

## Legislative History for Connecticut Act

### PA 17-10

SB842

House	3395-3405	11
Senate	677-679	3
		<b>14</b>

Transcripts from the Joint Standing Committee Public  
Hearing(s) and/or Senate and House of Representatives  
Proceedings

Connecticut State Library  
Compiled 2018

**CONNECTICUT  
GENERAL ASSEMBLY  
HOUSE**

**PROCEEDINGS  
2017**

**VOL.60  
PART 8  
3073 – 3542**

aa  
HOUSE OF REPRESENTATIVES

105  
May 17, 2017

Chamber.

DEPUTY SPEAKER MORIN (28TH):

Have all the members voted? Have all the members voted? Will 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. Will the Clerk please announce the tally?

CLERK:

Senate Bill 839 in concurrence with the Senate.

Total number Voting	145
Necessary for Passage	73
Those voting Yea	145
Those voting Nay	0
Absent not Voting	6

DEPUTY SPEAKER MORIN (28TH):

The bill passes in concurrence with the Senate.

(Gavel). Will the Clerk please call House Calendar 440?

CLERK:

On page 32, House Calendar 440, Senate Bill No.

842, AN ACT CONCERNING THE DEPARTMENT OF PUBLIC

aa  
HOUSE OF REPRESENTATIVES

106  
May 17, 2017

HEALTH'S RECOMMENDATIONS REGARDING ENFORCEMENT  
ACTIONS TAKEN AGAINST A LICENSED HEALTHCARE  
PROFESSIONAL. Favorable report of the Joint  
Standing Committee on Public Health.

DEPUTY SPEAKER MORIN (28TH):

This seems to resemble the movie *Groundhog Day*,  
but Representative Steinberg, you have the floor,  
sir.

REP. STEINBERG (136TH):

Thank you, Mr. Speaker. Good to see you again  
-- again. I move for acceptance of the Joint  
Committee's favorable report and passage of the  
bill.

DEPUTY SPEAKER MORIN (28TH):

The question before the Chamber is on  
acceptance of the Joint Committee's favorable report  
and passage of the bill. Representative Steinberg,  
you have the floor.

REP. STEINBERG (136TH):

Thank you, Mr. Speaker. This legislation seeks  
to make some minor changes to the activities of the  
Department of Public Health regarding enforcement

aa  
HOUSE OF REPRESENTATIVES

107  
May 17, 2017

actions, again, in a very narrow instance. This relates to current practice of placing a practitioner on probation and maintaining that probationary status. Instead, what we seek to do is to put this individual instead of probationary status on a limited restricted license as they would put it so as to maintain an ongoing restriction, which can still be changed at some subsequent point but would not leave them in the so-called limbo of probationary status. Through you, Mr. Speaker -- oh, excuse me -- I move adoption of the bill.

DEPUTY SPEAKER MORIN (28TH):

Will you remark further on this bill?

Representative Srinivasan, the Ranking Member of the Public Health Committee, you have the floor, sir.

REP. SRINIVASAN (31ST):

Thank you, Mr. Speaker. Good to see you there again for the third time -- three bills in a row.

DEPUTY SPEAKER MORIN (28TH):

It's the charm isn't it, Representative?

REP. SRINIVASAN (31ST):

Third time is definitely the charm. Through

aa  
HOUSE OF REPRESENTATIVES

108  
May 17, 2017

you, Mr. Speaker, to the good proponent of the bill a few questions for clarification purposes? It is a good bill. It's a bill that ought to pass no question about that at all and -- but just for the intent of clarification I would like to ask a few questions through you, Mr. Speaker?

DEPUTY SPEAKER MORIN (28TH):

Please proceed, sir.

REP. SRINIVASAN (31ST):

Through you, Mr. Speaker, we have probation and now we have restriction. Through you, Mr. Speaker, the difference between these two -- between the probation status and the restrictive status, through you, Mr. Speaker, for a healthcare provider?

DEPUTY SPEAKER MORIN (28TH):

Representative Steinberg.

REP. STEINBERG (136TH):

Thank you, Mr. Speaker. I thank the Representative for an excellent question. Probationary status is as it sounds sort of ongoing probation. The benefit of a restricted license is that it can stipulate explicitly what those

aa  
HOUSE OF REPRESENTATIVES

109  
May 17, 2017

restrictions are so that the practitioner can continue to practice in all other ways but might be limited for example in the prescription medications such that it's very clear the limits of their professional status.

Through you.

DEPUTY SPEAKER MORIN (28TH):

Representative Srinivasan.

REP. SRINIVASAN (31ST):

Through you, Mr. Speaker, so who then decides as to whether it is going to be a probation or it's going to be a restriction of some competent of the healthcare practice?

Through you, Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):

Representative Steinberg.

REP. STEINBERG (136TH):

Thank you, Mr. Speaker. It's my understanding that DPH has a process for making these determinations and it is their objective in all possible cases where a restricted license would be appropriate to choose that approach as opposed to

aa  
HOUSE OF REPRESENTATIVES

110  
May 17, 2017

the probationary status.

Through you.

DEPUTY SPEAKER MORIN (28TH):

Representative Srinivasan.

REP. SRINIVASAN (31ST):

Through you, Mr. Speaker, could the good Chair give us maybe an example or two where somebody's license could be restricted rather than the healthcare provider going through probation?

Through you, Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):

Representative Steinberg.

REP. STEINBERG (136TH):

Thank you, Mr. Speaker. Another good question. I gave one example in the context of perhaps it being in appropriate for a practitioner to prescribe medications for a period of time but there can also be circumstances, which are by definition more temporary that have to do with the practitioner's experience in a certain area. I would not go so far as to presume all the different circumstances that DPH might consider as appropriate for restricted



aa  
HOUSE OF REPRESENTATIVES

111  
May 17, 2017

license.

Through you.

DEPUTY SPEAKER MORIN (28TH):

Representative Srinivasan.

REP. SRINIVASAN (31ST):

So, through you, Mr. Speaker, if DPH after due diligence decides that restriction is appropriate, is there an appeal process by the healthcare provider against this restriction?

Through you, Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):

Representative Steinberg.

REP. STEINBERG (136TH):

Thank you, Mr. Speaker. It's my understanding that DPH has a well-established and respected approach for their process whereby the individual has ample opportunity on more than one occasion to register their opinion or reservations and to get a fair judgement by the Department of Public Health.

Through you.

DEPUTY SPEAKER MORIN (28TH):

Representative Srinivasan.

aa  
HOUSE OF REPRESENTATIVES

112  
May 17, 2017

REP. SRINIVASAN (31ST):

Through you, Mr. Speaker, when this restriction is imposed, is it temporary, permanent, or who decides that?

Through you, Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):

Representative Steinberg.

REP. STEINBERG (136TH):

Thank you, Mr. Speaker. My understanding is the restricted license provides for, as I said, something other than probationary status, so it could be in place for however long DPH views it appropriate and I'm sure that there is an opportunity for the individual involved to seek review in a period of time but it is never intended necessarily to be permanent.

Through you, Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):

Representative Srinivasan.

REP. SRINIVASAN (31ST):

And, through you, Mr. Speaker, is there a process when this restriction has happened for the

aa  
HOUSE OF REPRESENTATIVES

113  
May 17, 2017

healthcare provider to then say that his or her restriction needs to be removed and that they can practice to their full extent of their privileges?

Through you, Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):

Representative Steinberg.

REP. STEINBERG (136TH):

Thank you, Mr. Speaker. It's my understanding that that does conform with DPH experience. That under the current probationary status practitioners have been able to apply for removal of that restriction and my understanding is the intent is the same for a restricted license that when such evidence is presented and DPH considers it they will consider resending that status.

Through you.

DEPUTY SPEAKER MORIN (28TH):

Representative Srinivasan.

REP. SRINIVASAN (31ST):

Through you, Mr. Speaker, I want to thank the good Chairman for all his answers and as we've heard from DPH, the need is definitely there where a

healthcare provider's services may have to be restricted either temporarily or even a little bit longer than that for whatever time duration DPH feels is appropriate. There is a process by which this happens. There is an appeal process and there's also a process, which I'm aware of, where one can request the reinstatement of these restrictions so given the fairness of the system that we have to give DPH the opportunity or allow DPH to say they do not have to put the healthcare provider on a probation but instead can restrict their services depending on what they feel is appropriate is definitely a step in the right direction, something that we as a state, as a legislature, should be able to endorse and move it forward. Thank you, Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):

Thank you, sir. Will you remark further on this bill? 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. (Ringing)

aa  
HOUSE OF REPRESENTATIVES

115  
May 17, 2017

CLERK:

The House of Representatives is voting by roll.

Members to the Chamber. The House of  
Representatives is voting by roll. Members to the  
Chamber.

DEPUTY SPEAKER MORIN (28TH):

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. Will the  
Clerk please announce the tally?

CLERK:

Senate Bill 842 in concurrence with the Senate.

Total number Voting	145
Necessary for Passage	73
Total voting Yea	145
Those voting Nay	0
Absent not Voting	6

DEPUTY SPEAKER MORIN (28TH):

The bill passes in concurrence with the Senate.

(Gavel). Will the Clerk please call House Calendar

**S - 703**

**CONNECTICUT  
GENERAL ASSEMBLY  
SENATE**

**PROCEEDINGS  
2017**

**VOL .60  
PART 2  
379 – 798**

aw  
Senate

April 19, 2017

great potential into the future. And, so this has now defined the work of this commission going forward. I urge passage, Madam President, thank you.

THE CHAIR:

Will you remark further? Will you remark further? If not, Senator Hartley.

SENATOR HARTLEY (15TH):

Yes. Thank you, Madam President. Without objection, I would ask that this be moved to the Consent Calendar, Madam.

THE CHAIR:

Seeing no objections, so ordered.

SENATOR HARTLEY (15TH):

Thank you.

THE CHAIR:

Mr. Clerk.

THE CLERK:

On page 28, Calendar 217, Senate Bill No. 842. AN ACT CONCERNING THE DEPARTMENT OF PUBLIC HEALTH'S RECOMMENDATIONS REGARDING ENFORCEMENT ACTIONS TAKEN AGAINST A LICENSED HEALTH CARE PROFESSIONAL.

THE CHAIR:

Senator Gerratana.

aw  
Senate

47  
April 19, 2017

SENATOR GERRATANA (6TH):

Madam President, I move acceptance of the Joint Committee's favorable report and passage of the bill.

THE CHAIR:

Motion is on acceptance and passage. Will you remark, ma'am?

SENATOR GERRATANA (6TH):

Yes. Thank you, Madam President. Madam President, this bill comes to us from the Department of Public Health, and its bill allows the licensing boards and commissions to issue a restricted license or permit that limits a practitioner's practice. For instance, prohibiting the prescribing of certain controlled substances without having to place the person on probationary status. Thank you, Madam President.

THE CHAIR:

Will you remark further on the bill? Will you remark further on the bill? If not, Senator Gerratana.

SENATOR GERRATANA (6TH):

Yes, Madam President. I would ask, at this time, that we have a roll call vote on the bill.

THE CHAIR:



aw  
Senate

April 19, 2017

Roll call vote was called for. Mr. Clerk will you call for a Roll Call vote and the machine will be opened.

THE CLERK:

Immediate Roll Call has been ordered in The Senate.  
Immediate Roll Call has been ordered in The Senate.

THE CHAIR:

All members have voted, all members have voted. The machine will be closed. Mr. Clerk, will you call the tally.

THE CLERK:

Senate Bill No. 842.

Total Number Voting	36
Those voting Yea	35
Those voting Nay	1
Those absent and not voting	0

THE CHAIR:

The bill passes. Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. Could the chamber stand at ease for a moment?

THE CHAIR:

The chamber will stand at ease. Senator Duff. The chamber will come back to order.