

Legislative History for Connecticut Act

Act Number: PA 04-221
Bill Number: 569
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CONNECTICUT
GEN. ASSEMBLY
SENATE

PROCEEDINGS
2004

VOL. 47
PART 10
2840-3195

pat
Senate

227 002881

Monday, May 3, 2004

On the amendment. Will you remark further? If not, I'll try your minds. All those in favor please say "aye".

ASSEMBLY:

Aye.

THE CHAIR:

Those opposed, "nay"? The ayes have it. The amendment is adopted.

Senator Murphy.

SEN. MURPHY:

Thank you, Mr. President. If there's no objection, I would move this item to the Consent Calendar.

THE CHAIR:

Hearing no objection, so ordered.

THE CLERK:

Calendar 337, File 458, Substitute for S.B. 569 An Act Concerning Revisions To The Public Health Statutes. Favorable Report of the Committees on Public Health, Higher Education and Appropriations.

THE CHAIR:

Senator Murphy.

SEN. MURPHY:

Thank you, Mr. President. I move adoption of the Joint Committee's Favorable Report and passage of the bill.

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THE CHAIR:

Motion is on acceptance and passage. Will you remark?

SEN. MURPHY:

Thank you, Mr. President. This is the annual bill making various revisions to the Department of Public Health Statutes. The underlying bill makes a number of changes including allowing for temporarily practice permits for various professions regulated by the Department of Public Health.

It removes pedicurists from the current cosmetology license or statute, clarifies law on continuing ed for nursing home administrators and adds to the requirements for information to be distributed to college students, information on the dangers of Hepatitis B. Those are a few of the highlights of the changes in the underlying bill.

The Clerk is in possession of an amendment which would add a number of other changes. It is LC05023. I'd ask that he call and I be allowed leave to summarize.

THE CHAIR:

Mr. Clerk.

THE CLERK:

LC05023 which will be designated Senate Amendment

Schedule "A". It is offered by Senator Murphy of the 16th District.

THE CHAIR:

Senator Murphy.

SEN. MURPHY:

Thank you, Mr. President. I move adoption.

THE CHAIR:

The motion is for adoption of the amendment. Will you remark? Senator Murphy.

SEN. MURPHY:

Yes, thank you. This amendment adds a number of other additional changes to the underlying revisions bill that came up since the passage of this bill through the Public Health Committee. Most significantly, it grandfathered certain acupuncturists into licensure in the state.

It clarifies the day care providers must administer asthma medication as well as the other mandated medications in the statute. And it also has some grandfathering language for certain massage therapy licenses and I would simply add, for legislative intent, that the language in the amendment regarding grandfathering certain massage therapy candidates for licensure is before us due to a pending declaratory ruling before the Department of Public Health.

It's intended scope is fairly limited to make sure that should that declaratory ruling be adverse to students at a particular school in the state that they would still be able to gain licensure due to their schooling there.

It makes other various changes but I would urge its adoption.

THE CHAIR:

On the amendment, will you remark further? Will you remark further? If not, I'll try your minds. All those in favor please say "aye".

ASSEMBLY:

Aye.

THE CHAIR:

Those opposed, "nay"? The ayes have it. The amendment is adopted.

Will you remark further on the bill as amended? Senator Freedman.

SEN. FREEDMAN:

Thank you, Mr. President. Would the Clerk please call LC03099 and I waive its reading and seek leave to explain.

THE CLERK:

LC03099 which will be designated Senate Amendment Schedule "B". It is offered by Senator Freedman of the

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002885

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26th District et al.

THE CHAIR:

Senator Freedman.

SEN. FREEDMAN:

Thank you, Mr. President. Basically what this amendment does, it adds --

THE CHAIR:

Did you move the amendment?

SEN. FREEDMAN:

I move the amendment.

THE CHAIR:

Thank you, Senator Freedman.

SEN. FREEDMAN:

It basically adds nail technicians to those who will now be licensed.

THE CHAIR:

The motion is for adoption of the amendment. Will you remark further? Senator Murphy.

SEN. MURPHY:

Thank you, Mr. President. I would reluctantly rise to oppose the amendment. This has obviously been an issue that has been before the Legislature for a number of years regarding whether or not we have the resources to license nail technicians. This is in essence, a budgetary question, that if the funds were there I would

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002886

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certainly support it. The underlying, the amendment before us has a fairly significant fiscal note.

I would simply commit to Senator Freedman as I've made similar commitments to Senator Cook previously that I think that this is something that we need to look at in the interim to find a way not only to license nail technicians but some of the other professions that have their licensure statute pending before the Department of Public Health.

But for the time being, because of the fiscal note, I would oppose the amendment and ask for a roll call.

THE CHAIR:

A roll call having been requested, it will be ordered at the time, Senator Freedman.

Do you care to remark further?

SEN. FREEDMAN:

Yes, Mr. President. I think because of the type of work they do, particularly those who do pedicures certainly need to be licensed by the state and need to be very carefully monitored for people who have diabetes or any other of that type of disease, are taking a chance when they go and they have a pedicure done. And the same thing would happen when you're having your nails done. If you make one little slip of the scissors, a person could be in trouble and so for that

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reason I think it's critical that they be licensed by the state and very carefully monitored. And I would hope that the Department of Public Health would be able to find, within its available resources, a way of having this happen and allowing this to happen.

As Senator Murphy did mention, it comes up and it comes up but we don't address the problem and I think we need to face it straight on tonight.

Thank you, Mr. President.

THE CHAIR:

On the amendment, will you remark further? If not, Senator Harp.

SEN. HARP:

I'll make this really quick. Actually, the amendment passed a couple of years ago and money was placed in the Department of Public Health's budget and the Department failed to implement the program and so, even if there's money in the budget, they may not do it if it is not on their agenda of things to do.

So for that reason, I would not support this amendment.

THE CHAIR:

Will you remark further on the amendment? Senator Freedman.

SEN. FREEDMAN:

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002888

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Mr. President, for the second time. I'm not sure how we get the Department to cooperate and do this. If we legislate something and we are collecting fees, ultimately, to pay for this, what jurisdiction do they choose to circumvent the will of the Legislature, and that's sort of rhetorical at this point.

But it just seems to me that the Legislature has made its will known and they've gone and done whatever they darned well please. So what good does any of our legislating do?

Thank you, Mr. President.

THE CHAIR:

Will you remark further? If not, I believe a roll call was requested on the amendment. The machine will be opened. The Clerk --

THE CLERK:

A roll call vote has been ordered in the Senate.
Will all Senators please report back to the Chamber.

A roll call vote has been ordered in the Senate.
Will all Senators please report back to the Senate.

THE CHAIR:

Senator Coleman. Senator Kissel. Senator Herlihy.
If all members have voted, the machine will be closed and the Clerk will announce the tall .

THE CLERK:

Motion is on adoption of Senate Amendment Schedule "B".

Total number voting 35; necessary for adoption, 18. Those voting "yea", 12; those voting "nay", 23. Those absent and not voting, 1.

THE CHAIR:

The amendment fails. Will you remark further?

Senator Murphy.

SEN. MURPHY:

Thank you, Mr. President. There's one more amendment that I'd like to call. Before I do, I neglected to mention the bill now as amended, there's language regarding the licensure by endorsement of social workers and included in that language is a requirement that the Department deem the requirements of the state from which the social worker comes, to be substantially similar to those of this state.

And I would just state for legislative intent, because I know there's been some confusion regarding this issue that substantially similar does not mean exact, and that we allow, by using that term, the Department of Public Health to use some discretion in looking at the requirements in total to make a determination whether those requirements meet substantially those of our state.

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Having said that, I would call one more amendment, and that is LCO4966. I'd ask that the Clerk call and I be allowed to summarize.

THE CLERK:

LC04966 which will be designated Senate Amendment Schedule "C". It is offered by Senator Murphy of the 16th District et al.

THE CHAIR:

Senator Murphy.

SEN. MURPHY:

Thank you. I'd move adoption, Mr. President.

THE CHAIR:

Motion is for adoption. Will you remark? Senator Murphy.

SEN. MURPHY:

Thank you. I'd like to thank at the outset Senator Aniskovich for bring this forward with me. This amendment is fairly simple in that it would allow the Department of Public Health within available appropriations to expand their data collection system regarding a program that has been operating in the Department for some time in which they've been collecting data regarding EMS system following the system from the minute the patient enters it until they enter the hospital.

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We now have, hopefully, the appropriations available to continue that data collection through the hospitalization and in essence get the full outcomes research. I urge adoption.

THE CHAIR:

Motion is on adoption. Will you remark? If not, I will try your minds. All those in favor please say "aye".

ASSEMBLY:

Aye.

THE CHAIR:

Those opposed, "nay"? The ayes have it. The amendment is adopted. Senator Murphy.

SEN. MURPHY:

Thank you. If there's no objection, I would move this item as amended to the Consent Calendar.

THE CHAIR:

So ordered. Mr. Clerk.

THE CLERK:

Calendar 338, File 460, Substitute for S.B. 3 An Act Concerning The Duties Of The Conservator Of A Person. Favorable Report of the Committee on Aging, Judiciary and Public Health.

THE CHAIR:

Senator Prague.

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002927

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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.

Mr. President, the Second Consent Calendar begins on Calendar Page 10, Calendar 419, S.B. 605.

Calendar Page 24, Calendar 255, Substitute for S.B. 54.

Calendar 265, Substitute for S.B. 220.

Calendar Page 26, Calendar 333, Substitute for S.B. 465.

Calendar 334, Substitute for S.B. 562.

Calendar 337, Substitute for S.B. 569.

Calendar 338, Substitute for S.B. 3.

Calendar Page 27, Calendar 403, Substitute for S.B. 28.

And Calendar Page 28, Calendar 420, Substitute for S.B. 606.

And Calendar Page 29, Calendar 113, S.B. 63.

Mr. President, that completes those items previously placed on the Second Consent Calendar.

THE CHAIR:

The Senate is voting on the Consent Calendar. The machine will be opened.

THE CLERK:

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The Senate is now voting by roll call on the Second Consent Calendar. Will all Senators please return to the Chamber.

The Senate is now voting by roll call on the Second Consent Calendar. Will all Senators please return to the Chamber.

THE CHAIR:

Have all members voted? Senator Crisco. Senator Daily. Thank you. The Senate Calendar is adopted. The machine will be closed. Announce the tally, I sort of announced it before but you can announce it now.

THE CLERK:

Motion is on adoption of Consent Calendar Number Two.

Total number voting 35; necessary for adoption, 18. Those voting "yea", 35; those voting "nay", 0. Those absent and not voting, 1.

THE CHAIR:

The Consent Calendar is adopted. (GAVEL) If we can just hang for a minute more, we're almost out of here.

Mr. Majority Leader.

SEN. LOONEY:

Yes, Mr. President. Would move to immediately transmit to the House of Representatives any items requiring additional action in that Chamber.

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And we have AN ACT INCREASING -- excuse me. SB 32, AN ACT INCREASING CERTAIN BOND AUTHORIZATIONS FOR CAPITAL IMPROVEMENTS. And SB 33, AN ACT AUTHORIZING BONDS OF THE STATE FOR CAPITAL IMPROVEMENTS AND OTHER PURPOSES.

Through you, Madam Speaker.

SPEAKER LYONS:

Representative Bob Ward.

REP. WARD: (86th)

Madam Speaker, regretfully, I do object. Rather than a Roll Call on that, I perhaps would ask the indulgence that it be temporarily withdrawn to see if we can resolve the difference in the next few minutes.

SPEAKER LYONS:

The House would stand at ease for a moment.

(Chamber at ease)

REP. AMANN: (118th)

Through you, Madam Speaker. Yes. Yes, Madam Speaker. I'd like to withdraw my motion.

SPEAKER LYONS:

Okay, sir. The motion is withdrawn.

Would the Clerk please call Calendar 550?

THE CLERK:

On Page 16, Calendar 550, SUBST. SB 569, AN ACT CONCERNING REVISIONS TO THE PUBLIC HEALTH STATUTES. Favorable report of the Committee on Appropriations.

SPEAKER LYONS:

Representative Dave McCluskey, you have the floor, sir.

REP. McCLUSKEY: (20th)

Good evening, Madam Speaker. Madam Speaker, I move for the acceptance of the joint committee's favorable report and passage of the bill in concurrence with the Senate.

SPEAKER LYONS:

The question before the Chamber is on acceptance and passage.

Will you remark?

REP. McCLUSKEY: (20th)

Thank you, Madam Speaker. Madam Speaker, this bill makes numerous changes in the licensing laws governing health and other professions regulated by DPH.

Madam Speaker, the Clerk has an amendment, LCO 5023, previously designated Senate "A", and I ask that he call and I be given leave to summarize.

SPEAKER LYONS:

The Clerk has in his possession LCO 5023. Would the Clerk please call? The gentleman has asked leave to summarize.

THE CLERK:

LCO 5023, Senate "A", offered by Senator Murphy.

SPEAKER LYONS:

Representative McCluskey.

REP. McCLUSKEY:

(20th)

Thank you, Madam Speaker. Madam Speaker, Senate "A" adds provisions concerning certain of the health care professions, including nurses, midwives, other issues regarding APRN's, drug samples, makes minor changes and provisions concerning temporary permits for LPN's and social workers and athletic trainer licensure.

I move adoption.

SPEAKER LYONS:

The question before the Chamber is on adoption.

Will you remark? Will you remark?

Representative Carson.

REP. CARSON:

(108th)

Thank you, Madam Speaker. I rise in support of this proposed legislation as described by the proponent. Thank you.

SPEAKER LYONS:

Will you remark further on Senate "A"? Will you remark further? If not, let me try your minds.

All those in favor please signify by saying Aye?

VOICES:

Aye.

SPEAKER LYONS:

prh

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Those opposed, Nay?

VOICES:

No.

SPEAKER LYONS:

The Ayes have it. The amendment is adopted.

Will you remark further on the legislation?

REP. McCLUSKEY:

(20th)

Thank you, Madam Speaker. Madam Speaker, the Clerk has an amendment, LCO 4966, previously designated Senate "C". I ask that he call the amendment and I be given leave to summarize.

SPEAKER LYONS:

The Clerk has in his possession LCO 4966. Would the Clerk please call? The gentleman has asked leave to summarize.

THE CLERK:

LCO No. 4966, Senate "C", offered by Senator Aniskovich and Senator Murphy.

SPEAKER LYONS:

Representative --

REP. ???

Madam Speaker?

SPEAKER LYONS:

Yes, sir?

REP. ???

prh

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Point of parliamentary inquiry?

SPEAKER LYONS:

Please proceed, sir.

REP. ???

The gentleman, I believe, has called Senate "C". There is a Senate "B" that I assume follows in logical sequence before --

SPEAKER LYONS:

I believe Senate "B" was rejected, sir.

REP. ???

It was not passed by the Senate?

SPEAKER LYONS:

That is correct.

REP. ???

Thank you.

SPEAKER LYONS:

That's fine.

SPEAKER LYONS:

Representative McCluskey.

REP. McCLUSKEY:

(20th)

Thank you, Madam Speaker. Madam Speaker, Senate "C" permits the Department of Public Health, within available appropriations, to expand its emergency medical services data collection system to include clinical treatment and patient outcome data.

I move adoption.

SPEAKER LYONS:

The question is on adoption.

Will you remark? If not, let me try your minds.

All those in favor please signify by saying Aye?

VOICES:

Aye.

SPEAKER LYONS:

Those opposed, Nay?

The Ayes have it. The amendment is adopted.

Will you remark further on the legislation? If not, staff and guests come to the well. Members take your seats. The machine will be opened.

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.

SPEAKER LYONS:

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

The machine is locked. The Clerk will take a tally.

prh

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Clerk, please announce the tally.

THE CLERK:

SB 569, as amended by Senate Schedules "A" and "C",
in concurrence with the Senate,

Total number voting, 150;

Necessary for passage, 76;

Those voting Yea, 149;

Those voting Nay, 1;

Absent, not voting, 1.

SPEAKER LYONS:

The bill as amended passes.

Would the Clerk please call Calendar 513?

THE CLERK:

On Page 13, Calendar 513, SUBST. SB 37, AN ACT
CONCERNING HOUSING. As amended by Senate Amendment
Schedules "A", "B". The House adopted Senate "A" and
"B" on May 4. And Senate "C" was designated.

SPEAKER LYONS:

Representative Ken Green, you have the floor, sir.

REP. GREEN:

(1st)

Thank you, Madam Speaker. Madam Speaker, I would
ask that the Clerk call Senate "C" and I may be allowed
to summarize.

SPEAKER LYONS:

I believe the last time we were discussing this

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average staffing in Connecticut nursing homes was the second-lowest in the New England states. And in a national study done at roughly the same time, Connecticut nursing home staffing levels were found to be 33rd out of the 50 states.

There's no reason to believe that anything's gotten better. In fact, there's every reason to believe things have gotten worse over the past four years.

You'll soon be getting RB 318 that will require that Connecticut adopt the NCNR staffing levels over a phased three-year period. We would ask your support of this bill, of SB 318, as a package with RB 565 because what we've heard for five years is "It's a crisis. But we don't have any money." What this 565 does is brings us the money to do it.

I would suggest a change to SB 565 which would make increased staffing a much clearer priority in the uses of the money. In fact, I think there's probably enough money in there, and then some, to actually implement RB 318. And I think it's a very nice package and a package that would make an enormous difference in the care that nursing home residents receive.

Thank you.

SEN. MURPHY: Thank you very much for your testimony.

Are there questions?

If not, thank you very much.

Going back to the agency list, Commissioner Galvin.

Commissioner, first of all, I'd like to welcome you to -- for better or for worse, to the Public Health Committee. And we congratulate you on your successful nomination last week and are eager to begin what we hope will be a fruitful working relationship.

COMMISSIONER GALVIN: Thank you very much. I think I've met almost all of you at one time or another. Unfortunately, I've missed a couple of you. But

I'll make it a point to catch up with you in the very near future when your duties permit it.

We have half a dozen bills that we're going to offer some comments on. I'm going to use subject experts to do this. I think it will put you in touch with the people who have actually done the language and who actually do the type of work involved. And it should make the process a bit easier and less painful.

We're going to discuss first of all SB 569, AN ACT CONCERNING REVISION TO THE PUBLIC HEALTH STATUTES. And Ms. Jennifer Filippone from my regulatory portion of the agency will discuss that bill.

JENNIFER FILIPPONE: Thank you, Commissioner.

SEN. MURPHY: Why don't -- could you approach if you're going to testify? Why don't you just bring them all up and sort of fill in seats (indiscernible - microphone not on) Go ahead.

JENNIFER FILIPPONE: Senator Murphy, Representative Feltman and members of the committee, my name is Jennifer Filippone. And I manage the Office of Practitioner Licensing for the department. I am going to speak on SB 569.

The department supports this bill but respectfully requests some revisions to specific sections. We have submitted written testimony. So I will limit my comments to only those sections for which we're requesting amendments.

My colleague, Richard Edmonds, will also be testifying on one other section of the bill.

The laws governing the practice of nursing currently allow graduate nurses to practice in a supervised setting for a limited period of time. Since enactment of the statute, the frequency of the examination administration has increased significantly and nurses can actually sit for the exam within 30 days of applying.

The current process for getting graduate nurses to

work on the floor is very cumbersome. It requires hospitals to validate with the department that folks have actually graduated from schools. Graduate nurses have been allowed to work for up to 90 days pending the results of the exam. And individuals who fail the exam are no longer able to work in that capacity.

This bill would codify the time frames concerning temporary practice and streamline the process for hospitals and other organizations that utilize graduate nurses.

The department does request, however, that the time frame for practice for graduate nurses be limited to 90 days rather than the 120 days that's identified in the law.

The existing laws also limit the department's ability to license practitioners who demonstrate competent practice in other states but whose training and education doesn't necessarily meet Connecticut's current requirements. This bill would allow the department to issue a license to a clinical social worker who comes from a state whose requirements are similar to Connecticut's.

In reviewing other states' standards, however, it appears that there are still going to be a group of individuals who won't qualify under these provisions. So the department requests the opportunity to submit substitute language that will allow these competent, experienced practitioners to work in Connecticut.

Finally, we're requesting that the implementation date for mandatory continuing education for nursing home administrators be changed back to January 1, 2004 to coincide with the issuance of biennial licenses. It's my understanding that the industry also supports this change.

RICHARD EDMONDS: Good afternoon, Senator Murphy and committee members. My name is Dick Edmonds. And I'm testifying with respect to Section 18 of this proposed legislation.

This section would change the definition of "resident camp" and "day camp" to "programs that serve children less than 16 years of age". This would exempt programs that serve children exclusively 16 years, 16, 17 and 18.

All of those children who are 16 and above currently qualify as camp counselors. We'd like to put our emphasis on camps that provide services to younger children.

There are two changes that we would like to respectfully request that you make to this proposed legislation. One is to include in the definition of "youth camps" under -- to make it under 16 years of age as well so it will be consistent with the definition for "resident camp" and "day camp". And we would respectfully request that this section of the legislation become effective immediately on passage so it would be in place for this current camp -- upcoming camp season.

Thank you very much.

SEN. MURPHY: Why don't we wait until everybody (indiscernible - microphone not on)

COMMISSIONER GALVIN: Do you want to go on to the next bill, Senator Murphy?

SEN. MURPHY: Why don't we go through them all? And if we have questions, we'll ask questions.

COMMISSIONER GALVIN: Very well.

Next is HB 5628, AN ACT CONCERNING FUNERAL DIRECTORS AND VITAL RECORDS.

LISA KESSLER: Good afternoon. I'm Lisa Kessler.

SEN. MURPHY: Excuse me, Lisa. Make sure that when you go to speak that your button is pressed.

LISA KESSLER: It is. Can you hear me?

I'm Lisa Kessler. I'm from the Vital Records Section of the Department of Public Health. I'm

SEN. MURPHY: Right. I guess -- yeah. I think the --

REP. WINKLER: All this is surgical facilities.

SEN. MURPHY: Right. In reference -- last year's bill mandated the DPH licensure of these facilities, which has been going forward.

REP. WINKLER: I'll wait.

SEN. MURPHY: The CON portion is probably more relevant to OHCA. If you wouldn't mind --

REP. WINKLER: All right. I'll wait.

The other question I have is on SB 569, where you're limiting the temporary practice of nurses to 90 days as opposed to 120. And you mention that it had been the standard that's been utilized in the past. I would think for, you know, for continuity, we would keep them all, all of the professions, the same; being either all 90 days or all 120 days. So I'm wondering what your thought is on that.

WENDY FURNESS: In speaking with the different practitioner groups, the 120-day period has worked for the other professions based on the timing of graduation, when they can apply for the examination, when they can sit for the examination and get the examination results back. In working with the nursing community, they felt strongly that the 90-day period has worked for that group and they wanted to keep that 90-day period the same.

REP. WINKLER: Okay. Thank you.

SEN. MURPHY: Thank you.

Representative Kalinowski.

REP. KALINOWSKI: Thank you, Mr. Chairman.

HB 5634

I have a question for Dr. Iwan please. How are you doing, Jerry? Regarding Water Utility Coordinating Committees, as we know, in the past there were some very serious shortcomings in their ability to define and settle conflicts over exclusive water

portion and go to Mary Jane Williams.

Thank you, Mary Jane, for being so patient.

We would ask that guests who have conversations to please carry them outside the room as we proceed with this long public hearing.

Ms. Williams?

DR. MARY JANE WILLIAMS: Thank you. With your permission, I have four bills that I would like to just quickly summarize. Thank you for the opportunity to present testimony on behalf of CNA, the professional organization for registered nurses. I am Dr. Mary Jane Williams. I'm currently Chair of the Government Relations Committee and a visiting professor at the University of Hartford.

I am testifying on SB 569. We support the changes in Section 8 that would require an advanced practice registered nurse to maintain her RN license. The maintenance of an RN license reflects the historical intent of the negotiations of the Nurse Practice Act in 1999. It maintains the public safety and it also protects the nurse.

I am also testifying in support of HB 5626, AN ACT CONCERNING FUNERAL DIRECTORS AND VITAL RECORDS. I support of HB 5628, Section C, D, Section 24a and Section 25. The Connecticut Nurses Association has worked collaboratively with the Connecticut Funeral Directors Association and the Department of Public Health to address the issue that will be corrected by the proposed changes in this bill. Section 7-C allows the advanced practice registered nurse, physician assistant and registered nurse to certify death. This change will make the process of pronouncement and the determination of death more expeditious for providers and families. Delays in this process have made it difficult for families at a time when there are decisions and plans that need to be made. Section 24a allows the advanced practice registered nurse to make determinations and pronouncement of death. Section 25a allows a registered nurse, the advanced practice registered

SEN. MURPHY: -- funding?

TIM DUTTON: Yes, they do.

SEN. MURPHY: They do. Okay. That's what I -- okay.
And do you know how many charter schools are in --
you're in Bridgeport. Right?

TIM DUTTON: Yes.

SEN. MURPHY: How many charter schools are in
Bridgeport?

TIM DUTTON: There's currently two in Bridgeport.
There's two in Bridgeport. There's three in New
Haven. And another two -- one in Hartford at the
moment.

SEN. MURPHY: Okay. Are there any further questions?

Thank you for sticking around with us this long
day. Appreciate your testimony.

Moving on to SB 569, Steve Karp?

Betsy Loiacona? I apologize if I didn't --

BETTY LOIACONA: I'll say it right for you.

SEN. MURPHY: I don't have to swear you in or anything.

BETTY LOIACONA: Good evening, everybody. Senator
Murphy and Representatives and members of the
Public Health Committee, my name is Betty Loiacona.
I am the Spa Director at the Spa at Norwich Inn.
And I'm here in support of SB 569, AN ACT
CONCERNING REVISIONS TO THE PUBLIC HEALTH STATUS.

The passage of SB 569 is necessary to allow
certified technicians to utilize their training and
work in their chosen field. Accredited Connecticut
cosmetology schools have offered and graduated
manicurists and pedicurists from nail technician
courses which are offered outside of and
independent from the scope of cosmetology
curriculum. These graduates are fully prepared to
enter the work force and earn their livelihood in

the performance of these beauty treatments.

Currently, certified and trained individuals are being barred from an occupation that allows them to apply their skills, meet an ever-growing demand and participate in the workforce. The Spa at Norwich Inn, for one, has witnessed the financial devastation which resulted from the removal of such qualified employees from their ability to perform the profession they were hired to perform. And as an employer, we have sustained a substantial loss in an otherwise thriving revenue center.

This has created a fiscal burden in our ability to meet our financial goals in fulfillment of our budgetary responsibilities.

This bill will stimulate employment in a time when Connecticut, like much of the nation's economy, is facing a shortage in job opportunities. SB 569 will also bring parity to our profession. Currently, individuals who perform manicures do not require any state licensing. And I request that those who perform pedicures have the same requirements placed upon them.

Additionally, please understand that the height of demand for pedicures is spring and summer. Therefore, I would ask you to consider having this bill take effect on date of passage instead of October 1 while waiting until October will cause a shortfall of trained individuals in the coming months and it will reduce the ability to generate income to our business and our employees during what is the most profitable time. After October 1, the demand drops severely. And it would be for us and our employees another year lost.

However, please let me make it clear that while this bill divorces pedicurists from operating under cosmetology licensure, we do advocate the licensure of nail technicians under their own category, complete with their own licensing exam and fee, renewable.

And as a professional, I am willing to work with the Public Health Committee to move this forward.

Perhaps you might consider a limited license, similar to those occupational licenses admitted by the Department of Consumer Protection, but yet remain still under the Public Health Committee.

Thank you very much for allowing me to present my approval of this bill. Thank you for raising this bill. And I respectfully urge passage of this bill.

SEN. MURPHY: Thank you for your testimony.

Are there questions?

Representative Winkler.

REP. WINKLER: Yes. Thank you. Just -- thank you, Mr. Chairman. Just briefly.

Thank you for your testimony. I know this was a problem last year. And a number of the people that did pedicures at a number of salons had to stop. And it did provide a -- you know, wasn't good for business. And people were disappointed. So I'm glad this is here. I hope we can do something with it. And I would definitely support licensure of nail technicians.

BETTY LOIACONA: I would, too. Just so that I may be able to say I would love this to be something that we could move forward at this current point and then for sure take a look at the licensure of this to come, which is something that had been in the works at one time before.

REP. WINKLER: (Indiscernible - microphone not on)

BETTY LOIACONA: Yeah. Exactly. And we were ready to be part of that and so on and so forth. Which I'm sure you know the history. But tourism being what it is, it would be a great loss to us in our area specifically and across the state not to have this in effect right away.

So thank you very much for your time.

SEN. MURPHY: Thank you very much for staying with us.

Julie Robinson? Good evening.

JULIE ROBINSON: Hi. How are you?

SEN. MURPHY: Good.

JULIE ROBINSON: Senator Murphy and members of the Public Health Committee, I am here also in support of SB 569. I feel, you know, this is very important to the economy of our state. I work for Elizabeth Arden Salons, which is one of the largest salon and day spa companies in the United States. The spa industry contributes significant value to the quality of life, state tourism and economic health of Connecticut. As a representative of one of the largest salon and day spa companies, I seek your assistance with helping to pass SB 569.

Currently, we face challenges in regard to the licensing of nail technicians. This is a growing industry. Yet, Connecticut is the only state that lacks some sort of standardization for nail technicians. This is a profession which our schools teach to our folks, manicures and pedicures, and they accept money in this state. And they are unable to perform these services to people of the state.

You can receive a Connecticut hairdressing license from another -- if you are licensed in another state, one of our surrounding states, Rhode Island, Massachusetts, New York, you can come to Connecticut, receive a cosmetology license and be able to do a pedicure when you have had absolutely no training or even have touched a foot in your training.

Today, the technicians in Connecticut are required 1500 hours of schooling and training as a certified hair dresser in order to perform pedicures. But there is no license to do manicures. Most states have established a combination license for manicures and pedicures to assure appropriate sanitation levels. The sanitation required in conducting these services is imperative. And your assistance in establishing licensure would provide

a safe way for the people who live in and visit Connecticut to have a clean and sanitary service.

Due to the inconsistent requirements, many people are working in the state as manicurists who have paid money to go through a course to learn how to do pedicures and are unable to provide those services in this state. Folks who have had more education and training in our surrounding states, for instance, Rhode Island, have 300 hours in training for manicures and pedicures and, if they relocate to Connecticut, are unable to perform their profession or obtain a license.

This is an important issue, but not a new one. As Betty spoke about before, it was written -- and I've enclosed a copy in my testimony. And it was approved and then it was repealed. We're asking for support to establish standards with our technicians to be able to obtain a license to perform their services that they were trained to do by schools in this state.

Thank you.

SEN. MURPHY: Thank you. I missed maybe the beginning of your testimony. Are you in administration at a spa or are you a licensed --

JULIE ROBINSON: I'm a Director.

SEN. MURPHY: You're a Director.

JULIE ROBINSON: I do actually have nail certification from New York City and am unable to perform nail services in the state of Connecticut.

SEN. MURPHY: But you don't have a State of Connecticut cosmetology --

JULIE ROBINSON: No, I don't.

SEN. MURPHY: -- license? Okay.

Representative Winkler.

REP. WINKLER: Thank you. Just a quick question.

Julie, thank you for your testimony and coming up today. Do you feel that if we were to implement a licensure program for nail techs, that your people would be willing to pay more originally for their license to get the program up and going?

JULIE ROBINSON: Absolutely. It's about, you know, someone having a trade. You know. It's about professionalism. It's about making sure that they give a high quality of safe service to any guest that they touch. You know, the financial aspect, I'm sure, to the state, you know, is a financial burden. But as technicians, they are willing to pay extra money, just like the massage therapists did when they started, \$300.00 followed by a \$100.00 licensing fee. They are willing to do that.

REP. McCLUSKEY: Thank you very much for your testimony.

Is Richard Brown here? No?

SEN. MURPHY: Yeah. The next bill is HB 5628. And I know there were a ton of people who were on the list. But I guess you guys are going to come up together and present testimony, which I assume will be partially on behalf of all the people who couldn't stay with us this long.

THOMAS HOWARD: That's right. Senator. My name is Tom Howard. I'm from East Granby. And I'm -- and forgive me. Senator Murphy, Representative McCluskey, members of the committee, I commend you on your endurance and your stamina. My God.

HB 5628, Section 5 and 6 are our primary focus. I'm President of the Connecticut Genealogical Council, the professional genealogical council. God, I need a throat lozenge. Excuse me. And I'm also Coordinator of the Genealogical Coalition that was formed -- thank you -- was formed as a result of hearing about this bill in December.

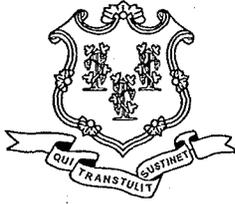
The Connecticut Public Health proposal is unwise and does more harm than they know. And it does so because they do not know what genealogists do.

JOINT
STANDING
COMMITTEE
HEARINGS

PUBLIC
HEALTH
PART 5

1228-1589

2004



STATE OF CONNECTICUT 001441

DEPARTMENT OF PUBLIC HEALTH

TESTIMONY PRESENTED BEFORE THE PUBLIC HEALTH COMMITTEE March 11, 2004

Wendy Furniss, R.N.C., M.S., Chief, Bureau of Healthcare Systems 509-7406

Senate Bill 569 - An Act Concerning Revisions to the Public Health Statutes

The Department of Public Health supports Senate Bill 569, but respectfully requests revisions to specific sections of the bill. The Department provides the following comments for the Committee's review and consideration.

This bill seeks to amend current statutory provisions for temporary permits issued by the Department to physician assistants, physical therapists, physical therapy assistants, occupational therapists, radiographers, registered nurses and licensed practical nurses. The current laws governing the practice of these professions authorize qualified licensure candidates to practice their profession from the time of graduation until receipt of the results of the licensing examination. The frequency of examination administrations has increased significantly since these statutes were enacted and the statutes have not been revised accordingly. In addition to clarifying time frames concerning temporary practice, this proposal streamlines the credentialing process for health care institutions that utilize graduate nurses. The Department supports this initiative, but requests that the time frame for temporary practice for nurses be limited to ninety days. Ninety days has been the standard utilized in the nursing profession, and is an appropriate time frame for graduate nurse practice.

Existing statutory provisions limit the Department's ability to license practitioners who have demonstrated competent practice in other states, but whose training and experience may not meet current requirements in Connecticut. This bill will allow the Department to issue a license as a barber or hairdresser to an applicant who completed formal training outside of Connecticut. It will also allow the Department to issue a license as a clinical social worker to an applicant who holds a current license in another state, which maintains licensing requirements equal to those of this state. Based upon the Department's knowledge of licensing standards in other states however, it appears that there will still be qualified social workers from other states who will not be eligible for licensure by endorsement. Therefore, the Department requests the opportunity to submit substitute language to ensure that experienced, competent practitioners from other states are able to obtain licensure in Connecticut. In addition to streamlining the licensing process, this proposal supports work force development and the establishment of uniformity in the regulation of health professions in Connecticut.

Finally, this bill would extend the implementation date for earning mandatory continuing education for nursing home administrators until October 1, 2005. Licensees are required to complete forty hours of continuing education every two years. Such two-year period would now commence with the licensee's first date of license renewal after October 1, 2005. The Department began issuing two-year licenses to nursing home administrators on January 1, 2004, and requests that the implementation date for earning continuing education be amended to January 1, 2004, to coincide with the issuance of biennial licenses. Nursing home administrators would have to demonstrate compliance with the mandated requirements beginning with licenses renewed on or after January 1, 2006.



Phone:

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410 Capitol Avenue - MS # _____

P.O. B x 3 3 8 Hartford, CT 61

Affirmative Action / An Equal Opportunity Employer

Senate Bill 569
Public Health Committee
March 11, 2004
Page 2 of 2

This bill proposes to add language to the definitions of, "resident camp", and "day camp" in Connecticut General Statutes, Section 19a-420 that would limit the definitions to programs that serve children less than sixteen years of age. In order to be consistent, the Department is requesting that the definition of "youth camp" also be changed to limit the definition to programs serving children under sixteen years of age, since "day camp" and "resident camp" are the primary classifications under the term "youth camp". This would exempt those programs that serve exclusively children ages sixteen, seventeen, and eighteen years of age from youth camp licensing, such as summer college preparatory and career exploration programs for these older youths. Section 19-13-B27a(n) of the Regulations of Connecticut State Agencies requires counselors in licensed youth camps to be over age sixteen. In programs that serve youth exclusively sixteen years of age and older, all of the participants could qualify as camp counselors. This bill would focus the resources of the agency on those youth camps that serve younger children, who do not qualify as youth camp counselors.

The Department respectfully requests that this section of the act take effect upon passage so that this change will apply to this summer's youth camp season.

Thank you for your consideration of the Department's views on this bill.

The Norwich Inn & Spa

Regarding SB 569

“An Act Concerning Revisions to the Health Statutes”

**Public Health Committee
Thursday, March 11, 2004**

Senator Murphy, Representative Feltman, and members of the Public Health Committee, my name is Betty Loiacono of the Norwich Inn & Spa. I am here in support of Senate Bill 569, “An Act Concerning Revisions to the Public Health Statutes.”

The passage of Senate Bill 569 is necessary to allow certified technicians to utilize their training and work in their chosen field. Accredited CT Cosmetology schools have offered and graduated manicurists and pedicurists from nail technician courses which are offered outside of and independent from the scope of Cosmetology curriculum. These graduates are fully prepared to enter the workforce and earned their livelihood in the performance of these beauty treatments. Currently, certified and trained individuals are being barred from an occupation that allows them to apply their skills, meet an ever-growing demand, and participate in the workforce...

The Spa at Norwich Inn, for one, has witnessed the financial devastation which resulted from the remove of such qualified employees from their ability to perform the profession they were hired to perform. And, as an employer, we have sustained a substantial loss in an otherwise thriving revenue center. This has created a fiscal burden in our ability to meet our financial goals in fulfillment of our budgetary responsibility.

This bill will stimulate employment in a time where Connecticut, like much of the nation's economy, is facing a shortage in job opportunities. Bill 569 will also bring parity to our profession. Individuals who perform manicures do not require any state licensing. I request that those who perform pedicures have the same requirements placed upon them.

Additionally, please understand that the height of demand for pedicures is spring and summer. Therefore, I would like to ask that you consider having this bill take effect on date of passage, instead of October 1st. Waiting until October will cause a shortfall of trained individuals in the coming months and reduce the ability to generate the income to our business and our employees during what is the most profitable time. After October 1st, the demand drops severely. It would be another year lost.

Thank you for raising this bill, and for all your attention to this matter.

I respectfully urge passage of this bill...

Regarding SB 569
"An Act Concerning Revisions to the Public Health Statutes"

Public Health Committee
March 11, 2004

Senator Murphy, Representative Feltman and members of the Public Health Committee, my name is Julie Robinson and I am here on behalf of the Elizabeth Arden Red Door Spa to urge your support of Senate Bill 569 "An Act Concerning Revisions to the Public Health Statutes."

The spa industry contributes significant value to the quality of life, state tourism and economic health of Connecticut. As representatives of some of the largest salon and day spa companies in the United States we seek your immediate assistance. Currently, we face challenges in regard to the licensing of nail technicians. This is a growing industry yet Connecticut is one of a small number of states which lacks standard licensing of nail technicians.

Today, technicians are required to complete 1500 hours of schooling and train as a certified hairdresser in order to perform pedicures, however no license is required to do manicures. Most states have established a combined license for manicures & pedicures to ensure appropriate sanitation levels. The sanitation required in conducting these services is imperative and your assistance in establishing this licensure will provide a safe way for the people who live in and visit Connecticut to have a clean and sanitary services. Due to the inconsistent requirement many people are working in the state as manicurists and pedicurists who have never even taken a class, and yet there are also people who would wish to work in a professionally licensed establishment, but cannot obtain a license in their profession.

This is an important issue, but not a new one, as industry professionals have been seeking assistance on this for years. Enclosed is a copy of the legislation that was intended for approval in 2000, but was somehow overlooked. **We are asking for your support to establish standards in which technicians must obtain a license in Connecticut in order to perform manicures and pedicures.** This will help to keep our state residents working and able to support their families. We propose that all technicians in this profession be licensed and that the technicians have been performing these services for the past three years be grandfathered and be able to take a state exam in order to obtain a license.

Thank you for your time and attention to this matter.

Licensure of Nail Technicians in Connecticut Fact Sheet

Public Act 99-2, Sections 54 through 61 (attached), established a licensure program for nail technicians in Connecticut. Effective October 1, 2000, no person may practice as a nail technician without a current Connecticut nail technician, hairdresser/cosmetologist or barber license.

Applicants for nail technician licensure must complete one hundred and fifty (150) hours of approved training and pass an examination prescribed by the Department. Prior to March 31, 2001, the training and examination requirements will be waived for those who submit satisfactory evidence of having practiced as a nail technician for a minimum of one year within the three-year period immediately preceding their application.

The Department is presently finalizing the training curriculum for Connecticut nail technician licensure. Applicants trained prior to the program's inception may arrange for their training providers to submit classroom hours in support of their application. Application materials will be available from this office in the Summer, 2000.

Questions regarding the development of the nail technician licensure program can be directed to Christopher Stan at 860-509-7584.

Sec. 54. (NEW) As used in sections 55 to 58, inclusive, of this act "nail technician" means a person who, for compensation, cuts, shapes, polishes or enhances the appearance of the nails of the hands or feet. The term includes, but is not limited to, the application and removal of sculptured or artificial nails.

Sec. 55. (NEW) (a) Except as provided in subsection (c) of this section, no person may practice as a nail technician unless licensed pursuant to section 56 of this act.

(b) No person may use the title "licensed nail technician", "licensed nail specialist" or "licensed manicurist" or make use of any designation that may reasonably be confused with licensure as a nail technician unless licensed pursuant to section 56 of this act.

(c) No license as a nail technician is required of: (1) A person licensed as a barber under chapter 386 of the general statutes or as a hairdresser and cosmetician under chapter 387 of the general statutes; (2) a person licensed or certified by any agency of this state and performing services within the scope of practice for which licensed or certified; or (3) a student, intern or trainee pursuing a course of study as a nail technician, barber or hairdresser and cosmetician in an accredited educational institution, provided the activities that would otherwise require a license as a nail technician are a part of a course of study and are performed under the supervision of a person licensed or otherwise authorized to practice as a nail technician.

Sec. 56. (NEW) The Commissioner of Public Health shall grant a license as a nail technician to any applicant who furnishes evidence satisfactory to the commissioner that the applicant has met the requirements of section 57 of this act. The commissioner shall develop and provide application forms. The initial license application fee shall be fifty dollars. The license may be renewed pursuant to section 19a-88 of the general statutes for a fee of twenty-five dollars.

Sec. 57. (NEW) (a) Except as provided in subsections (b) and (c) of this section, an applicant for a license as a nail technician shall submit evidence satisfactory to the Commissioner of Public Health of having: (1) Completed a course of study acceptable to the commissioner in the theoretical and practical components of nail care of not less than one hundred fifty hours of study that included coursework in anti-fungal techniques, blood-borne diseases and clean air requirements, and (2) passed an examination prescribed by the commissioner.

(b) An applicant for a license as a nail technician through reciprocity or by endorsement may, in lieu of the requirements set forth in subsection (a) of this section, submit evidence satisfactory to the commissioner that the applicant is licensed or certified as a nail technician, or as a person entitled to perform similar services under a different designation, in another state or jurisdiction whose requirements for practicing in such capacity are substantially similar to or higher than those of this state and that there are no disciplinary actions or unresolved complaints pending against the applicant.

(c) Prior to March 31, 2001, an applicant for a license as a nail technician may, in lieu of the requirements set forth in subsection (a) of this section, submit evidence satisfactory to the commissioner of having practiced as a nail technician for a minimum of one year within a three-year period immediately preceding application.

Sec. 58. (NEW) The Commissioner of Public Health may, after giving notice and an opportunity to be heard, take any disciplinary action set forth in section 19a-17 of the general statutes against a nail technician for any of the following reasons: (1) Failure to conform to the accepted standards of the profession; (2) conviction of a felony; (3) fraud or deceit in obtaining or seeking reinstatement of a license to practice as a nail technician; (4) fraud or deceit in the practice as a nail technician; (5) negligent, incompetent or wrongful conduct in professional activities; (6) physical, mental or emotional illness or disorder resulting in an inability to conform to the accepted standards of the profession; (7) alcohol or substance abuse; or (8) violation of any provision of sections 55 to 57, inclusive, of this act, or any regulation adopted pursuant to section 59 of this act. The commissioner may order a license holder to submit to a reasonable physical or mental examination if the person's physical or mental capacity to practice safely is the subject of an investigation. The commissioner may petition the superior court for the judicial district of Hartford to enforce such order or to enforce any action taken pursuant to section 19a-17 of the general statutes.

Sec. 59. (NEW) The Commissioner of Public Health may adopt regulations, in accordance with the provisions of chapter 54 of the general statutes, to further the purposes of sections 54 to 58, inclusive, of this act.

Sec. 60. Subsection (c) of section 19a-14 of the general statutes is repealed and the following is substituted in lieu thereof:

(c) No board shall exist for the following professions [which] that are licensed or otherwise regulated by the Department of Public Health:

(1) Speech pathologist and audiologist;

(2) Hearing aid dealer;

(3) Nursing home administrator;

- (4) Sanitarian;
- (5) Subsurface sewage system installer or cleaner;
- (6) Marital and family therapist;
- (7) Nurse-midwife;
- (8) Licensed clinical social worker;
- (9) Respiratory care practitioner;
- (10) Asbestos contractor and asbestos consultant;
- (11) Massage therapist;
- (12) Registered nurse's aide;
- (13) Radiographer;
- (14) Dental hygienist;
- (15) Dietitian-Nutritionist;
- (16) Asbestos abatement worker;
- (17) Asbestos abatement site supervisor;
- (18) Licensed or certified alcohol and drug counselor; [and]
- (19) Professional counselor;
- (20) Acupuncturist;
- (21) Occupational therapist;
- (22) Lead abatement contractor; and
- (23) Nail technician.

The department shall assume all powers and duties normally vested with a board in administering regulatory jurisdiction over said professions. The uniform provisions of this chapter and chapters 368v, 369 to [381] 381a, inclusive, 383 to 388, inclusive, 393a, 395, 398, 399, [and] 400a and 400c, including, but not limited to, standards for entry and renewal; grounds for professional discipline; receiving and processing complaints; and disciplinary sanctions, shall apply, except as otherwise provided by law, to the professions listed in this subsection.

Sec. 61. Subsection (e) of section 19a-88 of the general statutes is repealed and the following is substituted in lieu thereof:

(e) Each person holding a license or certificate issued under section 19a-514, 20-74s, 20-195cc or 20-2061l and chapters 370 to 373, inclusive, 375, 378 to 381a, inclusive, 383 to 388, inclusive, 393a, 395, 398, 399 or 400a and section 20-206n, [or] 20-206o or section 56 of this act shall, annually, during the month of [his] the applicant's birth, apply for renewal of such license or certificate to the Department of Public Health, giving [his] the applicant's name in full, [his] the applicant's residence and business address and such other information as the department requests. Each person holding a license or certificate issued pursuant to section 20-475 or 20-476 shall, annually, during the month of [his] the applicant's birth apply for renewal of such license or certificate to the department. Each entity holding a license issued pursuant to section 20-475 shall, annually, during the anniversary month of initial licensure, apply for renewal of such license or certificate to the department.

state boards

State Licensing Educational Data

STATE BOARD CONTACT INFORMATION	LICENSE REQUIRED	SCHOOL HOURS REQUIRED	(1) RECIPROcity? (2) LICENSING/OWNERSHIP RESTRICTIONS	HOME/MOBILE SALONS LEGAL?	CEU/ REQUIRED HOURS
Alabama Board of Cosmetology RSA Building 100 N. Union #320 Montgomery, AL 36130 (334) 242-1918 • Fax (334) 242-1926 www.aboc.state.al.us	Manicurist	750 or 1,200 Apprenticeship hours	(1) Yes, must pass practical exam (2) Individual with managing manicurist or cosmetology license must be present during business hours	Yes, if requirements are met/No	No/No
Arizona Board of Cosmetology 1721 E. Broadway Tempe, AZ 85282 (480) 784-4539 • Fax (480) 784-4962	Nail Technician	600	(1) Yes, with country certifica- tion or current state license (2) Must have a licensed manager	Yes/Yes	No/No
California Dept. of Consumer Affairs Bureau of Barbering and Cosmetology 400 "R" St #5100 Sacramento, CA 95814 (916) 327-6250 • Fax (916) 445-8893 Toll free: (800) 952-5210 (CA Only) E-mail: barbercosmo@dca.ca.gov www.dca.ca.gov/barber	Manicurist	400	(1) N/A (2) N/A	Yes, if requirements are met/Yes, if requirements are met	No/No
Connecticut Dept. of Public Health 410 Capitol Ave., MS#12APP PO Box 340308 Hartford, CT 06134-0308 (860) 509-7569 • Fax (860) 509-8457 www.dph.state.ct.us	No license required for manicures, Hairdresser/ Cosmetician licenses required for pedicures	1,500 for either license	(1) Applicants with a valid license from a state whose requirements are equal to or greater than Connecticut will be credited their total number of hours towards licensure. However, applicant may still be required to take the exam	Yes/Yes	No/No

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state boards

STATE BOARD CONTACT INFORMATION	LICENSE REQUIRED	SCHOOL HOURS REQUIRED	(1) RECIPROCI- (2) LICENSING/OWNERSHIP RESTRICTIONS	HOME/MOBILE SALONS LEGAL?	CEU/ REQUIRED HOURS
Delaware State Board of Cosmetology and Barbering 861 Silver Lake Blvd. #203 Dover, DE 19904 (302) 744-4518 • Fax: (302) 739-2711 E-mail: gaymelvin@state.de.us www.professionallicensing.state.de.us	Nail Technician	125	(1) Must meet or exceed DE requirements (2) Shops and salons must be registered	Yes/No	No/No
Florida Board of Cosmetology 1940 N. Monroe St. Tallahassee, FL 32399-0790 (850) 487-1395 • Fax: (850) 922-6959 E-mail: callcenter@dbpr.state.fl.us www.myflorida.com	Nail Specialist	240	(1) Endorsement available (2) N/A	Yes/Yes	Yes/16 hours per renewal period
Hawaii Board of Barbering and Cosmetology PO Box 3469 Honolulu, HI 96801 (808) 586-2699 E-mail: barber_cosm@dcca.state.hi.us www.state.hi.us/dcca/pvl	Nail Technician	350 or 700 Apprenticeship hours	(1) N/A (2) N/A	Yes/Yes	No/No
Illinois Dept. of Professional Regulation 320 W. Washington St., 3rd fl. Springfield, IL 62786 (217) 782-0800 • Fax: (217) 782-7645 www.dpr.state.il.us	Nail Technician	350	(1) Must show substantial equivalence at time of licensure (2) N/A	Yes/Yes	Yes/10 hours per renewal period

state boards

STATE BOARD CONTACT INFORMATION	LICENSE REQUIRED	SCHOOL HOURS REQUIRED	(1) RECIPROcity (2) LICENSING/OWNERSHIP RESTRICTIONS	HOME/MOBILE SALONS LEGAL?	CEU / REQUIRED HOURS
<p>Iowa Cosmetology Board of Examiners— Dept of Public Health/Professional Licensure 321 E. 12th St. Lucas Building, 5th flr. Des Moines, IA 50319 (515) 281-4416 • Fax: (515) 281-3121 E-mail: pprall@dph.state.ia.us www.idph.state.ia.us/licensure</p>	<p>Manicurist, Nail Technician</p>	<p>40 or 325</p>	<p>(1) N/A (2) N/A</p>	<p>Yes/No</p>	<p>Yes/8 hours per renewal period</p>
<p>Kentucky State Board of Hairdressers and Cosmetologists 111 St. James Ct. #A Frankfort, KY 40601 (502) 584-4262 • Fax: (502) 564-0481</p>	<p>Manicurist</p>	<p>600</p>	<p>(1) N/A (2) Must be licensed nail technician to manage nail salon, licensed cosmetologist for beauty salon</p>	<p>Yes/No</p>	<p>Yes/6 hours per renewal period</p>
<p>Maine Board of Barbering and Cosmetology 35 State House Station Augusta, ME 04333 (207) 624-8603 • Fax: (207) 624-8637 E-mail: linda.harris@state.me.us www.maineprofessionalreg.org</p>	<p>Manicurist</p>	<p>200 or 400 Apprenticeship hours</p>	<p>(1) All states with equal or greater requirements, including examination requirements (2) N/A</p>	<p>Yes/No</p>	<p>No/No</p>
<p>Massachusetts Board of Cosmetology Sves., Board of Cosmetology 239 Causaway St. Boston, MA 02114 (617) 727-3067 • Fax: (617) 727-1627 www.state.ma.us/reg/boards/hd</p>	<p>Manicurist</p>	<p>100</p>	<p>(1) All states with equal requirements (2) Florida does not require</p>	<p>Yes/No</p>	<p>No/No</p>

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state boards

STATE BOARD CONTACT INFORMATION	LICENSE REQUIRED	SCHOOL HOURS REQUIRED	(1) RECIPROCALITY (2) LICENSING/OWNERSHIP RESTRICTIONS	HOME/MOBILE SALONS LEGALS	CEU / REQUIRED HOURS
Minnesota Dept. of Commerce, License Division 85 7th Place East #500 St. Paul, MN 55101 (651) 296-6319 • Fax: (651) 284-4107 Toll free: (800) 657-3978 E-mail: licensing.commerce@state.mn.us www.commerce.state.mn.us	Manicurist	350	(1) Yes (2) Must have licensed cosmetologist or manicurist manager	No/No	No/No
Missouri State Board of Cosmetology PO Box 1062 3605 Missouri Blvd. Jefferson City, MO 65102 (573) 751-1052 • Fax: (573) 751-8167 E-mail: cosmo@mail.state.mo.us www.ccodevstate.mo.us/pr	Manicuris	400	(1) Must meet or exceed requirements of MQ, or take written and practical exam in MO (2) N/A	Yes	N / o
Nebraska State Board of Cosmetology Examiners/Credentialing Division PO Box 94986 Lincoln, NE 68509-4986 (402) 471-2117 • Fax: (402) 471-3577 E-mail: carolann.gray@hhs.state.ne.us www.hhs.state.ne.us/lis/lis.asp	Nail Technician	300 (16 hours on nail drills)	(1) Qualifications and work experience evaluated individually (2) N/A	Yes/Yes, only to housebound clients, must have home service permit	Yes/8 hours per renewal period
New Hampshire Board of Barbering, Cosmetology and Esthetics 2 Industrial Park Dr. Concord, NH 03301 (603) 271-3608 • Fax: (603) 271-8889	Manicurist	300	(1) Must be equivalent to NH training and testing before reciprocity will be granted (2) N/A	Yes/No	No/No

state boards

STATE BOARD CONTACT INFORMATION	LICENSE REQUIRED	SCHOOL HOURS REQUIRED	(1) RECIPROCITY (2) LICENSING/OWNERSHIP RESTRICTIONS	HOME/MOBILE SALONS LEGAL?	CEU / REQUIRED HOURS
New Mexico Board of Barbers and Cosmetologists 2055 S. Pacheco St. #400 PO Box 25101 Santa Fe, NM 87504 (505) 476-7110 • Fax: (505) 476-7118	Manicurist	350	(1) 350 hours verifiable work experience; manicurist/ esthetician 600 school hours/600 hours verifiable work experience (2) In a full-service salon, the owner or manager must be a licensed cosmetologist	Yes/Yes	No/No
North Carolina Board of Cosmetology 1201 Front St. #110 Raleigh, NC 27609 (919) 733-4117 • Fax: (919) 733-4127 E-mail: ncs0963@mindspring.com www.cosmetology.state.nc.us	Manicurist	300	(1) 300 hours school plus pass theory (national exam) and practical exam (2) N/A	Yes/No	No, only for instructors/8 hours per renewal period for instructors
Ohio State Board of Cosmetology 3700 S. High St. #101 Columbus, OH 43207 (614) 466-3834 • Fax: (614) 644-6880 E-mail: ohiocosbd@cos.state.oh.us www.state.oh.us/cos	Manicurist	200	(1) N/A (2) Must be managing manicurist/cosmetologist or hire same	Yes/No	Yes/8 hours per renewal period
Oregon Board of Cosmetology Health Licensing Office 700 Summer St. NE #320 Salem, OR 97301-1287 (503) 378-8667 • Fax: (503) 585-9114 TDD: (503) 373-2114 E-mail: hlo.info@state.or.us www.hlo.state.or.us	Nail Technician	600	(1) Yes, with current license from another state qualifies for licensure in Oregon (2) Must be at least 18 years old	Yes/Yes	No/No

state boards

STATE BOARD CONTACT INFORMATION	LICENSE REQUIRED	SCHOOL HOURS REQUIRED	(1) RECIPROCIITY? (2) LICENSING/OWNERSHIP RESTRICTIONS	HOME/MOBILE SALONS LEGAL?	CELL / REQUIRED HOURS
Rhode Island Board of Hairdressing and Barbering 3 Capitol Hill, Rm. 104 Providence, RI 02908 (401) 222-2827 - Fax: (401) 222-1272 www.health.state.ri.us	Manicurist	300	(1) Yes (2) Must be licensed for one year or have manager who has been licensed one year	Yes, must be separate establishment with separate facilities (bathrooms, etc.)/No	No/No
South Carolina Board of Cosmetology PO Box 1111 Columbia, SC 29201 (803) 735-3111 www.sccosmo.com	Manicurist	300			
South Dakota Cosmetology Commission 500 E. Capitol Pierre, SD 57501 (605) 773-6193 • Fax: (605) 773-7175 E-mail: cosmetology@state.sd.us www.state.sd.us/state/dcr/cosmo/cosmo-ho.htm	Nail Technician	400	(1) All states with equal requirements and passage of theory and practical NIC exams (2) Must have salon or booth license or manager license or a manager licensee in charge	Yes/No	No/No
Tennessee Board of Cosmetology 500 Nashville, TN 37203 (615) 253-3333 www.tnboardofcosmetology.com	Manicurist	300			
Texas Cosmetology Commission PO Box 26700 Austin, TX 78755-0700 (512) 380-7600 • Fax: (512) 454-0339 E-mail: txccc@txccc.state.tx.us www.txccc.state.tx.us	Manicurist	600	(1) Another state or country that has standards or work experience substantially equivalent to TX (2) Supervisor of salon must be licensed practitioner	Yes, must meet specific requirements/No	No/No
Utah Board of Cosmetology 1000 Salt Lake City, UT 84143 (801) 536-3333 www.utahboardofcosmetology.com	Manicurist	300			
Vermont Office of Professional Regulation/ Board of Barbers and Cosmetologists 26 Terrace St, Drawer 09 Montpelier, VT 05609-1106 (802) 828-2837 • Fax: (802) 828-2465 E-mail: n.morin@sec.state.vt.us www.sec.state.vt.us	Manicurist	400	(1) All who meet VT requirements (2) N/A	Yes/No	No/No
Virginia Board of Cosmetology 300 Richmond, VA 23219 (804) 781-2000 www.vaboc.com	Manicurist	300			

state boards

STATE BOARD CONTACT INFORMATION	LICENSE REQUIRED	SCHOOL HOURS REQUIRED	(1) RECIPROCITY (2) LICENSING/OWNERSHIP RESTRICTIONS	HOME/MOBILE SALONS LEGALS	CEU / REQUIRED HOURS
<p>Washington Board of Cosmetologists, Barbers, Manicurists and Estheticians PO Box 9026 Olympia, WA 98507-9026 (360) 664-6626 • Fax: (360) 664-2550 E-mail: plssunit@dol.wa.gov www.wa.gov/dol/bpd/cosfront.htm</p>	Manicurist	500	(1) Written exam must be taken after submitting a completed application, provide current verification from the State Board and pay the proper fee (2) No	Yes/Yes	No/No
<p>Virginia Board of Barbering and Cosmetology 1716 Park Road Charlottesville, VA 22902 (804) 538-2200 • Fax: (804) 538-2200 E-mail: info@vabcb.com www.vabcb.com</p>					
<p>Wisconsin Barbering and Cosmetology Examining Board PO Box 8935 Madison, WI 53708 (608) 266-5511 ext. 47 • Fax: (608) 267-3816 E-mail: dork@dr1state.wi.us www.dr1state.wi.us</p>	Manicurist	300	(1) Currently licensed with 4,000 hours of experience (2) Manager's license required for cosmetology establishment	Yes/No	No/No
<p>Wyoming State Board of Cosmetology 2515 State Capitol Building Cheyenne, WY 82002 (307) 777-2200 • Fax: (307) 777-2200 E-mail: info@wyomingcosmetology.com www.wyomingcosmetology.com</p>					

U.S. TERRITORIES

<p>Puerto Rico Secretaria Auxiliar de Juntas Examinadoras, Junta Examinadora de Especialistas en Belleza PO Box 9023271 San Juan, PR 00902-3271 (787) 722-2122 • Fax (787) 722-4818 www.estado.gobierno.pr</p>	Diploma de Cosmetología	1000	(1) N/A (2) N/A	No/No	No/No
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CANADIAN PROVINCES

<p>Alberta Board of Advanced Esthetics 10030 70th Street Edmonton, AB T5C 1M5 (780) 443-8515</p>					
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state boards

STATE BOARD CONTACT INFORMATION	LICENSE REQUIRED	SCHOOL HOURS REQUIRED	(1) RECIPROCI- (2) LICENSING/OWNERSHIP RESTRICTIONS	HOME/MOBILE SALONS LEGAL?	CEU/ REQUIRED HOURS
British Columbia Board of Examiners, Assn. of British Columbia 899 W. 8th Ave. Vancouver, BC V5Z 1E3 (604) 871-0222 ext. 303 • Fax: (604) 871-0299 E-mail: info@cbccanada.com www.cbccanada.com	Nail Technician	285	(1) Credit given for education hours; must take exam as well (2) N/A	Yes/Yes	No/No
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
New Brunswick Cosmetology Assn, 299 York St. Fredericton, NB E3B 3P2 (506) 458-8087 • Fax: (506) 458-1354 E-mail: executivedir@canb.ca	Nail Technician	300	(1) Provinces and states with equal education requirements reviewed on an individual basis (2) Nail salons must have an establishment license	Yes/No	No/No
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
Northwest Territories Dept. of Education, Culture and Employment Career Centre, Box 1320 Yellowknife, NWT X1A 2L9 (867) 873-7357 • Fax: (867) 873-0200	No licensing requirements at this time	N/A	(1) N/A (2) N/A	No/No	No/No
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
Ontario Ministry of Education, Training, Colleges & Universities 900 Bay St. Toronto, ON M7A 1L2 (416) 325-2929 • Fax: (416) 325-6348 E-mail: info@edu.gov.on.ca www.edu.gov.on.ca	No licensing requirements at this time	N/A	(1) N/A (2) N/A	No/No	No/No
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
Yukon Government of Yukon, Corporate Affairs PO Box 2703, C-6	No licensing requirements	N/A	(1) N/A (2) N/A	No/No	No/No

52 Douglas Drive
Canterbury, CT 06331
March 11, 2004

PUBLIC HEALTH COMMITTEE

RE: SB-569, An Act Concerning Revisions To The Public Health Statutes

Dear Senator Murphy, Representative Feltman and other distinguished Public Health Committee Members,

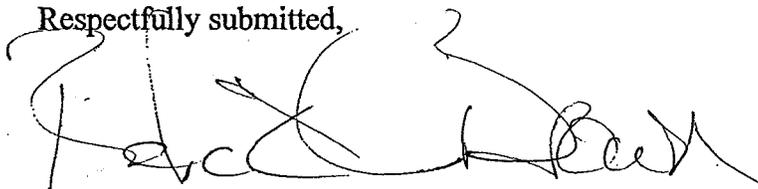
My name is Richard Brown, and I am a licensed Nursing Home Administrator in the State of Connecticut continuously since 1974 and currently work for the Connecticut Association of Health Care Facilities as their Director of Member Services. I am a Fellow in the American College of Health Care Administrators, one of less than thirty Certified Nursing Home Administrators in the State of Connecticut and one of eleven Certified Nursing Home Administrators in the country to receive a Certified Master Nursing Home Administrator designation.

I urge you to **amend Section 19 (b) of SB-569, AAC Revisions To The Public Health Statutes**, to make the effective date of the Nursing Home Administrator continuing education requirement coincide with the effective date of the two-year licensure renewal, that is, January 1, 2004. Although this might have a minimal impact on those Administrators relicensed in January and February of 2004 by giving them only twenty-two (22) and twenty-three (23) months to obtain their forty (40) hours of continuing education instead of twenty-four (24) months, the result of leaving the effective date October 1, 2005, as the Bill currently stands, would mean that for most Administrators, the continuing education requirement would not take effect until the licensure period for 2006 to 2008, and for some, not until 2007 to 2009.

I believe in education as an effective agent of change. The sooner we implement the provisions of Section 19a-515 of the Connecticut general statutes, the better it will be for patients residing in Connecticut's nursing homes and the profession of long-term care administration.

Thank you for your consideration of my views.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Richard C. Brown". The signature is written in a cursive style with a large, sweeping initial "R".

Richard C. Brown, CNHA, FACHCA



March 11, 2004

John Thorson, Ed.S., NCC, LPC;
 President (1999-2000)
 24 Ridgedale Road, Bethel, CT 06801
 Phone/Fax: 203-744-0929
 E-Mail: JEThorson@prodigy.net

Public Health Committee
 Connecticut State Legislature
 Hartford, CT

Subject: Senate Bill SB 569 Sec. 11

I am writing for the 1200 member Connecticut Counseling Association is opposed to section 11 of SB569.

This section amends current law to include an additional exemption for individuals to practice counseling without a license. The additional exemption in this bill reads:

or (10) a person holding a graduate degree in the discipline of professional counseling, provided such activities and services constitute a part of such person's postgraduate degree supervised experience required by section 20-195dd.

We oppose the amendment for two reasons:

1. The amendment is not necessary. The purpose behind the amendment is to provide an exception for counseling graduates while they are gaining sufficient experience under the law to qualify for licensure as a professional counselor. The law concerning qualifications of professional counselors (*Subsection (a)(2) of section 20-195dd of the general statutes*), as it currently reads, provides an implicit exception for these graduates. No change to 20-195bb is needed for this purpose. Subsection (a) or 20-195dd reads: (1) that the professional counselor shall submit evidence..... and (2) acquired three thousand hours of postgraduate-degree supervised experience in the practice of professional counseling.
2. The amendment, as currently written, is flawed. It is written in such a way that it can be interpreted to allow individuals who have inadequate degrees to practice under supervision indefinitely. Additionally, they would not have to meet other standards established in Connecticut General Statutes - Chapter 383c - Professional Counselors.

Please reject section 11 of SB569.

Thank you for your assistance in this matter.

John E. Thorson

**TESTIMONY RE: SENATE BILL NO. 569 (RAISED)
AN ACT CONCERNING REVISIONS TO THE PUBLIC HEALTH STATUTES**

Public Health Committee Hearing

March 11, 2004

Good morning Senator Murphy, Representative Feltman and members of the Public Health Committee.

Thank-you for the opportunity to present testimony on behalf of the Connecticut Nurses' Association (CNA), the professional organization for registered nurses in Connecticut. I am Dr. Mary Jane Williams, past-president of the Connecticut Nurses' Association, current chairperson of its Government Relations Committee and visiting professor at University of Hartford. I have practiced nursing for over 35 years and have been educating nurses in Connecticut for 25years.

We support the change in Sec. 8 that would require an advanced practice registered nurse to maintain an RN license. The maintenance of RN license reflects the historical intent of the negotiations of the Nurse Practice Act. . It maintains the public safety and protects the advanced practice nurse.

Thank you.