

June 5, 2009

Legislative Update

The Connecticut Association for Home Care & Hospice

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Dear Jennifer,

The Connecticut General Assembly regular Session adjourned at midnight on June 3rd, without enacting a budget. The [Connecticut Association for Home Care & Hospice](#) (CAHCH) has spent the final weeks of the Session tracking bills that pertain to home care and hospice issues, such as H.B. 6678, An Act Concerning Revisions to Department of Public Health Licensing Statutes. Below is a snapshot of the Session's conclusion, highlighting some areas of interest. For a full list of bills that CAHCH has been tracking from the previous two weeks, [click here](#).

Please let us know if you have any suggestions regarding the update. Suggestion or questions can be emailed to Kristin LaCosse at lacosse@cahch.org.

Home Health Agency Inspection Bill Passes

CAHCH is pleased to report that the House and Senate passed [H.B. 6678](#), An Act Concerning Revisions to Department of Public Health Licensing Statutes, on June 3rd. Section 14 of this bill aligns the state licensure inspection schedule with the Federally mandated Medicare surveying schedule. The bill is effective upon enactment and it is expected the Governor will also approve this bill.

Previously, Connecticut required home health agencies to be inspected once every two years. These inspections were in addition to Medicare surveys conducted on behalf of the Federal government every three years. As a result, home health care agencies sometimes received Medicare surveys and State inspections within several months of one another.

To remedy the problem, CAHCH advocated that the frequency of state inspections coincide with Federal requirements. Both inspections will be conducted every three years, saving time and money for both home care and hospice providers and the state. CAHCH is pleased that this common sense regulatory reform passed this year.

Criminal Background Check Bill Dies

Curiously, [H.B. 5312](#), An Act Concerning Criminal Background Checks for Employees of Homemaker-companion Agencies and Home Health Agencies was not brought forward and is thus considered dead. The bill would have required agencies to conduct comprehensive background checks for their employees. The language of the bill also defined the scope of these checks, creating a standard across the industry. CAHCH is currently investigating the death of this bill and will be consulting with Legislative leadership. We will continue to keep you updated on this important issue.

Harmful Bills Not Enacted

As the final hours of regular Session loomed ahead numerous bills of interest to healthcare were debated and voted upon. Thankfully, a couple of anti-business bills were never acted upon.

[HB 365](#), An Act Concerning Captive Audience Meetings, would have interfered with an employer's ability to communicate with their employees about workplace issues. It would have also come into conflict with the National Labor Relations Act, which does not restrict communication between employers and employees.

A second bill that was not passed was [HB 6187](#), An Act Mandating Employers Provide Paid Sick Leave to Employees. The bill, which was supported by organized labor unions, would have forced healthcare institutions to stretch their tight budgets even further in order to provide these benefits to their employees.

Health Reform Bills Advance

The highly debated [H.B. 6600](#), An Act Concerning the Establishment of the SustiNet Plan, was passed in both Chambers. The bill establishes a number of advisory committees and task forces that aim to reform health care in Connecticut by 2011.

The bill was debated for over two hours before it was voted upon and passed by the House. Although the overwhelming majority of Representatives voted in favor of the bill, there is concern that the Governor will not sign the bill into action.

[H.B. 6582](#), An Act Establishing the Connecticut Healthcare Partnership, also awaits the signature of Governor Rell. H.B. 6582 aims to add employees of municipalities, small businesses and non-profit companies into the state health insurance pool. In combination with H.B. 6600, the implementation of H.B. 6582 could lead to significant healthcare reform within the state.

Other Selected Bills

[S.B. 243](#) AN ACT CONCERNING TRAINING IN PAIN MANAGEMENT FOR NURSING HOME STAFF

- Bill has passed in both Chambers and is awaiting the Governor's signature

[SB 451](#) AN ACT ESTABLISHING A SIVER ALERT SYSTEM

- Bill has passed in both Chambers and is awaiting the Governor's signature

[S.B. 814](#) AN ACT CONCERNING PERSONAL CARE ASSISTANCE SERVICES UNDER THE CONNECTICUT HOME CARE PROGRAM FOR THE ELDERLY

- Bill has passed in both Chambers and has been signed by the Governor, it is now [Public Act 09-64](#)

[S.B. 989](#) AN ACT CONCERNING THE ALZHEIMER'S RESPITE CARE PROGRAM

- Bill has passed in both Chambers and has been signed by the Governor, it is now [Public Act 09-75](#)

[H.B. 5297](#) AN ACT CONCERNING THE STATUS OF THE MONEY FOLLOWS THE PERSON PROJECT

- Bill has passed in both Chambers and has been signed by the Governor, it is now [Public Act 09-17](#)

[H.B. 6152](#) AN ACT ESTABLISHING A CATASTROPHIC MEDICAL EXPENSES POOL

- Bill was not acted upon before the end of regular Session

Budget Outlook

Negotiations to complete the budget are expected to begin in earnest this week. Among the issues CAHCH is concerned about are: proposal for Medicare special needs plans, one percent rate cut proposed by the Governor in her supplemental budget, imposition of provider taxes and mandate for Board and Care homes to administer medications. CAHCH will

also continue to advocate that Medicaid rate increases be included in the final budget and that Medicaid cover telemonitors. We will apprise you next week on advocacy steps that you can take as well.

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