medical diagnosis and, if necessary, apply
135 therapy; (C) guides the user through the process of using the device by
136 audible or visual prompts; and (D) does not require the user to employ
137 any discretion or judgment in its use.

138 Sec. 4. Section 19a-508a of the general statutes is repealed and the
139 following is substituted in lieu thereof (*Effective October 1, 2021*):

140 Upon admitting a patient to a hospital, hospital personnel shall
141 promptly ask the patient whether the patient desires for his or her
142 physician and any family member to be notified of the hospital
143 admission. If the patient so desires, hospital personnel shall make
144 reasonable efforts to notify the physician and any family member
145 designated by the patient of the patient's hospital admission as soon as
146 practicable, but not later than twenty-four hours after the patient's
147 request. For purposes of this section, "hospital" has the same meaning
148 as provided in section 19a-490; and "physician" means a person licensed
149 under the provisions of chapter 370.

150 Sec. 5. Section 19a-285a of the general statutes is repealed and the
151 following is substituted in lieu thereof (*Effective July 1, 2021*):

152 (a) Any person who is seventeen years of age or older shall have the
153 legal capacity, without written authorization of his or her parent or
154 guardian, to donate blood or any component thereof and to consent to
155 the withdrawal of blood from his or her body, in conjunction with any
156 voluntary blood donation program.

157 (b) Any person who is sixteen years of age shall have the legal
158 capacity, with written authorization of his or her parent or guardian, to
159 donate blood or any component thereof and to consent to the
160 withdrawal of blood from his or her body in conjunction with any
161 voluntary blood donation program.

162 Sec. 6. Section 20-195ppp of the general statutes is repealed and the
163 following is substituted in lieu thereof (*Effective July 1, 2021*):

164 The Department of Public Health may issue a temporary permit to an
165 applicant for licensure as an art therapist who holds a graduate degree
166 in art therapy or a related field. Such temporary permit shall authorize
167 the holder of the temporary permit to practice art therapy under the
168 general supervision of a licensed art therapist at all times during which
169 the holder of the temporary permit performs art therapy. Such
170 temporary permit shall be valid for a period not to exceed [three
171 hundred sixty-five calendar days] two years after the date of attaining
172 such graduate degree and shall not be renewable. No temporary permit
173 shall be issued under this section to any applicant against whom
174 professional disciplinary action is pending or who is the subject of an
175 unresolved complaint in this state or any other state. The commissioner
176 may revoke a temporary permit for good cause, as determined by the
177 commissioner. The fee for a temporary permit shall be fifty dollars.

178 Sec. 7. (NEW) (*Effective July 1, 2021*) A hospital shall notify the mother
179 of a child who is born stillborn of the burial and cremation arrangement
180 options for such child (1) when practicable, upon admission to the
181 hospital if the mother expects to deliver a stillborn child, or (2) if

182 notification is not practicable upon admission or the mother did not
 183 expect to deliver a stillborn child, not less than twelve hours after (A)
 184 the birth of the stillborn child, and (B) the mother is determined to be
 185 lucid and able to reason independently and clearly by the mother's
 186 attending physician. The hospital shall make such notification in writing
 187 and provide a copy of such notification to any family member who is
 188 present in the hospital for the birth of the stillborn child. The mother
 189 may inform the hospital, in writing, of her decision regarding the burial
 190 or cremation arrangements for her stillborn child at any time during
 191 hospitalization and prior to discharge, provided the mother shall have
 192 a minimum of twenty-four hours after receipt of the written notification
 193 from the hospital to inform the hospital in writing of such decision.

194 Sec. 8. (NEW) (*Effective July 1, 2021*) On or before January 1, 2022, the
 195 Commissioner of Public Health shall revise the application for a
 196 marriage license made under section 46b-25 of the general statutes and
 197 any marriage certificate issued on or after January 1, 2022, under section
 198 7-51a of the general statutes to eliminate the references to "bride" and
 199 "groom" and replace such references with "spouse one" and "spouse
 200 two".

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2021</i>	19a-404
Sec. 2	<i>October 1, 2021</i>	21a-223
Sec. 3	<i>October 1, 2021</i>	52-557b(a)(1)
Sec. 4	<i>October 1, 2021</i>	19a-508a
Sec. 5	<i>July 1, 2021</i>	19a-285a
Sec. 6	<i>July 1, 2021</i>	20-195ppp
Sec. 7	<i>July 1, 2021</i>	New section
Sec. 8	<i>July 1, 2021</i>	New section

Statement of Purpose:

To make various revisions to the public health statutes.

[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.]

