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CONNECTICUT  
GEN. ASSEMBLY  
HOUSE

PROCEEDINGS  
1998

VOL. 41  
PART 3  
678-1059

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House of Representatives

Wednesday, April 8, 1998

Thank you, Mr. Speaker, I do understand. I  
request that that be referred to the Committee on  
Energy and Technology.

SPEAKER RITTER:

It will be so ordered, Madam.

Clerk, please call Calendar 210.

CLERK:

On page 10, Calendar 210, Substitute for House  
Bill Number 5618, AN ACT REQUIRING PERSONAL  
RESPONSIBILITY BY BARRING CERTAIN CIVIL ACTIONS FOR  
INDIVIDUALS WHO VIOLATE THE LAW. Favorable Report of  
the Committee on Insurance.

SPEAKER RITTER:

Representative Stillman.

REP. STILLMAN: (38TH)

Thank you, Mr. Speaker. I move that that be  
referred to the Judiciary Committee.

SPEAKER RITTER:

So ordered.

Clerk, please call Calendar 211.

CLERK:

On page 10, Calendar 211, Substitute for House  
Bill Number 5593, AN ACT CONCERNING CHARGES AGAINST A  
VETERINARIAN. Favorable Report of the Committee on  
Public Health.

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House of Representatives

Wednesday, April 8, 1998

SPEAKER RITTER:

Representative Stillman.

REP. STILLMAN: (38TH)

Thank you, Mr. Speaker. I move that that be referred to the Judiciary Committee.

SPEAKER RITTER:

It will be so ordered.

Clerk, please call Calendar 212.

CLERK:

On page 10, Calendar 212, Substitute for House Bill Number 5599, AN ACT CONCERNING THE SOUTHWEST CORRIDOR. Favorable Report of the Committee on Transportation.

SPEAKER RITTER:

Representative Stillman.

REP. STILLMAN: (38TH)

Thank you, Mr. Speaker. I move that that be referred to the Committee on Government Administration and Elections.

SPEAKER RITTER:

So ordered.

Clerk, please call Calendar 213.

CLERK:

On page 10, Calendar 213, House Bill Number 5587, AN ACT CONCERNING WAGE PAYMENTS AND NON-CERTIFIED

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House of Representatives

April 17, 1998

Committee on Appropriations H.B. No. 5054, Committee on  
Judiciary H.B. No. 5724, Committee on Planning and  
Development H.B. No. 5535, Committee on Judiciary H.B.  
No. 5709, Committee on Appropriations H.B. No. 5404,  
Committee on Appropriations H.B. No. 5437, Committee on  
Government Administration and Elections H.B. No. 5332,  
Committee on Planning and Development H.B. No. 5679,  
Committee on Public Safety H.B. No. 5635, Committee on  
Planning and Development H.B. No. 5747, Committee on  
Government Administration and Elections H.B. No. 5614,  
Committee on Judiciary H.B. No. 5597, Committee on  
Government Administration and Elections H.B. No. 5593,  
Committee on Planning and Development H.B. No. 5551.

SPEAKER GERAGOSIAN:

Hearing no objection, so ordered.

THE CLERK:

Mr. Speaker, there's no further business on the Clerk's desk.

SPEAKER GERAGOSIAN:

Representative Fleischmann of the 18th District.

REPRESENTATIVE FLEISCHMANN: (18th)

Mr. Speaker, there being no further business on the Clerk's desk, I move that we adjourn subject to the Call of the Chair.

SPEAKER GERAGOSIAN:

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House of Representatives

April 30, 1998

roll call, members to the Chamber.

DEPUTY SPEAKER HYSLOP:

Have all members voted? If all members have voted, please check the machine, make sure your vote is properly recorded. The machine will be locked. Clerk will take a tally. Clerk will announce the tally.

THE CLERK:

HB5297, as amended by House A and B. Total number voting 136, necessary for passage 69. Those voting yea, 136, those voting nay 0, absent not voting 15.

DEPUTY SPEAKER HYSLOP:

Bill as amended passes.

Clerk, please call Calendar 211.

THE CLERK:

On page 25, Calendar 211, Substitute for HB5593,  
An Act Concerning Charges Against a Veterinarian.  
Favorable report of the Committee on Government  
Administration and Elections.

DEPUTY SPEAKER HYSLOP:

Representative McDonald.

REPRESENTATIVE McDONALD: (148th)

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

DEPUTY SPEAKER HYSLOP:

Question on acceptance and passage. Will you

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remark?

REPRESENTATIVE McDONALD: (148th)

Yes, Mr. Speaker.

What this bill does is give to veterinarians the same protections that we give to physicians. As the law is presently written, when people have charges against a veterinarians, they report it to the Department of Public Health. The Department has up until a year to decide whether to refer the charges to the Board of Veterinarian Medicine.

Meanwhile, every time a request is made is whether or not there's a charge against a veterinarian, they are saying yes many times over the telephone. Sometimes it takes the Board many years to resolve the charges.

Meanwhile, things are piling up with complaints and they're not processed. Some people are very, very, very emotional about their animals and if the veterinarian gives a shot at the wrong month and they complain and anything that goes wrong with --

DEPUTY SPEAKER HYSLOP:

Excuse me, Representative McDonald.

I would ask the Chamber come to order. I cannot hear Representative McDonald. I'd ask that you take your conversations outside of the Chamber. We would

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like to move as expeditiously as possible. We don't want to stay here all night.

Those of you who do, you are welcome to stay.

Representative McDonald.

REPRESENTATIVE McDONALD: (148th)

Meanwhile, the charges are building up and it can really ruin the veterinarian's reputation.

The bill also eliminates certain penalties which now only, of all the boards, the Veterinarian Board has for second -- first and second offenses, they have a three hundred and five hundred dollar charge and they put that up that the charge could be against them up to \$10,000. But eliminates the criminal -- one year of criminal activity penalty from the bill.

So I'm going to move adoption of this bill. But I -- the Clerk has LCO4648. Will he please call and I be allowed to summarize?

DEPUTY SPEAKER HYSLOP:

Clerk, please call LCO4648, be designated House A.

THE CLERK:

LCO4648, House A, offered by Representative Fritz and SanAngelo.

DEPUTY SPEAKER HYSLOP:

Representative McDonald has asked leave to summarize. With no objection, proceed.

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REPRESENTATIVE McDONALD: (148th)

I am reading from LCO --

DEPUTY SPEAKER HYSLOP:

Chamber will stand at ease. The other side does not have the copy of the amendment. Excuse me, Representative --

CHAMBER AT EASE

DEPUTY SPEAKER HYSLOP:

Chamber will come back to order.

Representative McDonald.

REPRESENTATIVE McDONALD: (148th)

Yes, Mr. Speaker.

I believe the Clerk already called 4648. And so I will now summarize.

This is completely a technical amendment from our steering committee and does nothing but change grammatical errors and commas and decimal points.

I move adoption.

DEPUTY SPEAKER HYSLOP:

Did you move adoption, Representative McDonald?

REPRESENTATIVE McDONALD: (148th)

I did move adoption.

DEPUTY SPEAKER HYSLOP:

Question on adoption of House A. Will you remark on House A? Will you remark on House A?

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If not, we'll try your minds. All those in favor  
-- all those in favor, signify by saying "aye".

ASSEMBLY:

Aye.

DEPUTY SPEAKER HYSLOP:

Those opposed, "no". The ayes have it. House A  
passes.

Will you remark further on the bill as amended?

REPRESENTATIVE McDONALD: (148th)

Yes, Mr. Speaker, the Clerk has LCO5502. Will he  
please call and I be allowed to summarize?

DEPUTY SPEAKER HYSLOP:

Clerk, please call LCO5502, be designated House B.  
And the Representative has asked leave to summarize.

THE CLERK:

LCO5502, House B, offered by Representative  
McDonald.

DEPUTY SPEAKER HYSLOP:

Representative McDonald.

REPRESENTATIVE McDONALD: (148th)

Yes, Mr. Speaker.

Mr. Speaker, this is an amendment that allows the  
Department of Public Health to issue no permit to  
certain officers in the Medical Officer Candidate  
School.

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What has happened is that military hospital at the submarine base is closing. The officers in that program have already finished college and medical school, and along with their training, they have to put in one full year in an acute care hospital before they enter their internship and residency.

Since the submarine base is closing at the hospital, they have arranged arrangements with a contract with Backus Hospital, that these medical officers -- I should say graduate of medical school, will be able to spend their year there in the acute care hospital.

It will also help Backus Hospital, in that it will give them some money that the base is paying to let their officers go there. This requires a permit from the Department of Public Health to do this and I move adoption.

DEPUTY SPEAKER HYSLOP:

Question on adoption of House B. Will you remark on House B? Representative Winkler.

REPRESENTATIVE WINKLER: (41st)

Thank you, Mr. Speaker.

Just rising in support of the amendment as Representative McDonald said, this is crucial for the Navy to allow their physicians clinical rotation at a

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hospital.

I urge the Chamber's support.

DEPUTY SPEAKER HYSLOP:

Will you remark further on House B? Remark further on House B?

If not, we'll try your minds. All those in favor, signify by saying "aye".

ASSEMBLY:

Aye.

DEPUTY SPEAKER HYSLOP:

Those opposed, "no".

ASSEMBLY:

No.

DEPUTY SPEAKER HYSLOP:

The ayes have it. House B is adopted.

Remark further on the bill as amended.

REPRESENTATIVE McDONALD: (148th)

Mr. Speaker, the Clerk has LC04647. Will he please call and I be allowed to summarize?

DEPUTY SPEAKER HYSLOP:

Clerk, please call LC05647 -- excuse me, 4647, be designated House C. And Representative has asked leave to summarize.

THE CLERK:

LC04647, House C, offered by Representative

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McDonald and Senator Harp.

DEPUTY SPEAKER HYSLOP:

Representative McDonald.

REPRESENTATIVE McDONALD: (148th)

Yes, Mr. Speaker.

DEPUTY SPEAKER HYSLOP:

Chamber -- excuse me --

REPRESENTATIVE McDONALD: (148th)

This amendment --

DEPUTY SPEAKER HYSLOP:

-- Representative McDonald. Chamber stand at ease.

CHAMBER AT EASE

DEPUTY SPEAKER HYSLOP:

Representative Godfrey.

REPRESENTATIVE GODFREY: (110th)

Mr. Speaker, it appears no copies of this amendment had been made. I would move that this item be passed temporarily.

DEPUTY SPEAKER HYSLOP:

Seeing no objection, passed temporary.

Chamber stand at ease.

CHAMBER AT EASE

DEPUTY SPEAKER HYSLOP:

The Chamber will come back to order.

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LCO46 -- excuse me. Clerk, please call Calendar  
211.

THE CLERK:

Page 25, Calendar 211, Substitute for HB5593, An  
Act Concerning Charges Against a Veterinarian.  
Favorable report of the Committee on Government  
Administration and Election. House Amendment Schedules  
A and B have been adopted. House C designated.

DEPUTY SPEAKER HYSLOP:

Representative McDonald.

REPRESENTATIVE McDONALD: (148th)

Yes. Mr. Speaker, this amendment allows the  
Commissioner of Public Health under present  
appropriations to conduct a study to --

DEPUTY SPEAKER HYSLOP:

Excuse me. Representative McDonald, would you ask  
-- move for --

REPRESENTATIVE McDONALD: (148th)

Excuse me.

DEPUTY SPEAKER HYSLOP:

-- acceptance and passage again, please? Move for  
acceptance and passage again, please.

REPRESENTATIVE McDONALD: (148th)

Oh, I'm sorry.

DEPUTY SPEAKER HYSLOP:

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Of the bill.

REPRESENTATIVE McDONALD: (148th)

Of the amendment?

DEPUTY SPEAKER HYSLOP:

Of the bill.

REPRESENTATIVE McDONALD: (148th)

Oh, I have to do it over again?

DEPUTY SPEAKER HYSLOP:

Yes, please.

REPRESENTATIVE McDONALD: (148th)

All right. I move adoption and passage of the bill.

DEPUTY SPEAKER HYSLOP:

Question on acceptance and passage of the bill.

Will you remark?

REPRESENTATIVE McDONALD: (148th)

Yes.

DEPUTY SPEAKER HYSLOP:

House C is before us now.

REPRESENTATIVE McDONALD: (148th)

All right. This authorizes the Commissioner of Public Health under available appropriations to conduct a study of the public of health of the nail stores that we have around the state and see whether or not there is any public health problems with those store and

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report to the committee in January 1st, 1999.

I move adoption.

DEPUTY SPEAKER HYSLOP:

Question on adoption of House C. Will you remark on House C? Representative Gyle

REPRESENTATIVE GYLE: (108th)

Mr. Speaker, I hope the Public Health Department has a lot better things to do with those available appropriations than inspect nail stores.

And if they don't, I can think of better ways for them to spend their money.

DEPUTY SPEAKER HYSLOP:

Will you remark further on House C? Will you remark further on House C?

If not, we'll try your minds. All those in favor, signify by saying "aye".

ASSEMBLY:

Aye.

DEPUTY SPEAKER HYSLOP:

Those opposed, "no".

ASSEMBLY:

No.

DEPUTY SPEAKER HYSLOP:

First I would ask the Chamber to come to order.

Try your minds again. All those in favor of House

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C, signify by saying "aye".

ASSEMBLY:

Aye.

DEPUTY SPEAKER HYSLOP:

Those opposed, "no".

ASSEMBLY:

No.

DEPUTY SPEAKER HYSLOP:

Chair's in doubt, the machine will be open.

THE CLERK:

The House of Representatives is voting by roll  
call, members to the Chamber. The House is voting  
House Amendment Schedule C by roll call, members to the  
Chamber.

DEPUTY SPEAKER HYSLOP:

Have all members voted? Have all members voted?

If all members have voted, please check the  
machine, make sure your vote is properly recorded. The  
machine will be locked and the Clerk will take a tally.  
Clerk will announce the tally.

THE CLERK:

House Amendment Schedule C for HB5593. Total  
number voting 140, necessary for adoption 71. Those  
voting yea, 93, those voting nay 47, absent not voting  
11.

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DEPUTY SPEAKER HYSLOP:

House C passes. Will you remark further on the bill as amended? Representative Roraback.

REPRESENTATIVE RORABACK: (64th)

Thank you, Mr. Speaker.

The Clerk has an amendment LC05230. Would the Clerk please call and may I be allowed to summarize?

DEPUTY SPEAKER HYSLOP:

Clerk, please call LC05230, be designated House D. And the Representative has asked leave to summarize.

THE CLERK:

LC05230, House D, offered by Representative Roraback and Senator Eads.

DEPUTY SPEAKER HYSLOP:

Representative Roraback.

REPRESENTATIVE RORABACK: (64th)

Thank you, Mr. Speaker.

This amendment simply clarifies and makes clear that there are reciprocal -- I move adoption, Mr. Speaker.

DEPUTY SPEAKER HYSLOP:

Question on adoption. Will you remark?

REPRESENTATIVE RORABACK: (64th)

This amendment simply clarifies reciprocal licensing privileges for barbers who have experience of

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40 years in a neighboring jurisdiction.

Thank you, Mr. Speaker.

DEPUTY SPEAKER HYSLOP:

Will you remark further on House D?

Representative McDonald.

REPRESENTATIVE McDONALD: (148th)

This is a friendly amendment. I encourage adoption.

DEPUTY SPEAKER HYSLOP:

Will you remark further on House D? Will you remark further on House D?

If not, we'll try your minds. All those in favor, signify by saying "aye".

ASSEMBLY:

Aye.

DEPUTY SPEAKER HYSLOP:

Those opposed, "no".

ASSEMBLY:

No.

DEPUTY SPEAKER HYSLOP:

House D is adopted. Will you remark further on the bill as amended?

REPRESENTATIVE B. FLAHERTY: (68th)

Mr. Speaker?

DEPUTY SPEAKER HYSLOP:

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Will you remark further on the bill as amended?

Representative Flaherty.

REPRESENTATIVE B. FLAHERTY: (68th)

Good evening, Mr. Speaker. Welcome to the sausage factory and the Christmas tree field.

The Clerk has -- and I love this bill, Mr. Speaker and I can make a good bill better.

The Clerk has an amendment, LC05225. Would he please call and I be permitted to summarize?

DEPUTY SPEAKER HYSLOP:

Clerk, please call LC05225, designated House E. And Representative has asked leave to summarize.

THE CLERK:

LC05225, House E, offered by Representatives Flaherty, Gerratana and Senator DeLuca.

DEPUTY SPEAKER HYSLOP:

Representative Flaherty.

REPRESENTATIVE B. FLAHERTY: (68th)

Thank you, Mr. Speaker.

Mr. Speaker, this amendment clarifies reciprocal licensing procedures for a massage therapist. And it corrects a part of the statute that makes it impossible, that makes it impossible for anyone from a foreign jurisdiction to follow the laws that we put in place last year.

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I move adoption.

DEPUTY SPEAKER HYSLOP:

Question on adoption of House E. Will you remark?

REPRESENTATIVE B. FLAHERTY: (68th)

Mr. Speaker, I urge adoption of this amendment.

Thank you.

DEPUTY SPEAKER HYSLOP:

Representative McDonald.

REPRESENTATIVE McDONALD: (148th)

Mr. Speaker, this is a friendly amendment and I urge adoption.

DEPUTY SPEAKER HYSLOP:

Will you remark further on House E? Will you remark further on House E?

If not, we'll try your minds. All those in favor, signify by saying "aye".

ASSEMBLY:

Aye.

DEPUTY SPEAKER HYSLOP:

Those opposed, "no".

ASSEMBLY:

No.

DEPUTY SPEAKER HYSLOP:

Ayes have it. House E is adopted.

Will you remark further on the bill as amended?

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Will you remark further on the bill as amended?

Representative McDonald.

REPRESENTATIVE McDONALD: (148th)

I move passage of the bill as amended.

DEPUTY SPEAKER HYSLOP:

Will you remark further on the bill as amended?

If not, staff and guests to the well of the House, the machine will be open.

THE CLERK:

The House of Representatives is voting by roll call, members to the Chamber. The House is voting by roll call, members to the Chamber.

DEPUTY SPEAKER HYSLOP:

Have all members voted? If all members have voted, please check the machine, make sure your vote is properly recorded. Machine will be locked. Clerk will take a tally.

Representative Beals, how would you like to be recorded?

REPRESENTATIVE BEALS: (88th)

Mr. Speaker?

DEPUTY SPEAKER HYSLOP:

Representative Beals, in the affirmative.

Representative Dyson, how would you like to be recorded?

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REPRESENTATIVE DYSON: (94th)

In the affirmative, sir.

DEPUTY SPEAKER HYSLOP:

In the affirmative. Infirmative.

Clerk will take a tally. Clerk will announce the tally.

THE CLERK:

HB5593, as amended by House Schedules A, B, C, D, and E. Total number voting 141, necessary for passage 71. Those voting yea, 141, those voting nay 0, absent not voting 10.

DEPUTY SPEAKER HYSLOP:

Bill as amended passes.

Representative -- are there any announcements, points of personal privileges? Representative Dargan.

REPRESENTATIVE DARGAN: (115th)

Thank you, Mr. Speaker.

For purpose of announcement.

DEPUTY SPEAKER HYSLOP:

Proceed.

REPRESENTATIVE DARGAN: (115th)

The Public Safety Committee will meet tomorrow 15 minutes prior to the start of the first session to consider bills that have been referred to us outside the hall of the House. Thank you, Mr. Speaker.

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SENATE

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Senate

Monday, May 4, 1998

Opposed, nay? Aye's have it. House Amendment A  
is rejected. Will you remark further on the bill?

Senator Ciotto.

SEN. CIOTTO:

Thank you, Madam President. No objection, may it  
be placed on the Consent Calendar?

THE CHAIR:

Motion is to refer this item to the Consent  
Calendar. Without objection, so ordered.

SEN. CIOTTO:

Thank you.

SEN. JEPSEN:

Madam President?

THE CHAIR:

Senator Jepsen.

SEN. JEPSEN:

Thank you, Madam President. At this point, I have  
three more bills to move to the Consent Calendar. The  
first would be on Page 8, Calendar 440, Substitute for  
HB5593. I move to the Consent Calendar.

THE CHAIR:

Motion is to refer this item to the Consent  
Calendar. Without objection, so ordered.

SEN. JEPSEN:

Secondly, on Page 11, at the bottom of the page,

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Senate

Monday, May 4, 1998

THE CHAIR:

Mr. Clerk, would you announce a roll call vote on the Consent Calendar, and then call that Consent Calendar.

THE CLERK:

An immediate roll call has been ordered in the Senate on the Consent Calendar. Will all Senators please return to the Chamber. An immediate roll call has been ordered in the Senate on the Consent Calendar.

Will all Senators please return to the Chamber.

Madam President, the first Consent Calendar begins on Calendar Page 2, Calendar No. 312, SB63.

Calendar No. 319, SB592.

Calendar Page 4, Calendar No. 331, SB586.

Calendar No. 335, Substitute for SB61.

Calendar Page 6, Calendar No. 409. Substitute for HB5398.

Calendar 410, Substitute for HB5379.

Calendar Page 7, Calendar No. 430. Substitute for HB5747.

Calendar 431, Substitute for HB5403.

Calendar 432, Substitute for HB5709.

Calendar Page 8, Calendar No. 436, HB5418.

Calendar 438, Substitute for HB5282.

Calendar 440, Substitute for HB5593.

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Calendar Page 9, Calendar No. 441, HB5307.

Calendar Page 10, Calendar No. 458. Substitute  
for HB5551.

Calendar Page 11, Calendar No. 462. Substitute  
for HB5581.

Calendar 464, HB5332.

Calendar Page 12, Calendar No. 469. Substitute  
for HB5024.

Calendar 470, HB5025.

Calendar 471, Substitute for HB5033.

Calendar 472, HB5050.

Calendar Page 13, Calendar No. 473. Substitute  
for HB5055.

Calendar 474, Substitute for HB5388.

Calendar 475, Substitute for HB5501.

Calendar 476, Substitute for HB5640.

Calendar Page 19. Calendar No. 100, Substitute  
for SB499.

Calendar Page 20. Calendar 133, Substitute for  
SB481.

Calendar 137, Substitute for SB462.

Calendar 179, SB341.

Calendar Page 21, Calendar 198. SB596.

Calendar 240, Substitute for SB577.

Calendar Page 22. Calendar 301, Substitute for

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Monday, May 4, 1998

HB5489.

Calendar Page 25. Calendar 149, Substitute for  
HB5276.

And, Calendar 150, HB5277.

Madam President, I believe that completes the  
first Consent Calendar.

THE CHAIR:

Thank you, sir. Would you once again announce a  
roll call vote on the Consent Calendar. The machine  
will be open.

THE CLERK:

An immediate roll call has been ordered in the  
Senate on the Consent Calendar. Will all Senators  
please return to the Chamber. An immediate roll call  
has been ordered in the Senate on the Consent Calendar.  
Will all Senators please return to the Chamber.

THE CHAIR:

Have all members voted? If all members have  
voted, the machine will be locked. Clerk, please take  
a tally.

THE CLERK:

Motion is on adoption of Consent Calendar No. 1.

Total Number Voting 36

Those voting Yea 36

Those voting Nay 0

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Senate

Monday, May 4, 1998

Those absent and not voting 0

THE CHAIR:

The Consent Calendar is adopted. At this time the Chair will entertain points of personal privilege or announcements. Senator Coleman.

SEN. COLEMAN:

Thank you, Madam President. For purposes of an introduction.

THE CHAIR:

Please proceed.

SEN. COLEMAN:

Ladies and gentlemen of the Chamber, visiting us today is a close friend and constituent, Dr. James Franklin, who is standing behind me in the trench coat with the ice cream treat in his hand. I ask that the members of the Senate please give him a warm welcome.

(APPLAUSE)

SEN. COLEMAN:

As you can see, he's not shy at all.

THE CHAIR:

Are there other announcements? Senator Jepsen.

SEN. JEPSEN:

Thank you, Madam President. It is not our

JOINT  
STANDING  
COMMITTEE  
HEARINGS

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718-1104

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PUBLIC HEALTH

March 5, 1998

safety precautions and skills outlined in the curriculum. The objective of any educator is to provide the highest quality of education for our future hairdressers.

As a salon owner of two progressive salons and a hairdresser for 14 years, I was surprised to see the lack of knowledge and skill coming out of both vocational and private schools. That is why I opened a school to develop a well rounded hairdresser to be able to accomplish any task given.

I just recently spoke to a group of eight seniors in a hairdressing cosmetology vocational school. The consensus was, they do not feel they are ready or prepared to go out and work in this profession. They are looking into taking a couple of cutting and coloring classes at the academy.

I do support the separating of hairdressing and cosmetology but in order to provide the State of Connecticut with professional hairdressers, we must not lower the existing hours less than by 150.

I would also like to stress that if the objective goal is to license nail technicians, then we need to change the term from manicuring to nail enhancement or artificial nails. I'd like to thank you for your attention, your consideration on this bill.

REP. MCDONALD: Thank you. Are there any questions? No questions. Thank you very much. We're going forward. I think we're getting to the end of the trail. I hope. These gentlemen are the last people. Look at them. This is the last bill. Can you imagine? HB5593 AN ACT CONCERNING CHARGES AGAINST THE VETERINARIAN. The first person is Harry Shook followed by Todd Friedland. Are you coming together? That would be wonderful. Thank you very much. Is this Gail, wait a minute I don't have my glasses on. I'm going to ask her when she comes back. Is this Mary Elizabeth, too? Mary Elizabeth Norris. This is the last three and Gail's coming to come in and join them, and you can decide who's going to go first. Thank you.

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HARRY SHOOK: Well, I'm Harry Shook, former --

REP. MCDONALD: Dr. Harry Shook.

HARRY SHOOK: I'm sorry?

REP. MCDONALD: No, he's not, he's from the board, oh, I see the association.

HARRY SHOOK: I'm the former executive director and now legislative liaison.

REP. MCDONALD: Okay, the other ones are doctors. Yeah, okay.

HARRY SHOOK: Yes, all of the others are. We're here to ask you for protection of the reputations of veterinarians in the State of Connecticut. The Department of Health claims they have discretion under the Freedom of Information to withhold or disclose such information for one year. Their policy, however, is to make the caller aware that there are complaints regardless of whether they have been investigated or not.

When the owner gets this information, they assume the veterinarian is guilty and they not only seek out another veterinarian but tell their friends and neighbors that their doctor has a complaint against him. They are not told whether the complaint has been investigated and found to be frivolous or legitimate. And this has happened on numerous occasions.

Physicians are granted this period of confidentiality because according to the Department's own admission, and I quote, that the physician is or may be unable to practice medicine with reasonable skill or safety. Meanwhile, you, your loved one, and worst yet, your child is being treated by someone who is or may be unable to practice medicine with skill and safety and may have some impairment.

The complaints filed with the Department are reviewed by an RN who decides whether they should be investigated. It takes months for this

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determination and many more months for the investigation to take place and in some cases up to two years to be closed out, and I know this from personal experience.

I know that the Department is understaffed. In some instances I question the qualifications of some of the staff that investigate the complaints. The Association realizes there may be practitioners out there who should be disciplined for violations of veterinary medical ethics but they continue to practice because of the lack of inspectors.

As of February of this year, there were 904 veterinarians paying \$450 a year license fee. That's \$406,800 that goes into the general fund. We should be, the Department should be able to hire a retired veterinarian perhaps, on a per diem basis to review these cases and arrange for proper investigation.

Now we've had one complaint on a veterinarian signed by 12 veterinarians and one outside person and after many months of nagging, the Department, they sent out inspectors and came back and said, everything was fine. And we just don't feel that the Department is representing the veterinary profession in an adequate manner, and I will end my testimony there and turn it over to the doctors.

DR. MARY ELIZABETH NORRIS: Okay. I'm Dr. Norris of the Pomfret Small Animal Clinic. I'm in my 15th year as a veterinarian in Connecticut. To date, everything I do as a veterinarian is hotly debated by the experts. They cannot even agree on how often I should give your dog their yearly vaccination. No matter what I do, an expert in veterinarian medicine would have done it differently. And this information is available on the Internet.

Any client whose pet has a poor outcome may legitimately inquire about the care their pet received. Even good veterinarians providing the best care possible are subject to complaint. Without confidentiality, anyone with a personal agenda has the means to damage a veterinarian's

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reputation at the state's expense.

It may be someone who disagrees with my politics, or someone who opposes the verdict of a jury or a committee I sat on. They may want my land for their factory or work for my competition, a would-be love interest, a disgruntled employee or anyone who wants to skip out on a bill can threaten my license and know they will have an immediate and public impact.

Questions give rise to questions, so the number of complaints grows. Once the number grows large enough the state will proceed. In my own case, an animal extremist who had repeatedly refused my offers to test her dog's heart went after me after she opted for euthanasia elsewhere. She convinced two of her friends who were happy clients, that they were unhappy clients. She mailed all three letters to me when she mailed them to the state. She also advertised locally for people with complaints against veterinarians. In the end, she found four clients to complain out of thousands of clients I had served.

In my case, the process took six years, from 1990 to 1996. Three of the cases were dismissed after investigation. Two were presented before the board. The board did believe the animal extremist testimony because I had failed to document the repeated offers for testing in the record. Witnesses were not sufficient.

In the second case, the board concluded I had met the standard of care. Complaints are listed for public access whether they are dismissed or processed through the board. Some night I might get the nerve to look up my record on the Internet. In the meantime, I take comfort in knowing I succeeded in benefitting from the experience and the six months of probation when my cases were reviewed at my expense.

Today, I spend much of my time documenting every time a client refuses care, every conversation we have, every handout I give, every medical reference I use, my reasoning and which expert I turn to so

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the veterinarian who does the initial review can be assured of the standard of care, even if we would handle cases differently.

Help make it safe to practice good veterinarian medicine in Connecticut by backing Raised HB5593 AN ACT CONCERNING CHARGES AGAINST A VETERINARIAN. Without confidentiality to protect us, I'm afraid our reputations, our businesses and our ability to care for your pets and livestock will be damaged even when there is no fault to find. Any questions?

REP. MCDONALD: Who puts this information on the Internet?

DR. MARY ELIZABETH NORRIS: In the State of Massachusetts, the Department has it on the Internet. I don't know if it's on the Internet yet in Connecticut but in the State of Massachusetts the Department puts it on their Internet.

REP. MCDONALD: Is that where you were reported, on the Internet?

DR. MARY ELIZABETH NORRIS: I don't know. I haven't looked. I just know that if somebody wants to put it on there, it's information of public record and there would be nothing I could do about it.

But Massachusetts is very proud of the fact that all of the human doctor complaints are on the Internet for people, so I figure Connecticut will be on hand to do it some time soon.

REP. MCDONALD: (Inaudible-mike not on.)

DR. TODD FRIEDLAND: Certainly, but I might have to answer your question that at a meeting with the Department last year, they do, with Mr. Peck, Stanley Peck, the Department of Public Health.

REP. MCDONALD: (Inaudible-mike not on)

DR. TODD FRIEDLAND: But the plans are to have this on the Internet. So it is not, no, no, no. The Department is in favor of having this information

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on the Internet.

REP. MCDONALD: (Inaudible-mike not on)

DR. TODD FRIEDLAND: Just to answer that question.

REP. MCDONALD: (Inaudible-mike not on)

DR. TODD FRIEDLAND: Sure. My name is Todd Friedland --

REP. MCDONALD: (Inaudible-mike not on)

DR. TODD FRIEDLAND: Well, I'll tell you, I might not be, but I truly appreciate what you guys are going through here today. It really is pretty amazing. Okay, well, I'll send a pizza from Dominos.

My name is Todd Friedland. I have practiced veterinarian medicine in North Windham, Connecticut for 20 years. I serve as legislative chair for the Connecticut Veterinary Medical Association.

The Connecticut Veterinary Medical Association is an association of more than 700 veterinary doctors striving to provide excellence in animal care for all residents in Connecticut. CVMA and its members are keenly interested in maintaining the highest standards of professionalism for veterinary doctors.

CVMA supports Raised HB5593 AN ACT CONCERNING CHARGES AGAINST THE VETERINARIAN. This proposal will provide veterinary doctors with the same confidentiality that is currently enjoyed by medical doctors. Under present law, both investigated and uninvestigated complaints lodged against veterinarians are disclosed to the general public by the State Department of Public Health. Unsubstantiated charges give terrible misinformation and damage the reputation of the veterinarian.

The Connecticut Veterinary Medical Association and its associates do not believe the current procedure is in the best interest of either the veterinarian or the public at large. When an inquiry is made, a pet owner is seeking a measure of competence, not a

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gaggle of accusations made by complainants that are angry at something else entirely. I'd like to bring forward a few examples of some of the complaints that are lodged against veterinarians on their public record right now.

People who are delinquent on a debt file a complaint in revenge. People who neglected treatment until it was too late to save the pet. People who did not follow instructions for follow up treatment for their pet and people who let their animal run loose then blame the veterinarian when the pet dies of an injury from an accident.

In 1997 there were 29 complaints filed against veterinarians. Only three resulted in an action by the Department of Public Health and Addiction. In 1996, the year before, six of 32 complaints resulted in action. All of these complaints, however, whether verifiable or not are on the veterinarian's record indefinitely. The number of complaints is public information.

The 1990s are a time full of angry people. It is certainly different than 10 to 15 years ago. Anyone in this room, there aren't very many, who deals with the public day in and day out will verify that. People are faster to complain and complaints are easier to file resulting in more and more complaints most of which are proven false. The Department told us last year that 80% of the complaints are proven false. Eighty percent of the complaints if they get proven false and it takes them an average of 11 months to even act on them.

The record and the reputation of the veterinarian, however, is blemished forever. Medical doctors are entitled to an 18 month protection period before complaints go on public record. By this time, most frivolous actions are dismissed and therefore investigations by the public at large are accurate and substantial.

We are asking that veterinary doctors be afforded the same protection. We urge you to support this proposal and thank you for your time and attention to this most pressing matter.

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REP. MCDONALD: Thank you. This bill has gotten out of Committee before but it never hit the floor, but we'll work hard on it this year and make it hit the floor.

DR. TODD FRIEDLAND: We appreciate it. We know this is a short session, but we do not feel that other veterinarians should be subject to this disservice.

REP. MCDONALD: Okay.

DR. TODD FRIEDLAND: Thank you.

REP. MCDONALD: Thank you. Nobody else?

(Whereupon, the hearing was adjourned.)

JOINT  
STANDING  
COMMITTEE  
HEARINGS

PUBLIC HEALTH  
PART 4  
1105-1471

1998

001340

## Connecticut Veterinary Medical Association

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Coventry, CT 06238  
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Dr. Heather C. Smith  
Assistant Secretary

Dr. Amy L. Crockett  
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Dr. Peter S. Conserva  
Treasurer

Dr. Michael J. Brothers  
Assistant Treasurer



### TESTIMONY PRESENTED TO THE PUBLIC HEALTH COMMITTEE

#### RAISED BILL 5593 AAC CHARGES AGAINST A VETERINARIAN

The Connecticut Veterinary Medical Association strongly urges support for this proposed legislation to protect the reputations of veterinarians who are falsely accused of malpractice.

The Department of Health claims they have the discretion under Freedom of Information to withhold or disclose such information for one year. Their policy however, "is to confirm that a complaint is pending without disclosing any of the details". The pet owner assumes the veterinarian is guilty. They not only seek out another veterinarian but tell their friends and neighbors that the doctor has a complaint against him. They are not told whether the complaint has been investigated and found to be frivolous or legitimate. Believe me, this has happened on many occasions.

Physicians are granted this period of confidentiality because according to the Department's own admission, and I quote "that the physician is or may be unable to practice medicine with reasonable skill or safety"! Meanwhile, you, your loved one or worse yet, your child is being treated by someone who is or may be unable to practice with "skill and safety"!

Complaints filed with the Department are reviewed by an RN who decides whether they should be investigated. It takes months to make this determination and many more months for the investigation to take place and up to two years before the case is closed.. I know this from personal experience!

I know that the Department is understaffed. In some instances I question the qualifications of some of the staff to investigate complaints against veterinarians when there is a complaint signed by 12 veterinarians and the Department says everything was fine! This Association realizes that there may be practitioners out there who should be disciplined for violations of veterinary medical ethics but they continue to practice because of the lack of inspectors. They had four but recently they cut back to just two.

As of February of this year, there are 904 veterinarians paying \$450. per year license fee, that's \$406,800. The Department should be able to hire on a per diem basis, perhaps a retired veterinarian to review complaints and arrange for experienced personnel to inspect veterinary facilities. The Board for Veterinary Medicine has three veterinarians and two lay people who receive no compensation, not even for mileage. We feel this profession is not being adequately served by the Department.

Please vote favorably on this bill and correct an injustice to the innocent.

Thank you for your time and consideration.

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## Connecticut Veterinary Medical Association

Dr. Theresa M. Digiullo  
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Dr. Peter S. Conserva  
Treasurer

Dr. Michael J. Brothers  
Assistant Treasurer

### TESTIMONY BEFORE THE PUBLIC HEALTH COMMITTEE

#### REGARDING RAISED BILL 5593 AAC CHARGES AGAINST A VETERINARIAN

The Connecticut Veterinary Medical Association (CVMA) is an association of more than 600 Veterinary Doctors striving to provide excellence in animal care for all residents of Connecticut. CVMA members are keenly interested in maintaining the highest standards of professionalism for veterinary doctors.

CVMA supports Raised Bill 5593. This proposal would provide veterinary doctors with the same confidentiality that is currently enjoyed by medical doctors.

Under present law, both investigated and un-investigated complaints lodged against veterinarians are disclosed to general public by the State Department of Public Health. Unsubstantiated charges give terrible misinformation and damage the reputation of the veterinarian.

The CVMA does not believe that the current procedure is in the best interest of either the veterinarian or the public at large. When an inquiry is made, a pet owner is seeking a measure of competence, not a gaggle of accusations by complainants that are angry at something else entirely. Examples of complaints include:

- People, who are delinquent on their bill, so file a complaint in revenge.
- People who neglected treatment until it was too late to save the pet.
- People who did not follow instructions for follow-up treatment on their pet.
- People who let their animal run loose, and then blame the veterinarian when the pet dies of injuries from an accident.

In 1997 there were 29 complaints filed against veterinarians. Only 3 resulted in action by the Department of Health. In 1996, 6 of 32 complaints resulted in action. All of these complaints however, whether verifiable or not, are on the veterinarian's record indefinitely. The number of complaints is public information,

The 1990's are a time full of angry people. It is certainly different than 10 to 15 years ago. Anyone in this room who deals with the public day in and day out will verify that. People are faster to complain and complaints are easier to file, resulting in more and more complaints, most of which are proven false. The record and reputation of the veterinarian however, is blemished forever.

Medical Doctors are entitled to an 18-month protection period before complaints go on public record. By this time, most frivolous actions are dismissed. Therefore, investigations by the public at large are accurate and substantial. We are asking that veterinary doctors be afforded the same protection.

We urge you to support this proposal and thank you for your time and attention to this most pressing matter.

Respectfully submitted,  
Todd B. Friedland, D.V.M.  
Legislative Chairman, CVMA

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 **TOW AND COUNTRY**   
**VETERINARY ASSOCIATES**

27 HARTFORD TURNPIKE • ROUTE 83 • VERNON, CT • 06066 • 645-1700

Madam Chairwoman and Members:

My name is Dr. Gayle Block. I am a veterinarian in private practice in Vernon.

I am strongly in favor of Raised Bill #5593.

About two years ago a client lodged a complaint against me with the Department of Public Health. Not only was it unfounded, but he was verbally abusive and physically threatening to me in my office. Due to the fact that all complaints, even those not yet investigated, are public information my name was on a list that was circulated throughout the state of Connecticut. Approximately one year later the complaint was dismissed by the Department of Public Health. However, the damage was already done. I strongly believe we should be afforded the same privilege of confidentiality as a physician until such time as a complaint is investigated and determined to be frivolous or legitimate.

I would be happy to answer any questions you may have.

Thank you for your time.



Dr. Gayle Block

Gayle A. Block D.V.M., M.S.



Maxine LeGeyt Borghesi D.V.M.

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**M. E. Norris, D.V. M.  
Pomfret Small Animal Clinic  
54 Orchard Hill Road  
Pomfret Center, CT 06259  
860/928-0841**

March 3, 1998

Connecticut General Assembly  
Public Health Committee

Dear Committee Members:

I am in my fifteenth year as a veterinarian practicing in Connecticut. The Connecticut Veterinary Medical Association asked me to share my thoughts in support of Raised Bill No. 5593.

**Today, everything I do as a veterinarian is hotly debated by the experts.** They cannot even agree on how often I should give dogs and cats their yearly vaccinations. No matter what I do, an expert in veterinary medicine would have done it differently. And this information is available on the Internet. Any client whose pet has a poor outcome may legitimately inquire about the care their pet received. Even good veterinarians providing the best care possible are subject to complaints.

**Without confidentiality, anyone with a personal agenda has the means to damage a veterinarian's reputation at the State's expense.** It may be someone who disagrees with my politics, or someone who opposes the verdict of a jury or a committee I sat on. They may want my land for their factory, or work for my competition. A would-be love interest, a disgruntled employee, or anyone who wants to skip out on a bill can threaten my license, and know they will have an immediate and public impact.

**Questions give rise to questions, so the number of complaints grows.** Once the number grows large enough, the State will proceed. In my own case, an animal extremist who had repeatedly refused my offers to test her dog's heart, went after me when she opted for euthanasia elsewhere. She convinced two of her friends who were happy clients that they were unhappy clients. She mailed all three letters to me when she mailed them to the State. She also advertised locally for people with complaints against veterinarians. In the end, she found four clients to complain out of the thousands of clients I had served.

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**In my case, the process took six years, from 1990 to 1996.** Three of the cases were dismissed after investigation. Two were presented before the Board. The Board did believe the animal extremist's testimony, because I had failed to document the repeated offers for testing in the record; witnesses were not sufficient. In the second case, the Board concluded I had met the Standard of Care.

**Complaints are listed for public access, whether they are dismissed or processed through the Board.** Some night, I may get the nerve to look up my record on the Internet. In the meantime, I take comfort in knowing I succeeded in benefiting from the experience and the six months of Probation, when my cases were reviewed at my expense. Today, I spend much of my time documenting every time a client refuses care, every conversation we have, every handout I give, every medical reference I use, my reasoning, and which expert I turned to, so the veterinarian who does the initial review can be assured of the Standard of Care, even if we handle the cases differently.

**Help make it safe to practice good veterinary medicine in Connecticut by backing Raised Bill No. 5593, AN ACT CONCERNING CHARGES AGAINST A VETERINARIAN.**

Without confidentiality to protect us, I am afraid our reputations, our businesses, and our ability to care for your pets and livestock will be damaged, even when there is no fault to find.

Sincerely,



Mary Elizabeth Norris, D.V.M.  
American Animal Hospital Association  
Member Hospital Director

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Middlebury Animal Hospital Associates, LLC  
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03/02/98

Rep. Anne McDonald  
LOB Room 3000  
Capitol Ave.  
Hartford, CT 06106

Re: Bill No. 5593 - An Act Concerning Charges Against a Veterinarian

Dear Rep. McDonald,

We are writing to you to strongly encourage and request your support for Bill No. 5593 - An Act Concerning Charges Against a Veterinarian. We feel that our profession should enjoy the same privacy protection afforded our human counterparts. Many complaints filed with the Dept. of Public Health are more times than not dismissed as being without basis or frivolous. Allowing public access to complaints prior to full investigation and resolution can seriously malign reputations and seems to run counter to democratic notion of due process.

Please view this letter as our written testimony, since we will be unable to appear in person at the hearing. Thank you for your time and efforts on this matter.

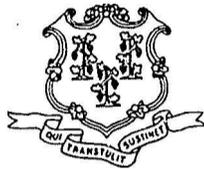
Regards,



Koen O. Loeven, DVM  
Peter L. Scribner, DVM

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STATE OF CONNECTICUT

DEPARTMENT OF PUBLIC HEALTH

TESTIMONY PRESENTED BEFORE THE PUBLIC HEALTH COMMITTEE

Warren Wollschlager, Chief, Bureau of Regulatory Services, 509-7406

March 5, 1998

House Bill #5593 AN ACT CONCERNING CHARGES AGAINST A VETERINARIAN

The Department of Public Health opposes House Bill #5593.

This bill proposes to shift the responsibility for the investigation of complaints filed against veterinarians from the Department of Public Health to the Board of Veterinary Medicine, thereby creating an exception to the statutes and policies governing all other professions regulated by the Department of Public Health. The current consolidation of investigative duties has provided the Department the ability to standardize and consolidate procedures whenever possible. The simple action of decentralizing the investigation of complaints, as proposed by this bill, would create redundancies between the Board and the Department.

There are also conflicting and inconsistent references to the Board and the Department in Section 1 (c) and (d).

This bill has a major drafting flaw. Current law allows the Department of Public Health to keep confidential any documents related to a pending complaint investigation involving a veterinarian for up to one year. If, during that time, the Department dismisses or substantiates a complaint, the investigation becomes public. This is true for all professions, except licensed physicians, who are subject to a different and more restrictive confidentiality statute. By deleting veterinarians from the existing confidentiality statute and failing to add elsewhere a provision similar to that governing physicians, the result will be that investigations of veterinarian complaints will not enjoy any confidentiality whatsoever.

We do not believe that this was the intent of this legislation. Rather, it appears that this bill was drafted to make the statutes dealing with the confidentiality of veterinary investigative records similar to the statutes governing the confidentiality of physician investigative records. The Department opposes this change for two reasons. First, the physician licensure statutes are the only ones that mandate a report to the Department whenever it appears "that a physician is or may be unable to practice medicine with reasonable skill or safety." Second, a physician is the only health care professional afforded an opportunity for a confidential program of rehabilitation in a case involving impairment. At the time that the more restrictive degree of physician confidentiality was enacted, the stated legislative intent was to facilitate the implementation of these two provisions. Since neither of these provisions apply to veterinarians, it is inappropriate to extend the same level of confidentiality to this profession.

We urge the Committee to report unfavorably on this legislation. Thank you for your consideration of the Department's views on this bill.



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