



# ACHCA

American College of  
Health Care Administrators

Connecticut Chapter

## *Chapter Legislative Alert*

**February 28, 2024**

The Aging Committee has a Public Hearing tomorrow, February 29th and will consider H.B. No. 5046 An Act Promoting Nursing Home Resident Quality Of Life. Section 13 of the proposed Bill would change the requirement for a nursing home Receiver in the State of Connecticut from a **“nursing home facility administrator licensed in the State of Connecticut”** and replacing it with a person with **“substantial experience in the delivery of high-quality health care services and successful management or operation of long-term care facilities.”** RED is current language; BLUE is proposed substitute language.

Sec. 13. Section 19a-547 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) The court may appoint any responsible individual whose name is proposed by the Commissioner of Public Health and the Commissioner of Social Services to act as a receiver. **[For a nursing home facility, such individual shall be a nursing home facility administrator licensed in the state of Connecticut with substantial experience in operating Connecticut nursing homes. For a residential care home, such individual shall have experience as a residential care home administrator or, if there is no such individual, such individual shall have experience in the state similar to that of a residential care home administrator. The Commissioner of Social Services shall adopt regulations governing qualifications for proposed receivers consistent with this subsection.]** Such individual shall have substantial experience in the delivery of high-quality health care services and successful management or

operation of long-term care facilities, and have achieved an educational level or have such licensure as customarily is held by persons managing or operating health care facilities similar to the facility or facilities subject to receivership. No state employee or owner, administrator or other person with a financial interest in the nursing home facility or residential care home may serve as a receiver for that nursing home facility or residential care home. No person appointed to act as a receiver shall be permitted to have a current financial interest in the nursing home facility or residential care home; nor shall such person appointed as a receiver be permitted to have a financial interest in the nursing home facility or residential care home for a period of five years from the date the receivership ceases.

(b) The court may remove such receiver in accordance with section 52-513. A nursing home facility or residential care home receiver appointed pursuant to this section shall be entitled to a reasonable receiver's fee as determined by the court. The receiver shall be liable only in the receiver's official capacity for injury to person and property by reason of the conditions of the nursing home facility or residential care home. The receiver shall not be personally liable, except for acts or omissions constituting gross, wilful or wanton negligence.

(c) The court, in its discretion, may require a bond of such receiver in accordance with section 52-506.

(d) The court may require the Commissioner of Public Health to provide for the payment of any receiver's fees authorized in subsection (a) of this section upon a showing by such receiver to the satisfaction of the court that (1) the assets of the nursing home facility or residential care home are not sufficient to make such payment, and (2) no other source of payment is available, including the submission of claims in a bankruptcy proceeding. The state shall have a claim for any court-ordered fees and expenses of the receiver that shall have priority over all other claims of secured and unsecured creditors and other persons whether or not such nursing home facility or residential care home is in bankruptcy, to the extent allowed under state or federal law.

We encourage you to submit written testimony on this matter.

Sample testimony is attached hereto.

1. **Make sure to personalize it for you; improvise; make it your own! Be respectful! PROOFREAD CAREFULLY; NO BRACKETS!**
2. Print it to your personal or facility letterhead (with permission)
3. Scan it as a pdf file
4. Submit it by clicking on the link: [Submit Testimony \(ct.gov\)](#)
  1. Enter your name, title, organization
  2. Left-click on the Hearing Date and Time: **2/29/24 10:00 AM**
  3. Left-click on the Bill No: **HB05046 AA Promoting Nursing Home Resident Quality Of Life (should be highlighted)**
  4. Left-click on Supports or Opposes: **Opposes**
  5. Select **Upload a File I Select**, and then left-click on **Choose File**
  6. Left-click on **I'm not a robot**
  7. Left-click on **Submit**

If you wish to speak in person on this Bill by Zoom, the link is [https://zoom.us/webinar/register/WN\\_wer8gjOLR-uiFvZcWPOYGO#/registration](https://zoom.us/webinar/register/WN_wer8gjOLR-uiFvZcWPOYGO#/registration), and you must sign up by 3:00 PM today. The Public Hearing is tomorrow, February 29, 2024 beginning at 10:00 AM.

**Questions/concerns? Please contact Rick Brown at [r.c.brown@charter.net](mailto:r.c.brown@charter.net).**

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