



General Assembly

Substitute Bill No. 1075

January Session, 2023



AN ACT CONCERNING HOSPICE AND PALLIATIVE CARE.

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

- 1 Section 1. (NEW) (*Effective July 1, 2023*) (a) As used in this section:
- 2 (1) "Telehealth" means the mode of delivering health care or other
3 health services via information and communication technologies to
4 facilitate the diagnosis, consultation and treatment, education, care
5 management and self-management of a patient's physical and mental
6 health, and includes (A) interaction between the patient at the
7 originating site and the telehealth provider at a distant site, and (B)
8 synchronous interactions, asynchronous store and forward transfers or
9 remote patient monitoring. Telehealth does not include the use of
10 facsimile, audio-only telephone, texting or electronic mail;
- 11 (2) "Physician" means a physician licensed pursuant to chapter 370
12 of the general statutes;
- 13 (3) "Advanced practice registered nurse" means an advanced
14 practice registered nurse licensed pursuant to chapter 378 of the
15 general statutes;
- 16 (4) "Registered nurse" means a registered nurse licensed pursuant to
17 chapter 378 of the general statutes; and

18 (5) "Personal emergency response system" means a twenty-four-
19 hour-per-day electronic alarm system placed in a patient's home that
20 enables the patient to obtain immediate help in case of an emergency.

21 (b) Not later than January 1, 2024, the Department of Public Health
22 shall establish, in collaboration with a hospital in the state and the
23 Department of Social Services, a Hospice Hospital at Home pilot
24 program to provide hospice care to patients in the home through a
25 combination of in-person visits and telehealth. The pilot program shall
26 provide the following to such patients:

27 (1) A daily telehealth visit by a physician or an advanced practice
28 registered nurse that the patient may attend using the patient's
29 computer or mobile device or, if the patient does not have access to a
30 computer or mobile device in the home, using a tablet provided
31 through the program;

32 (2) In-person visits by a registered nurse at least twice daily, or more
33 frequently if necessary, as determined by a physician or an advanced
34 practice registered nurse treating the patient;

35 (3) A personal emergency response system;

36 (4) Remote monitoring of the patient by physicians, advanced
37 practice registered nurses and registered nurses participating in the
38 pilot program, provided the patient and each person residing with the
39 patient consent to such monitoring; and

40 (5) Telephone access to an on-call physician or advanced practice
41 registered nurse if the patient, the patient's caregiver or any person
42 residing with the patient has any immediate questions or concerns
43 regarding the patient's condition.

44 Sec. 2. (NEW) (*Effective October 1, 2023*) (a) As used in this section:

45 (1) "Advanced practice registered nurse" means an advanced
46 practice registered nurse licensed pursuant to chapter 378 of the

47 general statutes;

48 (2) "Registered nurse" means a registered nurse licensed pursuant to
49 chapter 378 of the general statutes;

50 (3) "Hospice care program" means a program to provide hospice
51 services operated by an organization licensed by the Department of
52 Public Health to provide hospice home care services pursuant to
53 section 19a-122b of the general statutes;

54 (4) "Supervision" means the overseeing of the work of a registered
55 nurse through the continuous availability of direct communication
56 between the registered nurse and a licensed physician;

57 (5) "Physician" means a physician licensed pursuant to chapter 370
58 of the general statutes;

59 (6) "Infusion" means the administration of intravenous fluid or
60 medication given over a period of time; and

61 (7) "Intravenous push" means the administration of intravenous
62 medication rapidly through an injection with a syringe in the
63 intravenous line.

64 (b) An advanced practice registered nurse who is providing hospice
65 care through a hospice care program may administer fluids or
66 medications intravenously to a patient, including, but not limited to,
67 by performing an infusion or an intravenous push. A registered nurse
68 who is providing hospice care through a hospice care program may,
69 under the supervision of a physician, administer fluids or medications
70 intravenously to a patient, including, but not limited to, by performing
71 an infusion or an intravenous push.

72 Sec. 3. (NEW) (*Effective January 1, 2024*) (a) As used in this section,
73 "hospice care program" has the same meaning as provided in section 2
74 of this act.

75 (b) Each individual health insurance policy providing coverage of
76 the type specified in subdivisions (1), (2), (4), (11) and (12) of section
77 38a-469 of the general statutes delivered, issued for delivery, renewed,
78 amended or continued in this state shall provide coverage for hospice
79 services provided to an insured in the home through a hospice care
80 program, to the extent coverage is provided for inpatient hospice
81 services in a hospital. Such coverage shall be subject to the same terms
82 and conditions applicable to all other benefits under such policy.

83 (c) No such policy shall exclude a hospice service for coverage solely
84 because such hospice service is provided in the home and not at a
85 hospital, provided hospice care in the home is appropriate for the
86 insured.

87 (d) Nothing in this section shall prohibit or limit a health insurer,
88 health care center, hospital service corporation, medical service
89 corporation or other entity from conducting utilization review for in-
90 home hospice services, provided such utilization review is conducted
91 in the same manner and uses the same clinical review criteria as a
92 utilization review for the same hospice services provided in a hospital.

93 Sec. 4. (NEW) (*Effective January 1, 2024*) (a) As used in this section,
94 "hospice care program" has the same meaning as provided in section 2
95 of this act.

96 (b) Each group health insurance policy providing coverage of the
97 type specified in subdivisions (1), (2), (4), (11) and (12) of section 38a-
98 469 of the general statutes delivered, issued for delivery, renewed,
99 amended or continued in this state shall provide coverage for hospice
100 services provided to an insured in the home through a hospice care
101 program, to the extent coverage is provided for inpatient hospice
102 services in a hospital. Such coverage shall be subject to the same terms
103 and conditions applicable to all other benefits under such policy.

104 (c) No such policy shall exclude a hospice service for coverage solely
105 because such service is provided in the home and not at a hospital,

106 provided hospice care in the home is appropriate for the insured.

107 (d) Nothing in this section shall prohibit or limit a health insurer,
 108 health care center, hospital service corporation, medical service
 109 corporation or other entity from conducting utilization review for an
 110 in-home hospice services, provided such utilization review is
 111 conducted in the same manner and uses the same clinical review
 112 criteria as a utilization review for the same hospice services provided
 113 in a hospital.

114 Sec. 5. (*Effective from passage*) The Commissioner of Social Services
 115 may apply for a Medicaid research and demonstration waiver under
 116 Section 1115 of the Social Security Act, as amended from time to time,
 117 to provide Medicaid reimbursement for hospice services provided
 118 under the Hospice Hospital at Home pilot program established
 119 pursuant to section 1 of this act at the same level the commissioner
 120 provides Medicaid reimbursement for hospice services provided to
 121 patients in a hospital setting.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2023</i>	New section
Sec. 2	<i>October 1, 2023</i>	New section
Sec. 3	<i>January 1, 2024</i>	New section
Sec. 4	<i>January 1, 2024</i>	New section
Sec. 5	<i>from passage</i>	New section

Statement of Legislative Commissioners:

In Section 5, "Hospital Hospice at Home" was changed to "Hospice Hospital at Home", for accuracy.

PH *Joint Favorable Subst.*