

PA13-130

HB5727

House	3337-3347	11
Public Health	648-649	2
Senate	4148-4149, 4250-4252	5
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H - 1159

**CONNECTICUT
GENERAL ASSEMBLY
HOUSE**

**PROCEEDINGS
2013**

**VOL.56
PART 10
3086 - 3445**

law/djp/gbr
HOUSE OF REPRESENTATIVES

228
May 9, 2013

Necessary for Adoption	70
Those voting aye	130
Those voting nay	10
Absent and not voting	10

DEPUTY SPEAKER RITTER:

The bill is passed in concurrence with the Senate. Will the Clerk please call Calendar 235.

THE CLERK:

Yes, Madame Speaker, on Page 11 of today's calendar, Calendar 235, favorable report of the Joint standing Committee on Public Health, House Bill 5727,
AN ACT CONCERNING TIME FOR PARENTAL NOTIFICATION WHEN
A CHILD IS ADMITTED TO A HOSPITAL FOR DIAGNOSIS OR
TREATMENT OF A MENTAL DISORDER.

DEPUTY SPEAKER RITTER:

Representative Becker, you have the floor, sir.

REP. BECKER (19th):

Good evening, Madame Speaker. Madame Speaker, I move for acceptance of the Joint Committee's favorable report and passage of the Bill.

DEPUTY SPEAKER RITTER:

The question before the chamber is on acceptance of the Joint Committee's favorable report and passage of the Bill. Representative Becker, you may proceed.

REP. BECKER (19th):

Thank you, Madame Speaker. Madame Speaker, this bill reduces the time within which a hospital must notify a parent or guardian of a child age 14 or older or in the custody of the Department of Children and Families, following such child's admission to the hospital for the diagnosis or treatment of a mental disorder, which admission was without the parent's consent.

This five day notice period came to light during a PRI hearing and stuck the Committee members as being awfully long. As a parent, I know that I would be sick with worry if I did not know the whereabouts of my 14 or 15 year old child for more than few hours, never mind for five days. I thank the Public Health Committee for unanimously passing this bill out and ask my colleagues to support it. Thank you, Madame Speaker.

DEPUTY SPEAKER RITTER:

Will you remark further on this bill?

Representative Srinivasan, you have the floor, sir.

REP. SRINIVASAN (31st):

Thank you, Madame Speaker. Good afternoon,

Madame Speaker. The agony of a parent or a guardian is almost unimaginable when a child is missing. The very thought that your child is missing or your grandchild is missing, the very thought of that, sends shivers down my spine and I'm sure for all of here in the Assembly. This five day period, which is the current statute, is agonizing, extremely agonizing and

I want to thank the Chair and I want to thank the person who brought out the bill today, for looking at changing that date frame from five days to a day. Twenty-four hours would give, is in my opinion, an appropriate balance for the hospital to do what is necessary so that they can reach out to the parents or to the guardians and inform them that this child is under their in the hospital. Through you, Madame Speaker if I can ask a question?

DEPUTY SPEAKER RITTER:

Please proceed, Representative.

REP. SRINIVASAN (31st):

Thank you, Madame Speaker. When this five day statute is switched over to one day, will all the previous provisions, the HIPAA guidelines, the sanctity of HIPAA and informing parents, both sets of parents, especially in the lifestyles that we live

where families could be estranged and we want to make sure that mom and dad or whoever has custody of the child and of course the guardian in this case, everybody, would be able to be informed of the admission within that one day period. Through you, Madame Chair.

DEPUTY SPEAKER RITTER:

Representative Becker.

REP. BECKER (19th):

Through you, Madame Speaker. The change before us is a time change only, a time change to the notification period. It makes no substantive changes to the present statute. So, all of the provisions that are currently in place, would remain. Through you.

DEPUTY SPEAKER RITTER:

Representative Srinivasan.

REP. SRINIVASAN (31st):

Thank you, Madame Chair. And, through you, Madame Chair, will this 24 hour notification be a burden that the hospital will be able to handle and make sure that all the parties are appropriately informed? Through you, Madame Chair.

DEPUTY SPEAKER RITTER:

Representative Becker.

REP. BECKER (19th):

Through you, Madame Speaker. No hospital's came to testify in opposition to this. One can only assume that therefore they could meet the requirement.

Through you.

DEPUTY SPEAKER RITTER:

Representative Srinivasan.

REP SRINIVASAN (31st):

And, through you, Madame Chair, my final question. If this notification did not occur for one reason or another within this new time frame of 24 hours as opposed to the five days, are there any penalties or anything that the hospital would be -- you know, will be applied or slashed with because of the fact they did not comply? Is that a concern that we have to have about the hospital's compliance?

DEPUTY SPEAKER RITTER:

Representative Becker.

REP. BECKER (19th):

Through you, Madame Speaker. Once again, there are no substantive changes in this bill. It is merely a change in the time notification. So, whatever was in place -- whatever is in place today, will remain in

place going forward.

DEPUTY SPEAKER RITTER:

Representative Srinivasan.

REP. SRINIVASAN (31st):

Thank you, Madame Speaker. And, as the good Representative said earlier on, none of the hospitals came in opposition to this change from five days to one day, so that you would automatically assume this would be something that they would be able to comply with.

And, I think when you look at the agony of a parent and a guardian, and we will be able to reduce that to some extent, of course the agony will always be there when somebody had run away or done something for which they've been admitted, but to the best that we can,, attempting to alleviate that is definitely something that is in the right step and I urge that both sides of the aisle will adopt this legislation. Through you, Madame Chair. Thank you.

DEPUTY SPEAKER RITTER:

Thank you, Representative.

Representative Adinolfi, you have the floor, sir.

REP. ADINOLFI (103rd):

Thank you, Madame Speaker. A question through

you to the proponent of the bill?

DEPUTY SPEAKER RITTER:

Please proceed.

REP. ADINOLFI (103rd):

When this bill settles with the change which you notify the parents instead of five days would be gone 24 hours. Now, when you call the parent, do you tell them the reason that that teenager is in there?

Through you, Madame Speaker.

DEPUTY SPEAKER RITTER:

Representative Becker.

REP. BECKER (19th):

Madame Speaker, once again, the bill does not change the current law other than the time frame and I believe if you look at the current law, it is to notify the parent of the child's admission. Through you.

REP. ADINOLFI (103rd):

Okay. Thank you.

DEPUTY SPEAKER RITTER:

Representative Adinolfi, you may proceed.

REP. ADINOLFI (103rd):

Thank you, Madame Speaker. What if the child -- when you switch from five to 24 -- five days to 24

hours, sometimes you haven't even had a chance to diagnose what the child is in there for, for mental health and maybe a few more days might have helped. I agree with the 24 hours, but my question is what if this girl is in for mental health or in this case the girl is in for mental health because she's pregnant.

DEPUTY SPEAKER RITTER:

Through you -- excuse me, Representative --

REP. ADINOLFI (103rd):

And, you call the parent. Through you, Madame Speaker.

DEPUTY SPEAKER RITTER:

Representative Becker.

REP. BECKER (19th):

Through you, Madame Speaker, the statute reads that any hospital may admit any child for diagnosis or treatment of a mental disorder upon written request of a child's parent and a child 14 years of age or over may be admitted under this section without the consent of his or her parents if such child consents in writing.

So, it's specifically for the purpose of diagnosis or treatment of a mental disorder and that is all. And, again, we're not creating this statute

today; we're amending it only to shorten the timeframe for the notice to the parent. Through you.

REP. ADINOLFI (103rd):

Well, the reason I'm questioning --

DEPUTY SPEAKER RITTER:

Representative -- excuse me, Representative Adinolfi --

REP. ADINOLFI (103rd):

The reason I'm questioning this -- the reason I'm questioning this --

DEPUTY SPEAKER RITTER:

You may proceed.

REP. ADINOLFI (103rd):

Thank you. Through you, Madame Speaker. The reason I ask that because in case she's in for mental health because she's pregnant, 24 hours and five days make a difference because maybe she doesn't want her parents to know, but definitely once the parents are notified that she's in for mental health, they're going to run to the hospital and try and help her and see what the problem is and so on.

So, I have a concern about that. Madame Speaker, I'm not going to go any further on this, but I was prepared because this is a perfect bill to put in

parental notification in. But, the history of this chamber is any time that we put an amendment in about parental notification of an abortion, the bill that it would go on was always killed or PT'd. So, I think this bill is important and I want to see it go through and that's why I didn't pull the amendment. I just want to make that clear that this was a perfect bill to do that on. Thank you, Madame Speaker.

DEPUTY SPEAKER RITTER:

Will you remark further? Will you remark further on this bill? If not, will staff and guests please come to the well of the house? Will the members please take your seats? The machine will be opened.

THE CLERK:

The House of Representatives is voting by roll.

The House of Representatives is voting by roll. Will members please report the chamber immediately?

DEPUTY SPEAKER RITTER:

Have all the members voted? Have all the members voted? Will the members please check the board to determine if your vote is properly cast? If all members have voted, the machine will be locked and the Clerk will take a tally.

The Clerk will please announce the tally.

THE CLERK:

Bill Number 5727.

Total number voting 139

Necessary for passage 70

Those voting Yea 139

Those voting Nay 0

Those absent and not voting 11

DEPUTY SPEAKER RITTER:

The Bill passes.

Representative Kiner, for what purpose do you
rise?

REP. KINER (59th):

Thank you, Madame Speaker. For the purpose of an
announcement.

DEPUTY SPEAKER RITTER:

Please proceed.

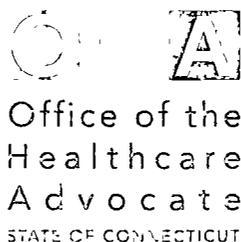
REP. KINER (59th):

Thank you, Madame Speaker. Madame Speaker, today
is one of our colleague's birthdays, who is standing
at the back of the chamber, our colleague and my
counterpart from the Town of Enfield, Representative
David Alexander. If the chamber would join me in
saying happy birthday to him. David, thank you for
your service to our country and happy birthday.

**JOINT
STANDING
COMMITTEE
HEARINGS**

**PUBLIC
HEALTH
PART 2
347-680**

2013



**Testimony of Victoria Veltri
State Healthcare Advocate
Before the Public Health Committee
In support of HB 5727
February 20, 2013**

Good afternoon, Representative Johnson, Senator Gerratana, Senator Welch, Representative Srinivasan, and members of the Public Health Committee. For the record, I am Vicki Veltri, State Healthcare Advocate with the Office Healthcare Advocate ("OHA"). OHA is an independent state agency with a three-fold mission: assuring managed care consumers have access to medically necessary healthcare; educating consumers about their rights and responsibilities under health insurance plans; and, informing you of problems consumers are facing in accessing care and proposing solutions to those problems.

Thank you for the opportunity to comment on HB 5727. This proposed legislation represents an important step in ensuring that children are treated appropriately. By reducing the required timeframe for parental notification from five days to one, these children can receive the emotional support of their families, as appropriate, in a more timely manner. It is important to be cognizant of the additional privacy protections available to children 16 years and older, whereby they must specifically authorize the release of any protected health information, which an admission would be considered. However, involving parents in the treatment at an early stage may offer additional important information that can aid in developing a comprehensive treatment plan, which may enhance these children's outcomes. Accordingly, I support the principles promoted by HB 5727.

Thank you for providing me the opportunity to deliver OHA's testimony today. If you have any questions concerning my testimony, please feel free to contact me at victoria.veltri@ct.gov.

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 PROGRAM REVIEW AND INVESTIGATIONS COMMITTEE

Statement of Brian S. Becker
 State Representative for the 19th Assembly District
 before the
 Public Health Committee of the Connecticut General Assembly
 February 20, 2013
 in support of
HB 5727

An Act Concerning the Time for Parental Notification When a Child is Admitted to a Hospital for
 Diagnosis or Treatment of a Mental Disorder

Chairman Gerratana, Chairman Johnson, Ranking Member Welch, Ranking Member Srinivasan, and the other distinguished members of the Public Health Committee, thank you for raising and taking the time to hear testimony on HB 5727, An Act Concerning the Time for Parental Notification When a Child is Admitted to a Hospital for Diagnosis or Treatment of a Mental Disorder.

During the course of a Program Review and Investigations Committee ("PRI") hearing on a report entitled Adolescent Health, the Committee noted that the report (on p.94 in a section entitled, "Inpatient Mental Health Care") mentions that:

Under Connecticut law, anyone 16 or older can commit to inpatient hospitalization for treatment of a mental disorder. Further, a minor who is 14 or 15 years old may be admitted for inpatient mental health services without consent of his or her parents if such child consents in writing. If this occurs, parents must be notified within five days of such admission. [Emphasis added]

Section 17a-79 of the Connecticut General Statutes is the statutory reference for the language cited in the PRI report. The five-day period during which a parent must be notified of a 14 or 15 year-old child self-admitting to a hospital for treatment of a mental disorder without parental consent struck PRI's committee members as an awfully long period of time. As a parent, I know that I would be sick with worry if I did not know the whereabouts of my 14 or 15 years old child for more than a few hours, never mind for five days.

I have been unable to find anyone who can explain why the statute allows the hospital five days to notify a parent. Some have speculated that it might be related to cases of abuse, but telling an parent that his or her child is safe in a hospital setting would not, in and of itself, endanger the child or return the child to the abusive parent's custody. I proposed 24 hours as an alternative notification time period and respectfully suggest the committee use that time period unless it hears testimony with a compelling reason justifying a different one. Thank you

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**CONNECTICUT
GENERAL ASSEMBLY
SENATE**

**PROCEEDINGS
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If there is no objection, I ask that this item be moved to our Consent Calendar.

THE CHAIR:

Seeing and hearing no objection, so ordered.

Mr. Clerk.

THE CLERK:

On page 20, Calendar 591, House Bill Number 5727, AN ACT CONCERNING THE TIME FOR PARENTAL NOTIFICATION WHEN A CHILD IS ADMITTED TO A HOSPITAL FOR DIAGNOSIS OR TREATMENT OF A MENTAL DISORDER, Favorable Report of the Committee on Public Health.

THE CHAIR:

Senator Gerratana.

SENATOR GERRATANA:

Thank you, Mr. President.

I move acceptance of the Joint Committee's Favorable Report and passage of the bill in concurrence with the House.

THE CHAIR:

On acceptance and passage in concurrence, will you remark?

SENATOR GERRATANA:

Thank you, Mr. President.

Mr. President, this bill comes to us from a very attentive member of our General Assembly, Representative Brian Becker, who brought it to us. He noticed that in a Program Review and Investigations Report that there was a little glitch, if you will, in our statutes regarding notification, parental notification specifically, of a, a time period, which is currently now five days, and, of course, this bill will change it to one day, to notify parents or a

guardian if a child is age 14 or older in the custody of DCF that that child has been admitted to the hospital for the diagnosis or treatment of a mental disorder. So this reduces the time from five days to one day. I think it's just common sense.

Thank you, Mr. President.

THE CHAIR:

Thank you, Senator.

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President.

I strongly would urge the Chamber's support of this bill. I'm sure if any one of our children were hospitalized for whatever reason, five days would be totally unacceptable for us to receive notification. So this is a good bill, and I would urge its support.

Thank you, Mr. President.

THE CHAIR:

Thank you.

Senator, will you remark further on the bill?

Senator Gerratana.

SENATOR GERRATANA:

Thank you, Mr. President.

If there's no objection, I ask that this item be moved to our Consent Calendar.

THE CHAIR:

Seeing and hearing no objection, so ordered.

Mr. Clerk.

Madam President, if the other items marked go would now be marked passed retaining their place on the Calendar, and if the Clerk would read the items on the second Consent Calendar so that we might proceed to a vote on that second Consent Calendar.

THE CHAIR:

Mr. Clerk.

THE CLERK:

On the second Consent Calendar for the day, page 6, Calendar 348, House Bill 5767; Calendar 352, House Bill Number 6452; also on page 6, Calendar 354, House Bill 6388; on page 7, Calendar 368, Senate Bill 900; page 18, Calendar 573, House Bill 6524; page 20, Calendar 591, House Bill 5727; Calendar 592, House Bill 5979; Calendar 593, House Bill 6523; Calendar 594, House Bill 6596; page 21, Calendar 605, House Bill 6567; page 23, Calendar 615, House Bill 6638; on page 24, Calendar 618, House Bill 6433; and Calendar 619, House Bill 6482; on page 33, Calendar 125, Senate Bill 906; and page 39, Calendar 422, House Bill 5718.

THE CHAIR:

Mr. Clerk, will you call for a roll call vote. Oops, hold on a moment.

Senator Looney.

SENATOR LOONEY:

Yes, Madam President.

Just I wanted to indicate did we get the item on Calendar page 33 --

THE CHAIR:

Yes, sir.

SENATOR LOONEY:

-- Calendar 125, Senate Bill 906?

THE CHAIR:

Yes, sir.

SENATOR LOONEY:

Good. Thank you very much, Madam President.

THE CHAIR:

Yeah.

SENATOR LOONEY:

I appreciate it and move that we vote the Consent Calendar.

THE CHAIR:

Mr. Clerk.

THE CLERK:

Immediate roll call has been ordered in the Senate.
Senators please return to the Chamber. Immediate roll call on Consent Calendar 2 has been ordered in the Senate.

THE CHAIR:

The machine is open.

THE CHAIR:

Senator Boucher.

No problem.

Senator Maynard.

Thank you.

If all members have voted, all members have voted, the machine will be closed.

Mr. Clerk, will you call the tally.

THE CLERK:

On the second Consent Calendar for today,

Total Number Voting	34
Necessary for Adoption	18
Those voting Yea	34
Those voting Nay	0
Those absent and not voting	2

THE CHAIR:

Thank you. The Consent Calendar, second Consent Calendar passes.

Senator Looney.

SENATOR LOONEY:

Thank you, Madam President, first of all for a, a journal notation.

THE CHAIR:

Please proceed, sir.

SENATOR LOONEY:

Thank you, Madam President.

Madam President, Senator Coleman was absent today due to illness. We hope that he will be back with us next week, missed votes today. And also for a point of personal privilege, Madam President.

THE CHAIR:

Please proceed.

SENATOR LOONEY:

Thank you.

Madam President, two of our wonderful caucus colleagues on the, the Democratic staff in great