



General Assembly

February Session, 2024

Substitute Bill No. 365



**AN ACT CONCERNING SAFETY IN THE HEALTH CARE
WORKFORCE.**

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

1 Section 1. (NEW) (*Effective October 1, 2024*) (a) Any hospital, chronic
2 disease hospital, nursing home, behavioral health facility, multicare
3 institution or psychiatric residential treatment facility, as those terms are
4 defined in section 19a-490 of the general statutes, which receives
5 reimbursement for services rendered under the medical assistance
6 program, shall adopt and implement the workplace violence prevention
7 standards that apply to all Joint Commission-accredited hospitals and
8 critical access hospitals.

9 (b) The Commissioner of Social Services shall require any institution
10 listed in subsection (a) of this section to provide evidence of adoption
11 and implementation of the workplace violence prevention standards
12 that apply to all Joint Commission-accredited hospitals and critical
13 access hospitals in order to obtain reimbursement for services provided
14 under the medical assistance program.

15 (c) The commissioner may provide a rate enhancement under the
16 medical assistance program for institutions listed in subsection (a) of
17 this section for timely reporting of any workplace violence incident. For
18 purposes of this section, "timely reporting" means reporting such
19 incident not later than seven calendar days after its occurrence to the

20 Department of Social Services and the Department of Public Health.

21 Sec. 2. (NEW) (*Effective October 1, 2024*) (a) Any home health care
22 agency, home health aide agency, assisted living services agency,
23 hospice agency, residential care home or residential facility for a person
24 with intellectual disability, as those terms are defined in section 19a-490
25 of the general statutes, which receives reimbursement for services
26 rendered under the medical assistance program, shall adopt and
27 implement the health and safety training curriculum for home care
28 workers endorsed by the Centers for Disease Control and Prevention's
29 National Institute for Occupational Safety and Health and the federal
30 Occupational Safety and Health Administration, including, but not
31 limited to, training to recognize hazards commonly encountered in
32 home care workplaces and applying practical solutions to manage risks
33 and improve safety.

34 (b) The Commissioner of Social Services shall require any agency,
35 home or facility listed in subsection (a) of this section to provide
36 evidence of adoption and implementation of such health and safety
37 training curriculum, or, at the commissioner's discretion, an alternative
38 workplace safety training program applicable to such agency, home or
39 facility, in order to obtain reimbursement for services provided under
40 the medical assistance program.

41 (c) The commissioner may provide a rate enhancement under the
42 medical assistance program for any agency, home or facility listed in
43 subsection (a) of this section for timely reporting of any workplace
44 violence incident. For purposes of this section, "timely reporting" means
45 reporting such incident not later than seven calendar days after its
46 occurrence to the Department of Social Services and the Department of
47 Public Health.

48 Sec. 3. Subsection (a) of section 17b-242 of the 2024 supplement to the
49 general statutes is repealed and the following is substituted in lieu
50 thereof (*Effective from passage*):

51 (a) The Department of Social Services shall determine the rates to be
52 paid to home health care agencies and home health aide agencies by the
53 state or any town in the state for persons aided or cared for by the state
54 or any such town. The Commissioner of Social Services shall establish a
55 fee schedule for home health services to be effective on and after July 1,
56 1994. The commissioner may annually modify such fee schedule if such
57 modification is needed to ensure that the conversion to an
58 administrative services organization is cost neutral to home health care
59 agencies and home health aide agencies in the aggregate and ensures
60 patient access. Utilization may be a factor in determining cost neutrality.
61 The commissioner shall increase the fee schedule for home health
62 services provided under the Connecticut home-care program for the
63 elderly established under section 17b-342, effective July 1, 2000, by two
64 per cent over the fee schedule for home health services for the previous
65 year. On and after January 1, 2024, the commissioner shall increase the
66 fee schedule for complex care nursing services provided to individuals
67 over the age of eighteen such that the rate of reimbursement is equal to
68 the rate for such services provided to individuals age eighteen and
69 under. There shall be no differential in fees paid for such services based
70 on the age of the patient. The commissioner may increase any fee
71 payable to a home health care agency or home health aide agency upon
72 the application of such an agency evidencing extraordinary costs related
73 to (1) serving persons with AIDS; (2) high-risk maternal and child health
74 care; or (3) [escort services; or (4)] extended hour services. On and after
75 July 1, 2024, the commissioner shall increase the fee payable to a home
76 health care agency or home health aide agency that provides escorts for
77 safety purposes to staff conducting a home visit. In no case shall any rate
78 or fee exceed the charge to the general public for similar services. A
79 home health care agency or home health aide agency which, due to any
80 material change in circumstances, is aggrieved by a rate determined
81 pursuant to this subsection may, within ten days of receipt of written
82 notice of such rate from the Commissioner of Social Services, request in
83 writing a hearing on all items of aggrievement. The commissioner shall,
84 upon the receipt of all documentation necessary to evaluate the request,
85 determine whether there has been such a change in circumstances and

