
OLR Bill Analysis

HB 6298

AN ACT CONCERNING PAYMENT OF CIVIL PENALTIES BY NURSING HOMES AND RESIDENTIAL CARE HOMES.

SUMMARY

This bill requires a nursing home or residential care home (RCH) against which the Department of Public Health (DPH) has assessed a civil penalty for violating state laws related to its licensure, operation, or maintenance, to pay the penalty from moneys set aside for the home's administrative costs and expenses.

EFFECTIVE DATE: July 1, 2023

BACKGROUND

Nursing Home and RCH Citations and Civil Penalties

By law, the DPH commissioner may immediately issue a citation if a review, inspection, or investigation reveals that a nursing home or RCH violated a statute or regulation related to its licensure, operation, or maintenance (CGS § 19a-524).

The law establishes two types of citations, which are based on the nature of the violation. Class A violations present an immediate danger of death or serious harm to a resident and carry a civil penalty of up to \$20,000 for nursing homes and \$5,000 for RCHs. Class B violations present a potential for death or serious harm in the reasonably foreseeable future and carry a civil penalty of up to \$10,000 for nursing homes and \$3,000 for RCHs (CGS §§ 19a-524, -527 & -527a).

If, after a conference or formal hearing, DPH upholds the citation and issues a final order, it may impose the above civil penalties for each violation (CGS §§ 19a-524 to -529).

COMMITTEE ACTION

Public Health Committee

Joint Favorable

Yea 27 Nay 10 (03/20/2023)