



General Assembly

January Session, 2021

Raised Bill No. 6596

LCO No. 4428



Referred to Committee on LABOR AND PUBLIC EMPLOYEES

Introduced by:
(LAB)

AN ACT CONCERNING MANAGER SALARIES AND OCCUPATIONAL LICENSING REGULATION.

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

1 Section 1. (*Effective from passage*) The Commissioner of Administrative
2 Services shall conduct a study of issues relating to the salaries of
3 managers employed by a state agency, as defined in section 1-79 of the
4 general statutes. Not later than February 1, 2022, the commissioner shall
5 submit a report, in accordance with the provisions of section 11-4a of the
6 general statutes, to the joint standing committees of the General
7 Assembly having cognizance of matters relating to labor and public
8 employees and appropriations and the budgets of state agencies. Such
9 report shall include any findings of such study.

10 Sec. 2. Subsection (a) of section 19a-14 of the general statutes is
11 repealed and the following is substituted in lieu thereof (*Effective October*
12 *1, 2021*):

13 (a) The Department of Public Health shall have the following powers
14 and duties with regard to the boards and commissions listed in
15 subsection (b) of this section which are within the Department of Public

16 Health. The department shall:

17 (1) Control the allocation, disbursement and budgeting of funds
18 appropriated to the department for the operation of the boards and
19 commissions;

20 (2) Employ and assign such personnel as the commissioner deems
21 necessary for the performance of the functions of the boards and
22 commissions;

23 (3) Perform all management functions including purchasing,
24 bookkeeping, accounting, payroll, secretarial, clerical and routine
25 housekeeping functions;

26 (4) Adopt, with the advice and assistance of the appropriate board or
27 commission, and in accordance with chapter 54, any regulations which
28 are consistent with protecting the public health and safety and which
29 are necessary to implement the purposes of this chapter and chapters
30 368v, 369 to 375, inclusive, 378 to 381, inclusive, 383 to 388, inclusive, 398
31 and 399;

32 (5) Develop and perform all administrative functions necessary to
33 process applications for licenses and certificates;

34 (6) Determine the eligibility of all applicants for permits, licensure,
35 certification or registration, based upon compliance with the general
36 statutes and administrative regulations. The department may deny the
37 eligibility of an applicant for a permit or for licensure by examination,
38 endorsement, reciprocity or for reinstatement of a license voided
39 pursuant to subsection (f) of section 19a-88, voluntarily surrendered or,
40 by agreement, not renewed or reinstated pursuant to subsection (d) of
41 section 19a-17, as amended by this act, or may issue a license pursuant
42 to a consent order containing conditions that must be met by the
43 applicant if the department determines that the applicant:

44 (A) Has failed to comply with the general statutes and administrative
45 regulations governing the applicant's profession;

46 (B) Except any applicant for licensure as an embalmer and funeral
47 director under chapter 385, a barber under chapter 386 or a hairdresser
48 and cosmetician under chapter 387, has been found guilty or convicted
49 as a result of an act which constitutes a felony under (i) the laws of this
50 state, (ii) federal law or (iii) the laws of another jurisdiction and which,
51 if committed within this state, would have constituted a felony under
52 the laws of this state;

53 (C) Is subject to a pending disciplinary action or unresolved
54 complaint before the duly authorized professional disciplinary agency
55 of any state, the District of Columbia, a United States possession or
56 territory, or a foreign jurisdiction;

57 (D) Has been subject to disciplinary action similar to an action
58 specified in subsection (a) of section 19a-17, as amended by this act, by
59 a duly authorized professional disciplinary agency of any state, the
60 District of Columbia, a United States possession or territory, or a foreign
61 jurisdiction;

62 (E) Has committed an act which, if the applicant were licensed, would
63 not conform to the accepted standards of practice of the profession,
64 including, but not limited to, incompetence, negligence, fraud or deceit;
65 illegal conduct; procuring or attempting to procure a license, certificate
66 or registration by fraud or deceit; or engaging in, aiding or abetting
67 unlicensed practice of a regulated profession, provided the
68 commissioner, or the commissioner's designee, gives notice and holds a
69 hearing, in accordance with the provisions of chapter 54, prior to
70 denying an application for a permit or a license based on this
71 subparagraph; or

72 (F) Has a condition which would interfere with the practice of the
73 applicant's profession, including, but not limited to, physical illness or
74 loss of skill or deterioration due to the aging process, emotional disorder
75 or mental illness, abuse or excessive use of drugs or alcohol, provided
76 the commissioner, or the commissioner's designee, gives notice and
77 holds a hearing in accordance with the provisions of chapter 54, prior to

78 denying an application for a permit or a license based on this
79 subparagraph;

80 (7) Administer licensing examinations under the supervision of the
81 appropriate board or commission;

82 (8) Develop and perform all administrative functions necessary to
83 process complaints against persons licensed by the department;

84 (9) Consent to the approval or disapproval by the appropriate boards
85 or commissions of schools at which educational requirements shall be
86 met;

87 (10) Conduct any necessary review, inspection or investigation
88 regarding qualifications of applicants for licenses or certificates,
89 possible violations of statutes or regulations, and disciplinary matters.
90 In connection with any investigation, the Commissioner of Public
91 Health or the commissioner's authorized agent may administer oaths,
92 issue subpoenas, compel testimony and order the production of books,
93 records and documents. If any person refuses to appear, to testify or to
94 produce any book, record or document when so ordered, a judge of the
95 Superior Court may make such order as may be appropriate to aid in
96 the enforcement of this section;

97 (11) Conduct any necessary investigation and follow-up in
98 connection with complaints regarding persons subject to regulation or
99 licensing by the department. In connection with any such investigation,
100 the department may restrict, suspend or otherwise limit the license or
101 permit of any person subject to regulation or licensing by the
102 department pursuant to an interim consent order entered during the
103 pendency of such investigation;

104 (12) With respect to any complaint filed with the department on or
105 after October 1, 2010, alleging incompetence, negligence, fraud or deceit
106 by a person subject to regulation or licensing by any board or
107 commission described in subdivision (1) to (5), inclusive, (7), (8), (12) to
108 (14), inclusive, or (16) of subsection (b) of this section:

109 (A) Upon request of the person who filed the complaint, provide such
110 person with information on the status of the complaint;

111 (B) Upon request of the person who filed the complaint, provide such
112 person with an opportunity to review, at the department, records
113 compiled as of the date of the request pursuant to any investigation of
114 the complaint, including, but not limited to, the respondent's written
115 response to the complaint, except that such person shall not be entitled
116 to copy such records and the department (i) shall not disclose (I)
117 information concerning a health care professional's referral to,
118 participation in or completion of an assistance program in accordance
119 with sections 19a-12a and 19a-12b, that is confidential pursuant to
120 section 19a-12a, (II) information not related to such person's specific
121 complaint, including, but not limited to, information concerning
122 patients other than such person, or (III) personnel or medical records
123 and similar files the disclosure of which would constitute an invasion of
124 personal privacy pursuant to section 1-210, except for such records or
125 similar files solely related to such person; (ii) shall not be required to
126 disclose any other information that is otherwise confidential pursuant
127 to federal law or state statute, except for information solely related to
128 such person; and (iii) may require up to ten business days written notice
129 prior to providing such opportunity for review;

130 (C) Prior to resolving the complaint with a consent order, provide the
131 person who filed the complaint with not less than ten business days to
132 submit a written statement as to whether such person objects to
133 resolving the complaint with a consent order;

134 (D) If a hearing is held with respect to such complaint after a finding
135 of probable cause, provide the person who filed the complaint with a
136 copy of the notice of hearing issued pursuant to section 4-177, which
137 shall include information concerning the opportunity to present oral or
138 written statements pursuant to subsection (b) of section 4-177c; and

139 (E) Notify the person who filed the complaint of the final disposition
140 of such complaint not later than seven business days after such final

141 disposition;

142 (13) Perform any other function necessary to the effective operation
143 of a board or commission and not specifically vested by statute in the
144 board or commission;

145 (14) Contract with a third party, if the commissioner deems
146 necessary, to administer licensing examinations and perform all
147 attendant administrative functions in connection with such
148 examination; and

149 (15) With respect to any investigation of a person subject to
150 regulation, licensing or certification by the department and in any
151 disciplinary proceeding regarding such person, except as required by
152 federal law:

153 (A) Not be denied access to or use of copies of patient medical records
154 on the grounds that privilege or confidentiality applies to such records;
155 and

156 (B) Not further disclose patient medical records received pursuant to
157 the provisions of this subdivision or personnel records received during
158 the course of the investigation. Patient records received pursuant to this
159 subdivision or personnel records received during the course of the
160 investigation shall not be subject to disclosure under section 1-210.

161 Sec. 3. Subsection (a) of section 19a-17 of the general statutes is
162 repealed and the following is substituted in lieu thereof (*Effective October*
163 *1, 2021*):

164 (a) Each board or commission established under chapters 369 to 376,
165 inclusive, 378 to 381, inclusive, and 383 to 388, inclusive, and the
166 Department of Public Health with respect to professions under its
167 jurisdiction that have no board or commission may take any of the
168 following actions, singly or in combination, based on conduct that
169 occurred prior or subsequent to the issuance of a permit or a license
170 upon finding the existence of good cause:

- 171 (1) Revoke a practitioner's license or permit;
- 172 (2) Suspend a practitioner's license or permit;
- 173 (3) Censure a practitioner or permittee;
- 174 (4) Issue a letter of reprimand to a practitioner or permittee;
- 175 (5) Restrict or otherwise limit practice to those areas prescribed by the
176 board, commission or department;
- 177 (6) Place a practitioner or permittee on probationary status and
178 require the practitioner or permittee to:
- 179 (A) Report regularly to such board, commission or department upon
180 the matters which are the basis of probation;
- 181 (B) Limit practice to those areas prescribed by such board,
182 commission or department;
- 183 (C) Continue or renew professional education until a satisfactory
184 degree of skill has been attained in those areas which are the basis for
185 the probation;
- 186 (7) Assess a civil penalty of up to twenty-five thousand dollars;
- 187 (8) In those cases involving persons or entities licensed or certified
188 pursuant to sections 20-341d, 20-435, 20-436, 20-437, 20-438, 20-475 and
189 20-476, require that restitution be made to an injured property owner;
190 or
- 191 (9) Summarily take any action specified in this subsection against a
192 practitioner's license or permit upon receipt of proof that such
193 practitioner has been:
- 194 (A) [Found] Except for a practitioner who is a social worker under
195 chapter 383b, a professional counselor under chapter 383c, an art
196 therapist under chapter 383g, a dietitian-nutritionist under chapter
197 384b, an embalmer or funeral director under chapter 385, a barber under

198 chapter 386, a hairdresser, cosmetician, esthetician, eyelash technician
199 or nail technician under chapter 387, found guilty or convicted as a
200 result of an act which constitutes a felony under (i) the laws of this state,
201 (ii) federal law, or (iii) the laws of another jurisdiction and which, if
202 committed within this state, would have constituted a felony under the
203 laws of this state; or

204 (B) Subject to disciplinary action similar to that specified in this
205 subsection by a duly authorized professional agency of any state, the
206 federal government, the District of Columbia, a United States possession
207 or territory or a foreign jurisdiction. The applicable board or
208 commission, or the department shall promptly notify the practitioner or
209 permittee that his license or permit has been summarily acted upon
210 pursuant to this subsection and shall institute formal proceedings for
211 revocation within ninety days after such notification.

212 Sec. 4. Section 20-195p of the general statutes is repealed and the
213 following is substituted in lieu thereof (*Effective October 1, 2021*):

214 The commissioner may take any action set forth in section 19a-17, as
215 amended by this act, if the license holder fails to conform to the accepted
216 standards of the social work profession, including, but not limited to,
217 the following: Conviction of a felony that is reasonably related to the
218 license holder's ability to safely or competently perform the duties or
219 responsibilities associated with such license; fraud or deceit in obtaining
220 or seeking reinstatement of a license to practice clinical social work;
221 fraud or deceit in the practice of social work; negligent, incompetent or
222 wrongful conduct in professional activities; emotional disorder or
223 mental illness; physical illness, including, but not limited to,
224 deterioration through the aging process; abuse or excessive use of drugs,
225 including alcohol, narcotics or chemicals; wilful falsification of entries
226 in any hospital, patient or other record pertaining to social work;
227 violation of any provision of this chapter or any regulation adopted
228 hereunder. The Commissioner of Public Health may order a license
229 holder to submit to a reasonable physical or mental examination if his
230 physical or mental capacity to practice safely is the subject of an

231 investigation. Said commissioner may petition the superior court for the
232 judicial district of Hartford to enforce such order or any action taken
233 pursuant to [said] section 19a-17, as amended by this act. Notice of any
234 contemplated action under [said] section 19a-17, as amended by this act,
235 of the cause therefor and the date of hearing thereon, shall be given and
236 an opportunity for hearing afforded as provided in the regulations
237 adopted by the commissioner.

238 Sec. 5. Section 20-195ee of the general statutes is repealed and the
239 following is substituted in lieu thereof (*Effective October 1, 2021*):

240 The Commissioner of Public Health may take any disciplinary action
241 set forth in section 19a-17, as amended by this act, against a professional
242 counselor or professional counselor associate for any of the following
243 reasons: (1) Failure to conform to the accepted standards of the
244 profession; (2) conviction of a felony that is reasonably related to the
245 license holder's ability to safely or competently practice professional
246 counseling; (3) fraud or deceit in obtaining or seeking reinstatement of
247 a license to practice professional counseling; (4) fraud or deceit in the
248 practice of professional counseling; (5) negligent, incompetent or
249 wrongful conduct in professional activities; (6) physical, mental or
250 emotional illness or disorder resulting in an inability to conform to the
251 accepted standards of the profession; (7) alcohol or substance abuse; (8)
252 wilful falsification of entries in any hospital, patient or other record
253 pertaining to professional counseling; or (9) violation of any provision
254 of sections 20-195aa to 20-195dd, inclusive, or any regulation adopted
255 pursuant to section 20-195ff. The commissioner may order a license
256 holder to submit to a reasonable physical or mental examination if his
257 physical or mental capacity to practice safely is the subject of an
258 investigation. The commissioner may petition the superior court for the
259 judicial district of Hartford to enforce such order or any action taken
260 pursuant to [said] section 19a-17, as amended by this act. The
261 commissioner shall give notice and an opportunity to be heard on any
262 contemplated action under [said] section 19a-17, as amended by this act.

263 Sec. 6. Section 20-195qqq of the general statutes is repealed and the

264 following is substituted in lieu thereof (*Effective October 1, 2021*):

265 The Commissioner of Public Health may take any disciplinary action
266 set forth in section 19a-17, as amended by this act, against an art
267 therapist for any of the following reasons: (1) Failure to conform to the
268 accepted standards of the profession; (2) conviction of a felony that is
269 reasonably related to the license holder's ability to safely or competently
270 perform the duties or responsibilities associated with such license; (3)
271 fraud or deceit in obtaining or seeking reinstatement of a license to
272 practice art therapy; (4) fraud or deceit in the practice of art therapy; (5)
273 negligent, incompetent or wrongful conduct in professional activities;
274 (6) physical, mental or emotional illness or disorder resulting in an
275 inability to conform to the accepted standards of the profession; (7)
276 alcohol or substance abuse; or (8) wilful falsification of entries in any
277 hospital, patient or other record pertaining to art therapy. The
278 commissioner may order a license holder to submit to a reasonable
279 physical or mental examination if his or her physical or mental capacity
280 to practice safely is the subject of an investigation. The commissioner
281 may petition the superior court for the judicial district of Hartford to
282 enforce such order or any action taken pursuant to section 19a-17, as
283 amended by this act. The commissioner shall give notice and an
284 opportunity to be heard on any contemplated action under section 19a-
285 17, as amended by this act.

286 Sec. 7. Section 20-206s of the general statutes is repealed and the
287 following is substituted in lieu thereof (*Effective October 1, 2021*):

288 The department may take any action set forth in section 19a-17, as
289 amended by this act, if the certificate holder fails to conform to the
290 accepted standards of the dietitian-nutritionist profession, including,
291 but not limited to, the following: Conviction of a felony that is
292 reasonably related to the certificate holder's ability to safely or
293 competently perform the duties or responsibilities associated with such
294 certificate; fraud or deceit in professional practice; illegal conduct;
295 negligent, incompetent or wrongful conduct in professional activities;
296 emotional disorder or mental illness; physical illness including, but not

297 limited to, deterioration through the aging process; abuse or excessive
298 use of drugs, including alcohol, narcotics or chemicals; wilful
299 falsification of entries in any client or patient record; misrepresentation
300 or concealment of a material fact in the obtaining or reinstatement of a
301 dietitian-nutritionist certificate; or violation of any provision of sections
302 20-206m to 20-206t, inclusive.

303 Sec. 8. Subsection (i) of section 20-265b of the general statutes is
304 repealed and the following is substituted in lieu thereof (*Effective October*
305 *1, 2021*):

306 (i) The Commissioner of Public Health may take any disciplinary
307 action set forth in section 19a-17, as amended by this act, against an
308 esthetician for failure to conform to the accepted standards of the
309 profession, including, but not limited to: (1) Conviction of a felony that
310 is reasonably related to the license holder's ability to safely or
311 competently practice as an esthetician; (2) fraud or deceit in obtaining
312 or seeking reinstatement of a license to practice as an esthetician; (3)
313 fraud or deceit in the practice of an esthetician; (4) negligent,
314 incompetent or wrongful conduct in professional activities; (5) physical,
315 mental or emotional illness or disorder resulting in an inability to
316 conform to the accepted standards of the profession; or (6) abuse or
317 excessive use of drugs, including, alcohol, narcotics or chemicals. The
318 commissioner may order a license holder to submit to a reasonable
319 physical or mental examination if his or her physical or mental capacity
320 to practice safely is the subject of an investigation. The commissioner
321 may petition the superior court for the judicial district of Hartford to
322 enforce such order or any action taken pursuant to section 19a-17, as
323 amended by this act. The commissioner shall give notice and an
324 opportunity to be heard on any contemplated action under section 19a-
325 17, as amended by this act.

326 Sec. 9. Subsection (i) of section 20-265c of the general statutes is
327 repealed and the following is substituted in lieu thereof (*Effective October*
328 *1, 2021*):

329 (i) The Commissioner of Public Health may take any disciplinary
330 action set forth in section 19a-17, as amended by this act, against an
331 eyelash technician for failure to conform to the accepted standards of
332 the profession, including, but not limited to: (1) Conviction of a felony
333 that is reasonably related to the license holder's ability to safely or
334 competently practice as an eyelash technician; (2) fraud or deceit in
335 obtaining or seeking reinstatement of a license to practice as an eyelash
336 technician; (3) fraud or deceit in the practice of an eyelash technician; (4)
337 negligent, incompetent or wrongful conduct in professional activities;
338 (5) physical, mental or emotional illness or disorder resulting in an
339 inability to conform to the accepted standards of the profession; or (6)
340 abuse or excessive use of drugs, including, alcohol, narcotics or
341 chemicals. The commissioner may order a license holder to submit to a
342 reasonable physical or mental examination if his or her physical or
343 mental capacity to practice safely is the subject of an investigation. The
344 commissioner may petition the superior court for the judicial district of
345 Hartford to enforce such order or any action taken pursuant to section
346 19a-17, as amended by this act. The commissioner shall give notice and
347 an opportunity to be heard on any contemplated action under section
348 19a-17, as amended by this act.

349 Sec. 10. Subsection (i) of section 20-265d of the general statutes is
350 repealed and the following is substituted in lieu thereof (*Effective October*
351 *1, 2021*):

352 (i) The Commissioner of Public Health may take any disciplinary
353 action set forth in section 19a-17, as amended by this act, against a nail
354 technician for failure to conform to the accepted standards of the
355 profession, including, but not limited to: (1) Conviction of a felony that
356 is reasonably related to the license holder's ability to safely or
357 competently practice as a nail technician; (2) fraud or deceit in obtaining
358 or seeking reinstatement of a license to practice as a nail technician; (3)
359 fraud or deceit in the practice of a nail technician; (4) negligent,
360 incompetent or wrongful conduct in professional activities; (5) physical,
361 mental or emotional illness or disorder resulting in an inability to
362 conform to the accepted standards of the profession; or (6) abuse or

363 excessive use of drugs, including, alcohol, narcotics or chemicals. The
364 commissioner may order a license holder to submit to a reasonable
365 physical or mental examination if his or her physical or mental capacity
366 to practice safely is the subject of an investigation. The commissioner
367 may petition the superior court for the judicial district of Hartford to
368 enforce such order or any action taken pursuant to section 19a-17, as
369 amended by this act. The commissioner shall give notice and an
370 opportunity to be heard on any contemplated action under section 19a-
371 17, as amended by this act.

372 Sec. 11. Subsection (a) of section 20-281a of the general statutes is
373 repealed and the following is substituted in lieu thereof (*Effective October*
374 *1, 2021*):

375 (a) After notice and hearing pursuant to section 20-280c, the board
376 may revoke any certificate, license or permit issued under section 20-
377 281c, 20-281d or 20-281e or the practice privilege of an individual who
378 qualifies under section 20-281n; suspend any such certificate,
379 registration, license, practice privilege or permit or refuse to renew any
380 such certificate, license or permit; reprimand, censure, or limit the scope
381 of practice of any licensee or individual that qualifies for the practice
382 privilege; impose a civil penalty not exceeding fifty thousand dollars
383 upon licensees, individuals who qualify for the practice privilege or
384 others violating provisions of section 20-281g or place any licensee or
385 individual that qualifies for the practice privilege on probation, all with
386 or without terms, conditions and limitations, for any one or more of the
387 following reasons:

388 (1) Fraud or deceit in obtaining a certificate, registration, license,
389 practice privilege or permit;

390 (2) Cancellation, revocation, suspension or refusal to renew authority
391 to engage in the practice of public accountancy in any other state for any
392 cause;

393 (3) Failure, on the part of a holder of a license or permit under section
394 20-281d or 20-281e, to maintain compliance with the requirements for

395 issuance or renewal of such license or permit or to report changes to the
396 board under subsection (h) of section 20-281d or subsection (f) of section
397 20-281e;

398 (4) Revocation, limitation or suspension of the right to practice before
399 any state or federal agency or the Public Company Accounting
400 Oversight Board under the Sarbanes-Oxley Act of 2002, or any of the
401 following actions taken by any such state or federal agency or said board
402 against a licensee or individual who qualifies for the practice privilege:
403 (A) Suspension of or barring a licensee from serving as a corporate
404 officer or director, (B) requiring such individual or licensee to disgorge
405 funds, or (C) suspension or barring such individual or a licensee from
406 association with a public accounting firm;

407 (5) Dishonesty, fraud or negligence in the practice of public
408 accountancy or in the filing or failure to file his own income tax returns;

409 (6) Violation of any provision of sections 20-279b to 20-281m,
410 inclusive, or regulation adopted by the board under said sections;

411 (7) Violation of any rule of professional conduct adopted by the board
412 under subdivision (4) of subsection (g) of section 20-280;

413 (8) Conviction of a felony that is reasonably related to the licensee's
414 ability to safely or competently engage in the practice of accountancy,
415 or of any crime an element of which is dishonesty or fraud, under the
416 laws of the United States, of this state, or of any other state if the acts
417 involved would have constituted a crime under the laws of this state,
418 subject to the provisions of section 46a-80;

419 (9) Performance of any fraudulent act while holding a registration,
420 certificate, license, practice privilege or permit issued under sections 20-
421 279b to 20-281m, inclusive, or prior law;

422 (10) Any conduct reflecting adversely upon the licensee's fitness to
423 engage in the practice of public accountancy; and

424 (11) Violation by anyone of any provision of section 20-281g.

425 Sec. 12. Section 20-294 of the general statutes is repealed and the
426 following is substituted in lieu thereof (*Effective October 1, 2021*):

427 The Commissioner of Consumer Protection or the board may
428 suspend for a definite period, not to exceed one year, or revoke any
429 license or certificate of authority issued under this chapter, after notice
430 and hearing in accordance with the regulations adopted by the
431 Commissioner of Consumer Protection, or may officially censure any
432 person holding any such license or certificate of authority and may
433 assess a civil penalty of up to one thousand dollars per violation, (1) if it
434 is shown that the license or certificate was obtained through fraud or
435 misrepresentation, (2) if the holder of the license or certificate has been
436 found guilty by the board, the commissioner or by a court of competent
437 jurisdiction of any fraud or deceit in such holder's professional practice
438 or has been convicted of a felony that is reasonably related to the
439 holder's ability to safely or competently perform the duties or
440 responsibilities associated with such license or certificate, (3) if the
441 holder of the license or certificate has been found guilty by the board or
442 the commissioner of gross incompetency or of negligence in the
443 planning or construction of buildings, or (4) if it is shown to the
444 satisfaction of the board or the commissioner that the holder of the
445 license or certificate has violated any provision of this chapter or any
446 regulation adopted under this chapter. Any such suspension or
447 revocation of a license or certificate by the board shall be a proposed
448 final decision and submitted to the commissioner in accordance with the
449 provisions of subsection (b) of section 21a-7. The board or the
450 commissioner may reissue any such license or certificate which has been
451 revoked, and may modify the suspension of any such license or
452 certificate which has been suspended.

453 Sec. 13. Subsection (c) of section 20-334 of the general statutes is
454 repealed and the following is substituted in lieu thereof (*Effective October*
455 *1, 2021*):

456 (c) The Commissioner of Consumer Protection and each board
457 established under section 20-331 may suspend or revoke any license or

458 certificate granted or issued by it under this chapter if the holder of such
459 license or certificate (1) is convicted of a felony that is reasonably related
460 to the holder's ability to safely or competently perform the duties or
461 responsibilities associated with such license or certificate, (2) is grossly
462 incompetent, (3) engages in malpractice or unethical conduct or
463 knowingly makes false, misleading or deceptive representations
464 regarding his or her work, or (4) violates the regulations adopted under
465 this chapter. Before any such license is suspended or revoked, such
466 holder shall be given notice and opportunity for hearing as provided in
467 regulations adopted by the Commissioner of Consumer Protection. Any
468 person whose license has been suspended or revoked may, after ninety
469 days, apply to the board to have such license reinstated. Any such
470 suspension or revocation of a license or certification by the board shall
471 be a proposed final decision and submitted to the commissioner in
472 accordance with the provisions of subsection (b) of section 21a-7.

473 Sec. 14. Subsection (b) of section 20-341gg of the general statutes is
474 repealed and the following is substituted in lieu thereof (*Effective October*
475 *1, 2021*):

476 (b) No person shall engage in or offer to perform the work of any
477 major contractor in this state on any proposed structure or existing
478 structure or addition that exceeds the threshold limits contained in
479 section 29-276b unless such person has first obtained a license or
480 certificate of registration as required under the provisions of chapter 539
481 or a registration from the Department of Consumer Protection in
482 accordance with the provisions of this section. Individuals licensed
483 under chapter 393 shall be exempt from the provisions of this chapter
484 while engaging in work that they are licensed to perform. The
485 department shall issue a certificate of registration to any person who is
486 prequalified pursuant to section 4a-100 who applies for registration in
487 accordance with this section. Such prequalified person shall not be
488 required to pay a fee for such registration at any time that the person
489 maintains valid prequalification. If the individual or the firm, company,
490 partnership or corporation employing such individual is engaged in
491 work on a structure or addition that exceeds the threshold limits

492 contained in section 29-276b and requires licensure under chapter 393,
493 the firm, company, partnership or corporation shall be exempt from the
494 provisions of this chapter concerning registration of major contractors,
495 if the firm, company, partnership or corporation employs an individual
496 who is licensed as a contractor under chapter 393 to perform such work.
497 The department shall furnish to each qualified applicant a registration
498 certifying that the holder of such registration is entitled to engage in the
499 work for which the person has been issued a registration under this
500 subsection, and the holder of such registration shall carry it on his
501 person while engaging in such work. Such registration shall be shown
502 to any properly interested person upon request. No such registration
503 shall be transferred to or used by any person other than the person to
504 whom the registration was issued. The department shall maintain
505 rosters of registrants and shall update such rosters annually. The
506 department may provide copies of rosters to the public for an
507 appropriate fee. The department may suspend or revoke any
508 registration issued by the department if the holder of such registration
509 is convicted of a felony that is reasonably related to the holder's ability
510 to safely or competently perform work under such registration, is
511 grossly incompetent, is disqualified, pursuant to section 4a-100 or
512 whose prequalification certificate has been revoked pursuant to section
513 4a-100, engages in malpractice or unethical conduct or knowingly
514 makes false, misleading or deceptive representations regarding his
515 work or violates any regulation adopted under subsection (c) of this
516 section. Before any registration is suspended or revoked, such holder
517 shall be given notice and an opportunity for hearing as provided in
518 regulations adopted under subsection (c) of this section. The
519 Commissioner of Consumer Protection shall provide written notice of
520 any suspension or revocation of a registration to the Commissioner of
521 Administrative Services not later than ten days after such suspension or
522 revocation.

523 Sec. 15. Section 20-363 of the general statutes is repealed and the
524 following is substituted in lieu thereof (*Effective October 1, 2021*):

525 The commissioner may refuse to issue or renew or may suspend or

526 revoke a license or take any of the actions set forth in section 19a-17, as
527 amended by this act, upon proof that the applicant or license holder (1)
528 has employed or knowingly cooperated in fraud or material deception
529 in order to obtain a license or has engaged in fraud or material deception
530 in the course of professional services or activities at any place; (2) has
531 been guilty of illegal, incompetent or negligent conduct in his or her
532 practice; (3) has violated any provision of this chapter or any regulation
533 adopted under this chapter; (4) has been found guilty or convicted as a
534 result of an act which constitutes a felony under (A) the laws of this
535 state, (B) federal law, or (C) the laws of another jurisdiction and which,
536 if committed within this state, would have constituted a felony under
537 the laws of this state, provided such felony is reasonably related to the
538 applicant's or holder's ability to safely or competently perform work
539 under such license; or (5) has been subject to disciplinary action similar
540 to that specified in section 19a-17, as amended by this act, by a duly
541 authorized professional disciplinary agency of any state, the District of
542 Columbia, a United States possession or territory, or a foreign
543 jurisdiction. The commissioner may petition the superior court for the
544 judicial district of Hartford to enforce any action taken pursuant to
545 section 19a-17, as amended by this act. Before the commissioner may
546 suspend, revoke or refuse to renew a license or take such other action,
547 the commissioner shall give the applicant or license holder notice and
548 opportunity for hearing as provided in the regulations adopted by the
549 commissioner.

550 Sec. 16. Section 20-442a of the general statutes is repealed and the
551 following is substituted in lieu thereof (*Effective October 1, 2021*):

552 The department may take any action set forth in section 19a-17, as
553 amended by this act, and subsection (f) of section 19a-88 against a
554 person or entity licensed or certified pursuant to chapter 400a for
555 reasons including, but not limited to, the following: (1) Conviction of a
556 felony that is reasonably related to the person's or entity's ability to
557 safely or competently perform professional activities under such license
558 or certificate; (2) fraud or deceit in the practice of such person's or
559 entity's profession; (3) negligent, incompetent or wrongful conduct in

560 professional activities; (4) misrepresentation or concealment of a
561 material fact in the obtaining, reinstatement or renewal of a license or
562 certificate; or (5) violation of any provision of chapter 400a, or any
563 regulation adopted thereunder. The commissioner may petition the
564 superior court for the judicial district of Hartford to enforce such order
565 or any action taken pursuant to section 19a-17, as amended by this act.
566 Notice of any contemplated action under section 19a-17, as amended by
567 this act, the cause of action and the date of a hearing on the action shall
568 be given and an opportunity for hearing afforded in accordance with
569 the provisions of chapter 54.

570 Sec. 17. Section 20-481 of the general statutes is repealed and the
571 following is substituted in lieu thereof (*Effective October 1, 2021*):

572 The department may take any action set forth in section 19a-17, as
573 amended by this act, against a person or entity issued a license or
574 certificate pursuant to sections 20-474 to 20-482, inclusive, and
575 subsections (e) and (f) of section 19a-88 for reasons including, but not
576 limited to, the following: Conviction of a felony that is reasonably
577 related to the person's or entity's ability to safely or competently
578 perform professional activities under such license or certificate; fraud or
579 deceit in the practice of his profession; negligent, incompetent or
580 wrongful conduct in professional activities; misrepresentation or
581 concealment of a material fact in the obtaining, reinstatement or renewal
582 of a license; or violation of any provision of sections 20-474 to 20-482,
583 inclusive, and subsections (e) and (f) of section 19a-88 or any regulation
584 adopted thereunder. The commissioner may petition the superior court
585 for the judicial district of Hartford to enforce such order or any action
586 taken pursuant to [said] section 19a-17, as amended by this act. Notice
587 of any contemplated action under [said] section 19a-17, as amended by
588 this act, the cause of action and the date of a hearing on the action shall
589 be given and an opportunity for hearing afforded in accordance with
590 the provisions of chapter 54.

591 Sec. 18. Subsection (i) of section 20-540 of the general statutes is
592 repealed and the following is substituted in lieu thereof (*Effective October*

593 1, 2021):

594 (i) The Department of Consumer Protection may suspend or revoke
595 a certificate granted or issued by it pursuant to this section if the holder
596 of such certificate is convicted of a felony that is reasonably related to
597 the holder's ability to safely or competently perform work under such
598 certificate, is grossly incompetent, engages in malpractice or unethical
599 conduct or knowingly makes false, misleading or deceptive
600 representations regarding his work. Prior to such suspension or
601 revocation, such holder shall be given notice and an opportunity for
602 hearing as provided in regulations adopted by the Commissioner of
603 Consumer Protection. Any person whose certificate has been suspended
604 may, after ninety days, apply to the department to have such certificate
605 reinstated.

606 Sec. 19. Subsection (a) of section 22a-66e of the general statutes is
607 repealed and the following is substituted in lieu thereof (*Effective October*
608 *1, 2021*):

609 (a) The grounds for denial, revocation or suspension of a registration
610 shall include, but not be limited to:

611 (1) Violation of any provision of this chapter, as amended, or any
612 regulation, permit, certificate, registration or order adopted,
613 administered or issued pursuant thereto;

614 (2) Inclusion of false or misleading information in an application or
615 failure to notify the commissioner of a change as required by section
616 22a-66c;

617 (3) Inclusion of false or misleading information in records required to
618 be maintained pursuant to section 22a-66g, the failure to maintain such
619 records, or the failure to provide the commissioner with the records
620 required by said section;

621 (4) Use of a pesticide in a manner inconsistent with the registered
622 labeling or with state or federal restrictions on the use of such pesticide;

623 (5) Application of pesticides generally known in the trade to be
624 ineffective or improper for the intended use;

625 (6) Operation of faulty or unsafe equipment which may result in
626 improper application or harm to the environment, the applicator or
627 others from the pesticide;

628 (7) Application of a pesticide in a faulty, careless or negligent manner;

629 (8) Aiding or abetting a certified or uncertified person to evade the
630 provisions of this chapter, as amended, or any regulation, permit,
631 certificate, registration or order adopted, administered or issued
632 pursuant thereto;

633 (9) The making of a false or misleading statement during an
634 inspection or investigation concerning an infestation of pests, an
635 accident in applying a pesticide, misuse of a pesticide, or violation of a
636 statute, regulation, certificate, registration or order;

637 (10) The performance of work, whether or not for compensation, in a
638 category for which the applicator is not certified; and

639 (11) The conviction of the applicant or owner of a pesticide
640 application business of a felony, as defined in section 53a-25, that is
641 reasonably related to the applicant's or owner's ability to safely or
642 competently perform work under such registration.

643 Sec. 20. Subsection (c) of section 23-61i of the general statutes is
644 repealed and the following is substituted in lieu thereof (*Effective October*
645 *1, 2021*):

646 (c) The grounds for denial, revocation or suspension of a certificate of
647 registration shall include the following:

648 (1) Violation of any provision of this chapter or chapter 441 or any
649 regulation, permit, certificate, registration or order adopted, issued or
650 administered or issued pursuant to this chapter and chapter 441;

651 (2) Inclusion of false or misleading information in an application or
652 the failure to notify the commissioner of a change, as required by section
653 23-61h;

654 (3) Inclusion of false or misleading information in records required to
655 be maintained pursuant to section 23-61k, or the failure to maintain such
656 records or provide the commissioner with the records required by
657 section 23-61k;

658 (4) Use of a pesticide in a manner inconsistent with the registered
659 labeling or with state or federal restrictions on the use of such pesticide;

660 (5) Application of pesticides generally known in the trade to be
661 ineffective or improper for the intended use;

662 (6) Operation of faulty or unsafe equipment which may result in
663 improper pesticide application or harm to the environment, a worker or
664 other persons;

665 (7) Application of a pesticide or performance of arboriculture in a
666 faulty, careless or negligent manner;

667 (8) Aiding or abetting a licensed or unlicensed person to evade the
668 provisions of this chapter or chapter 441 or any regulation, permit,
669 certificate, registration or order adopted, issued or administered
670 pursuant to this chapter and chapter 441;

671 (9) The making of a false or misleading statement during an
672 inspection or investigation concerning an infestation of pests, an
673 accident in applying a pesticide, misuse of a pesticide, or violation of a
674 statute, regulation, certificate, registration or order;

675 (10) The performance of arboriculture which does not meet generally
676 accepted industry standards;

677 (11) The performance of work, whether or not for compensation, in a
678 category for which the arborist is not certified; and

679 (12) The conviction of the applicant of a felony, as defined in section
680 53a-25, that is reasonably related to the applicant's ability to safely or
681 competently perform work under such certification.

682 Sec. 21. Section 29-158 of the general statutes is repealed and the
683 following is substituted in lieu thereof (*Effective October 1, 2021*):

684 Any license or registration issued under the provisions of sections 29-
685 153 to 29-161, inclusive, may be suspended or revoked by the
686 commissioner, after giving notice and an opportunity to be heard to the
687 licensee or registrant when the commissioner finds that the licensee or
688 registrant has: (1) Violated any of the terms or provisions of sections 29-
689 153 to 29-161, inclusive, or any of the regulations adopted thereunder;
690 (2) practiced fraud, deceit or misrepresentation in dealing with the
691 clients of the licensee or registrant; (3) made a material misstatement in
692 the application for issuance of such license or registration, or, in the case
693 of a licensee, in the application for renewal of such license; (4)
694 demonstrated incompetence or untrustworthiness in the conduct of the
695 business; or (5) been convicted of a felony or other crime involving
696 moral turpitude, that is reasonably related to the licensee's or
697 registrant's ability to safely or competently perform work under such
698 license or registration. If the licensee or registrant has been convicted
699 under section 53a-61 or 53a-62, the commissioner shall consider the facts
700 and circumstances surrounding such conviction prior to suspending or
701 revoking the license or registration. Any party aggrieved by an order of
702 the commissioner under the provisions of this section may appeal
703 therefrom in accordance with the provisions of section 4-183, except the
704 venue for such appeal shall be the judicial district of New Britain.

705 Sec. 22. Section 29-161v of the general statutes is repealed and the
706 following is substituted in lieu thereof (*Effective October 1, 2021*):

707 Any license for a security service or security officer or approval as a
708 security officer instructor may be suspended or revoked by the
709 Commissioner of Emergency Services and Public Protection, provided
710 notice shall have been given to the licensee or instructor to appear before

711 the commissioner to show cause why the license or approval should not
712 be suspended or revoked, upon a finding by the commissioner that: (1)
713 The licensee has violated any of the terms or provisions of sections 29-
714 161g to 29-161x, inclusive, or in the case of an instructor, section 29-161q,
715 or any of the regulations adopted pursuant to section 29-161x; (2) the
716 licensee or instructor has practiced fraud, deceit or misrepresentation;
717 (3) the licensee or instructor has made a material misstatement in the
718 application for issuance or renewal of the license or approval; (4) the
719 licensee or instructor has demonstrated incompetence or
720 untrustworthiness in the conduct of the business; or (5) the licensee or
721 instructor has been convicted of a felony that is reasonably related to the
722 licensee's or instructor's ability to safely or competently perform work
723 under such license approval or [other] a crime affecting the licensee's or
724 instructor's honesty, integrity or moral fitness. Any party aggrieved by
725 an order of the commissioner under this section may appeal therefrom
726 in accordance with the provisions of section 4-183, except the venue for
727 such appeal shall be the judicial district of New Britain.

728 Sec. 23. Subsection (a) of section 30-47 of the general statutes is
729 repealed and the following is substituted in lieu thereof (*Effective October*
730 *1, 2021*):

731 (a) The Department of Consumer Protection may, in its discretion,
732 suspend, revoke or refuse to grant or renew a permit for the sale of
733 alcoholic liquor if it has reasonable cause to believe: (1) That the
734 applicant or permittee appears to be financially irresponsible or neglects
735 to provide for his family, or neglects or is unable to pay his just debts;
736 (2) that the applicant or permittee has been provided with funds by any
737 wholesaler or manufacturer or has any forbidden connection with any
738 other class of permittee as provided in this chapter; (3) that the applicant
739 or permittee is in the habit of using alcoholic beverages to excess; (4) that
740 the applicant or permittee has wilfully made any false statement to the
741 department in a material matter; (5) that the applicant or permittee has
742 been convicted of violating any of the liquor laws of this or any other
743 state or the liquor laws of the United States or has been convicted of a
744 felony, as such term is defined in section 53a-25, that is reasonably

745 related to the holder's ability to safely or competently perform the duties
 746 associated with such permit, or has such a criminal record that the
 747 department reasonably believes he is not a suitable person to hold a
 748 permit, provided no refusal shall be rendered under this subdivision
 749 except in accordance with the provisions of sections 46a-80 and 46a-81;
 750 (6) that the applicant or permittee has not been delegated full authority
 751 and control of the permit premises and of the conduct of all business on
 752 such premises; or (7) that the applicant or permittee has violated any
 753 provision of this chapter or any regulation adopted under this chapter.
 754 Any backer shall be subject to the same disqualifications as provided in
 755 this section in the case of an applicant for a permit or a permittee.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	New section
Sec. 2	<i>October 1, 2021</i>	19a-14(a)
Sec. 3	<i>October 1, 2021</i>	19a-17(a)
Sec. 4	<i>October 1, 2021</i>	20-195p
Sec. 5	<i>October 1, 2021</i>	20-195ee
Sec. 6	<i>October 1, 2021</i>	20-195qqq
Sec. 7	<i>October 1, 2021</i>	20-206s
Sec. 8	<i>October 1, 2021</i>	20-265b(i)
Sec. 9	<i>October 1, 2021</i>	20-265c(i)
Sec. 10	<i>October 1, 2021</i>	20-265d(i)
Sec. 11	<i>October 1, 2021</i>	20-281a(a)
Sec. 12	<i>October 1, 2021</i>	20-294
Sec. 13	<i>October 1, 2021</i>	20-334(c)
Sec. 14	<i>October 1, 2021</i>	20-341gg(b)
Sec. 15	<i>October 1, 2021</i>	20-363
Sec. 16	<i>October 1, 2021</i>	20-442a
Sec. 17	<i>October 1, 2021</i>	20-481
Sec. 18	<i>October 1, 2021</i>	20-540(i)
Sec. 19	<i>October 1, 2021</i>	22a-66e(a)
Sec. 20	<i>October 1, 2021</i>	23-61i(c)
Sec. 21	<i>October 1, 2021</i>	29-158
Sec. 22	<i>October 1, 2021</i>	29-161v
Sec. 23	<i>October 1, 2021</i>	30-47(a)

Statement of Purpose:

To require a study of manager salaries and to require that the refusal, suspension or revocation of certain licenses, registrations or certificates required for certain occupations not be automatic based on conviction of a felony, but only felonies reasonably related to the holder's ability to perform work safely and competently.

[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.]