

<b>Act Number</b>	<b>Session</b>	<b>Bill Number</b>	<b>Total Number of Committee Pages</b>	<b>Total Number of House Pages</b>	<b>Total Number of Senate Pages</b>
PA 71-304		6371	2	4	2
<u>Committee Pages:</u> <ul style="list-style-type: none"> <li><i>Judiciary 416-417</i></li> </ul>				<u>House Pages:</u> <ul style="list-style-type: none"> <li>2336- 2339</li> </ul>	<u>Senate Pages:</u> <ul style="list-style-type: none"> <li>1941- 1942</li> </ul>

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**CONNECTICUT  
GENERAL ASSEMBLY  
HOUSE**

**PROCEEDINGS  
1971**

**VOL. 14  
PART 5  
1968-2502**

Monday, May 10, 1971

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of the bill.

THE SPEAKER:

Will you remark further on the bill? If not, the question is on acceptance and passage. All those in favor indicate by saying aye. Opposed?

The bill is PASSED.

THE CLERK:

Calendar No. 258, H.B. No. 6592, An Act Concerning the Compensation of Legislative Employees.

MR. HANNON (16th):

Mr. Speaker, may this bill be passed temporarily, sir?

THE SPEAKER:

So ordered.

THE CLERK:

Page 5, Calendar No. 487, Substitute for H.B. 78--correction, that was passed retaining.

On page 6, middle of the page, Calendar No. 652, Substitute for H.B. No. 6371, An Act Enabling Certain Minors to Consent to Medical, Dental, Health and Hospital Services.

THE SPEAKER:

At this time, before proceeding, I'd like to invite to preside a gentleman who has the longest number of terms and the maximum amount of seniority and yes respect for my judgment on the Republican side of the aisle, a distinguished representative, a former Chairman of the Committee on Roads and Bridges, a good friend of all of us, the Honorable Gennaro Frate.

REP. FRATE OF THE 150TH IN THE CHAIR.

MR. NEVAS (144th):

Mr. Speaker, the Clerk has an amendment.

THE CLERK:

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House Amendment Schedule "A", offered by Mr. Nevas of the 144th.

Add Sec. 3, as follows: "Sec. 3. Any such minor who has given effective consent as provided in sections 1 and 2 shall be legally liable for any fees, costs or expenses incurred as a result of the rendering of any such service."

MR. FRATE:

Will you remark on the amendment?

MR. NEVAS (144th):

Mr. Speaker, this amendment is quite plain I think. What it does in effect is to say to any person qualifying under this bill who gives their consent for any treatment provided for, it makes them liable for any fees or expenses that are incurred in connection with the treatment given to them, which I think makes sense. These people are to be treated as adults, as I would agree that they should be, and they should have the right to give their consent but on the other hand, they should assume the responsibility and liability for their actions and this amendment, I think, does that.

MR. FRATE:

The gentleman from the 144th, do you move the adoption of the amendment?

MR. NEVAS (144th):

I move the adoption of the amendment. I am sorry, Mr. Speaker.

MR. FRATE:

Question is on the adoption. Further remarks on the amendment? If not, all those in favor of the amendment, please say aye. Opposed, no. The amendment is ADOPTED. I rule the amendment technical so we can proceed on with the bill.

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MR. NEVAS (144th):

Mr. Speaker, I move the adoption of the Joint Committee's favorable report and passage of the bill, as amended.

MR. FRATE:

Question is on acceptance of the bill as amended. Are there any further remarks?

MR. NEVAS (144th):

Mr. Speaker, as I indicated in my remarks on the amendment, this bill would give to 18 year olds the right in effect to contract for health, medical and dental services and hospital services and also would permit them to consent to transplants. I think this accords with the trend toward giving 18 year olds increased responsibility and treating them as adults and I support the bill and would urge it's passage.

MR. FRATE:

Are there further remarks?

MRS. GRISWOLD (109th):

Mr. Speaker, I rise to concur with Mr. Nevas' hope that this bill will pass. I think it's a good bill. It was presented by the Hospital Association of the state and it has my name on it. I hope it will pass. Thank you.

MR. FRATE:

Further remarks?

MR. KING (48th):

Mr. Speaker, without in anyway otherwise detracting from the bill, I would point out an error, it seems to me an error, in the final paragraph, section 2. That states that any minor who has been married or who has borne a child may give effective consent to medical, dental, health and

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hospital services for his or her child. It would seem to me that there is some misunderstanding there and purely for the legislative history, may I ask the introducer of the legislation to indicate clearly that this would apply both to the father and to the mother of the child referred to in that paragraph.

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MRS. GRISWOLD (109th):

Mr. Speaker, this would apply, I believe both, I know both to the father and to the mother, through you to the questioner.

MR. FRATE:

Any further remarks? Question is on the bill as amended. All those in favor of the bill as amended, say aye. Opposed, no. The bill is PASSED.

THE CLERK:

Bottom of page 6, Calendar No. 687, Substitute for H.B. No. 8716, An Act Concerning Mandate for Construction of Sewer Project or Disposal Plant Project, File No. 635.

MR. MILLER (156th):

Mr. Speaker, the Clerk has an amendment. Will the Clerk please read the amendment? Mr. Speaker, in the interest of saving time, could I move that we waive the reading of the amendment?

THE CLERK:

House Amendment Schedule "A" offered by Mr. Stevens of the 122nd, the reading is waived.

MR. MILLER (156th):

Mr. Speaker, I move the adoption of the amendment.

MR. FRATE:

Question is on the adoption of the amendment. Remarks?

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SENATE

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THE CHAIR:

The question is on passage of the bill. Will you remark further? If not all those in favor of passage signify by saying aye.? Opposed nay. The ayes have it. The bill is passed.

THE CLERK:

Cal. 675, File 599 Favorable report joint standing committee on Judiciary on Substitute H.B. 6371 An Act Enabling Certain Minors to Consent to Medical, Dental, Health and Hospital Services.

THE CHAIR:

Senator Caldwell.

SENATOR CALDWELL:

Mr. President, I move the acceptance of the joint committee's favorable report and passage of the bill.

THE CHAIR:

Will you remark?

SENATOR CALDWELL:

The bill merely allows minors over 18 to give consent to medical treatment. And allows a minor parent who is married to give medical consent for his child. And as I recall reading the bill it also makes the child responsible even though he is a minor for payment of the bill. I urge its adoption.

THE CHAIR:

The question is on passage. Will you remark further?

SENATOR IVES:

Mr. President, I rise to support the bill. And I just simply inquire from the Senator from the 23rd, if this is the forerunner of giving full rights to the 18 year olds. And making them responsible?

SENATOR CALDWELL:

Thats your field Senator Ives.

SENATOR IVES:

Including drinking.

THE CHAIR:

The question is on passage of the bill. Will you remark

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further? If not all those in favor of passage signify by saying aye. AYE. Opposed nay? The ayes have it. The bill is passed.

THE CLERK:

Cal. 680, File 667, Favorable report joint standing committee on the Environment on H.B. 8303 An Act Concerning the Faccination of Imported Cattle.

THE CHAIR:

Senator Pac.

SENATOR PAC:

Mr. President, I move acceptance of the joint committee's favorable report and passage of the bill as amended, by House Amendment Sch. A.

THE CHAIR:

Will you remark?

SENATOR PAC:

All cattle that are imported into this state have to be vaccinated. However, the farmers are having a difficult time restocking their herds. Most of the states around us are actually in the country there are only two or three that require vaccination. So this bill would permit the import of any cows that are over six months of age. Or any bulls over seven months of age. Providing they have had a blood test within 30 days of the import. And it has a second section that permits the veterenarian that are employed by the Department of Agriculture, they are not accredited in the state, but they are certainly certified as far as their duties are concerned to conduct this test.

THE CHAIR:

The question is on passage. Will you remark further? If not all those in favor signify by saying aye. AYE. Opposed nay? The ayes have it. The bill is passed.

THE CLERK:

Cal. 681, File 635. Favorable report joint standing committee on Environment Substitute H.B. 8716 An Act Concerning Mandate for Construction of Sewer Project or Disposal Plant Project.

**JOINT  
STANDING  
COMMITTEE  
HEARINGS**

**JUDICIARY**

**PART 2  
393-688**

**1971**

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THURSDAY

JUDICIARY COMMITTEE

FEBRUARY 25, 1971

Rep. Carrozzella: File it with the secretary, please. I have on the list Mr. Tyler, or Mr. Tilson - I assume one or the other is going to testify.

Mr. Tilson: I am John G. Tilson, Council for the Connecticut Hospital Association and we have two or three Bills that are of direct interest to the Association and I understand that I can talk about them all at one time, is that correct?

The first is on page 14 of today's bulletin - H.B. #6653 - sorry, page 12 - #6371.

H.B. #6371 - AN ACT CONCERNING ENABLING CERTAIN MINORS TO CONSENT TO MEDICAL, DENTAL, HEALTH, AND HOSPITAL SERVICES, DECLARING CONSENT UNNECESSARY UNDER CERTAIN CIRCUMSTANCES.

The Bill that is before you is essentially a duplicate of a Bill passed by the State of Pennsylvania in its last Legislative Session and it, for the purposes of consent to medical and hospital care in effect drops the age to 18. This is not a matter that is of no importance to hospitals.

There is a large group of patients at the ages of 18, 19 and 20 that come to our various hospitals, frequently they do not wish their parents to know that they have in a minor automobile accident. For one reason or another they have objections - strenuous objections to letting their families know. The hospital calls me up and I say, well if any are emancipated they could give consent and then the hospital administrator says, well, how do I know whether he is emancipated and I say, well, there are certain tests and fit it in as best you can.

It is a very unsatisfactory system and the problem apparently is becoming more acute so we think that the Bill that was passed by the State of Pennsylvania handles the subject about as effectively as it can be done. Now there are Bills before the legislation, a number of other bills that touch on the same manner. Public health and safety had one this morning that allowed minors to consent to blood transfusions which I think would be a good thing but it would not be necessary if this bill passed and I see someone has introduced a bill making 18 the age of consent for all purposes. Of course, if that passes, we do not need this one, but this one is a matter of really considerable importance to our institutions and we think in view of the changes in the mores of our time, that it would be highly advisable to get the age down to 18 for care.

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Of course, if it is an emergency, they get the care whether they get consent or not, but you then get in a serious problem of what is emergency so all in all it would appear highly desirable to give this right to the person who is 18, 19, and 20 or who is married, this solves a problem - it is a married minor emancipated - this Bill would take care of those problems and would be a considerable help to our hospitals.

S.B. #137 - AN ACT CONCERNING CONSENT TO AUTOPSIES.

Now the second one is S.B. #137 introduced by Senator Rimer on the question of oral consent to autopsies. The present law provides that consent to autopsies may be given in writing or by telegram. It has been a considerable problem for a number of hospitals who have talked to members of the family in other states and gotten permission for an autopsy and then you have to say, well, would you mind sending me a confirming telegram. This adds an unnecessary expense, it is somewhat degrading under the circumstances and it has been a matter of considerable problem to us.

Now, at the last session of the legislature, your Committee brought out Anatomical Act which contains provisions for consent by telephone and it seems inconsistent to say that the family consented to the transplanting of all of one's organs but cannot consent by telephone to the performance of an autopsy.

Now there is another Bill on the same subject which was heard by Public Health and Safety this morning - they said they would be glad to yield to you people on the subject not to make my speech twice. The bill is #6384 and since I drew this one, I think it is a touch better than S.B. #127 and it does contain a provision that a record must be made of any oral consent by telephone and I would just like to submit it to the clerk with the suggestion that possible it be used as a substitute for S.B. #137.

Considering two lawyers drew these pieces of legislation, totally apart from each other, they are remarkably similar and as I say, I have reason of personal pride of authorship - page 6384 is a trifle the better bill and it does have this extra protection about keeping a record.

There is one more which is not a hospital association bill but which we support but I am sure there will be a representative of the medical society here to speak in favor of it and this is S.B. #897 introduced by Senator Finney.