

## House Republican Press Release

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Press Office: 860-240-8700

### **A VIEW FROM THE INSIDE** **State Representative Ruth Fahrbach**



### **Legislation will impact healthcare professionals**

During the regular legislative session, a number of pieces of legislation regarding health professions were passed by the General Assembly. Here is a portion of the summary of the major bills that will impact professionals in the healthcare arena, as prepared by the Office of Legislative Research.

#### **Alcohol and Drug Counselors – Public Act 07-252**

Existing law stipulates that the alcohol and drug abuse counselor licensure and certification statutes do not apply to various licensed professionals acting within the scope of their profession, doing work consistent with their training, and not holding themselves out as alcohol and drug counselors. Public Act 07-252 amends this exception by (1) removing chiropractors, acupuncturists, physical therapists, and occupational therapists from the exempt list; (2) adding professional counselors; and (3) specifying that “nurses” means advanced practice registered nurses and registered nurses. It also specifies that the person must be working consistent with his or her license, rather than with his or her “training.”

#### **Athletic Trainers**

This act allows the Department of Public Health (DPH) to issue a temporary permit to practice athletic training to those applicants who have met all of the license requirements except that they have not yet taken or received the results of the certification examination. The act establishes a \$50 fee for this permit. The permit allows athletic trainers to practice under the supervision of a licensed athletic trainer and is limited to settings where the supervisor is physically present and immediately available to give assistance and supervision as needed. It is valid for 120 days and cannot be renewed. It becomes void and cannot be reissued if the permittee fails the certification examination.

A permit cannot be issued to a person who has previously failed the certification examination or is the subject of an unresolved complaint or pending disciplinary action. Violating these restrictions can constitute a basis for denial of an athletic trainer license.

### **Civil Penalties Against Healthcare Professionals**

This law increases the civil penalty the DPH and various health professional regulatory boards can assess against a health care professional from \$10,000 to \$25,000. By law, DPH and various health professional boards and commissions can, after finding good cause, take various disciplinary actions against licensed health professionals. These actions include license suspension or revocation, censure, letter of reprimand, probation, or assessment of a civil penalty.

### **Electronic Health Records – Public Act 07-2**

This law requires DPH, in consultation with the Office of Health Care Access and within available appropriations, to contract for the development of a statewide health information technology plan. This must be done through a competitive bid process by November 30, 2007. The statewide plan must include (1) general standards and protocols for health information exchange; (2) electronic data standards to facilitate the development of a statewide, integrated electronic health information system for use by state-funded health care providers and institutions funded by the state, including standards (a) on security, privacy, data content, structures and format, vocabulary, and transmission protocols, (b) for compatibility with any national data standards in order to allow for interstate interoperability, (c) permitting the collection of health information in a standard electronic format, and (d) for compatibility with the requirements for an electronic health information system; and (3) pilot programs for health information exchange and the projected costs and sources of funding.

### **Hospice – Public Act 07-23**

This bill (1) requires newly licensed hospices to provide hospice services in all settings and (2) sets conditions on the use of hospice-related titles and terms.

An organization seeking an initial hospice license from DPH beginning January 1, 2008 must agree to provide hospice care services for terminally ill people on a 24-hour basis in all settings, including private homes, nursing homes, residential care homes, or specialized residences providing supportive services. It must also provide DPH with satisfactory evidence that it has the necessary qualified personnel to provide the services.

The act prohibits an organization from using the title “hospice” or “hospice care program” or any titles, words, letters, or abbreviations indicating or implying hospice licensure unless it is licensed to provide hospice services by DPH and certified as a hospice by Medicare.

### **Medical Malpractice – Public Act 07-25**

Public Act 07-25 extends to insurers of any “medical professional,” instead of just insurers of physicians, advanced practice registered nurses, or physician assistants, the requirement to provide to the insurance commissioner a closed claim report. A “closed claim” is one that has been settled, or otherwise disposed of, and for which the insurer has paid all claims. By law, the insurer must submit the report within 10 days after the last day of the calendar quarter in which a claim is closed. The report includes information only about claims settled under Connecticut law.

The act defines “medical professional” as any person licensed or certified to provide health care services to individuals, including chiropractors, clinical dietitians, clinical psychologists, dentists, nurses, occupational speech and physical therapists, optometrists, pharmacists, physicians, podiatrists, and psychiatric social workers. By law, a closed claim report contains details about the insured and the insurer, the injury or loss, the claims process, and the amount paid on each claim.

If you would like a copy of any of these laws impacting healthcare professions, you may call my office at 240-8700 or log on to our Web site at [www.cga.ct.gov](http://www.cga.ct.gov).

*Rep Ruth Fahrbach represents the 61<sup>st</sup> District, including Suffield, and parts of Windsor and East Granby, in the General Assembly.*