



General Assembly

January Session, 2019

**Governor's Bill No. 7193**

LCO No. 4433



Referred to Committee on PUBLIC HEALTH

Introduced by:

REP. ARESIMOWICZ, 30<sup>th</sup> Dist.

REP. RITTER M., 1<sup>st</sup> Dist.

SEN. LOONEY, 11<sup>th</sup> Dist.

SEN. DUFF, 25<sup>th</sup> Dist.

***AN ACT IMPLEMENTING THE GOVERNOR'S BUDGET  
RECOMMENDATIONS REGARDING PUBLIC HEALTH.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsection (a) of section 19a-55 of the general statutes is  
2 repealed and the following is substituted in lieu thereof (*Effective*  
3 *October 1, 2019*):

4 (a) The administrative officer or other person in charge of each  
5 institution caring for newborn infants shall cause to have administered  
6 to every such infant in its care an HIV-related test, as defined in section  
7 19a-581, a test for phenylketonuria and other metabolic diseases,  
8 hypothyroidism, galactosemia, sickle cell disease, maple syrup urine  
9 disease, homocystinuria, biotinidase deficiency, congenital adrenal  
10 hyperplasia, severe combined immunodeficiency disease,  
11 adrenoleukodystrophy and such other tests for inborn errors of  
12 metabolism as shall be prescribed by the Department of Public Health.

13 The tests shall be administered as soon after birth as is medically  
14 appropriate. If the mother has had an HIV-related test pursuant to  
15 section 19a-90 or 19a-593, the person responsible for testing under this  
16 section may omit an HIV-related test. The Commissioner of Public  
17 Health shall (1) administer the newborn screening program, (2) direct  
18 persons identified through the screening program to appropriate  
19 specialty centers for treatments, consistent with any applicable  
20 confidentiality requirements, and (3) set the fees to be charged to  
21 institutions to cover all expenses of the comprehensive screening  
22 program including testing, tracking and treatment. The fees to be  
23 charged pursuant to subdivision (3) of this subsection shall be set at a  
24 minimum of ninety-eight dollars. The Commissioner of Public Health  
25 shall publish a list of all the abnormal conditions for which the  
26 department screens newborns under the newborn screening program,  
27 which shall include screening for amino acid disorders, organic acid  
28 disorders, [and] fatty acid oxidation disorders, including, but not  
29 limited to, long-chain 3-hydroxyacyl CoA dehydrogenase (L-CHAD)  
30 and medium-chain acyl-CoA dehydrogenase (MCAD), and, subject to  
31 the approval of the Secretary of the Office of Policy and Management,  
32 any other disorder included on the recommended uniform screening  
33 panel pursuant to 42 USC 300b-10, as amended from time to time.

34 Sec. 2. Section 19a-202 of the general statutes is repealed and the  
35 following is substituted in lieu thereof (*Effective July 1, 2019*):

36 (a) Upon application to the Department of Public Health any  
37 municipal health department shall annually receive from the state an  
38 amount equal to one dollar and eighteen cents per capita, provided  
39 such municipality (1) employs a full-time director of health, except that  
40 if a vacancy exists in the office of director of health or the office is filled  
41 by an acting director for more than three months, such municipality  
42 shall not be eligible for funding unless the Commissioner of Public  
43 Health waives this requirement; (2) submits a public health program  
44 and budget which is approved by the Commissioner of Public Health;  
45 (3) appropriates not less than one dollar per capita, from the annual tax

46 receipts, for health department services; (4) has a population of fifty  
47 thousand or more; and (5) meets the requirements of section 19a-207a,  
48 within available appropriations. Such municipal department of health  
49 may use additional funds, which the Department of Public Health may  
50 secure from federal agencies or any other source and which it may  
51 allot to such municipal department of health. The money so received  
52 shall be disbursed upon warrants approved by the chief executive  
53 officer of such municipality. The Comptroller shall annually in July  
54 and upon a voucher of the Commissioner of Public Health, draw the  
55 Comptroller's order on the State Treasurer in favor of such municipal  
56 department of health for the amount due in accordance with the  
57 provisions of this section and under rules prescribed by the  
58 commissioner. Any moneys remaining unexpended at the end of a  
59 fiscal year shall be included in the budget of such municipal  
60 department of health for the ensuing year. This aid shall be rendered  
61 from appropriations made from time to time by the General Assembly  
62 to the Department of Public Health for this purpose.

63 (b) The amount of payments made by the state to municipal health  
64 departments under subsection (a) of this section shall be reduced  
65 proportionately in the event that the total amount of such payments  
66 and the payments made under subsection (a) of section 19a-245, as  
67 amended by this act, in a fiscal year exceeds the amount appropriated  
68 for purposes of said subsections with respect to such fiscal year.

69 Sec. 3. Section 19a-245 of the general statutes is repealed and the  
70 following is substituted in lieu thereof (*Effective July 1, 2019*):

71 (a) Upon application to the Department of Public Health, each  
72 health district that has a total population of fifty thousand or more, or  
73 serves three or more municipalities irrespective of the combined total  
74 population of such municipalities, shall annually receive from the state  
75 an amount equal to one dollar and eighty-five cents per capita for each  
76 town, city and borough of such district, provided (1) the  
77 Commissioner of Public Health approves the public health program  
78 and budget of such health district, (2) the towns, cities and boroughs of

79 such district appropriate for the maintenance of the health district not  
80 less than one dollar per capita from the annual tax receipts, and (3) the  
81 health district meets the requirements of section 19a-207a, within  
82 available appropriations. Such district departments of health are  
83 authorized to use additional funds, which the Department of Public  
84 Health may secure from federal agencies or any other source and  
85 which it may allot to such district departments of health. The district  
86 treasurer shall disburse the money so received upon warrants  
87 approved by a majority of the board and signed by its chairman and  
88 secretary. The Comptroller shall quarterly, in July, October, January  
89 and April, upon such application and upon the voucher of the  
90 Commissioner of Public Health, draw the Comptroller's order on the  
91 State Treasurer in favor of such district department of health for the  
92 amount due in accordance with the provisions of this section and  
93 under rules prescribed by the commissioner. Any moneys remaining  
94 unexpended at the end of a fiscal year shall be included in the budget  
95 of the district for the ensuing year. This aid shall be rendered from  
96 appropriations made from time to time by the General Assembly to the  
97 Department of Public Health for this purpose.

98 (b) The amount of payments made by the state to health districts  
99 under subsection (a) of this section shall be reduced proportionately in  
100 the event that the total amount of such payments and the payments  
101 made under subsection (a) of section 19a-202, as amended by this act,  
102 in a fiscal year exceeds the amount appropriated for purposes of said  
103 subsections with respect to such fiscal year.

104 Sec. 4. (NEW) (*Effective from passage*) (a) As used in this section:

105 (1) "Commissioner" means the Commissioner of Public Health, or  
106 the commissioner's designee;

107 (2) "Community water system" means a public water system that  
108 regularly serves at least twenty-five residents;

109 (3) "Consumer" has the same meaning as provided in section 25-32a

110 of the general statutes;

111 (4) "Customer" means any (A) person, (B) firm, (C) corporation, (D)  
112 company, (E) association, (F) governmental unit, except a state agency,  
113 (G) lessee that, by the terms of a written lease or agreement, is  
114 responsible for the water bill, or (H) owner of property, that receives  
115 water service furnished by the water company;

116 (5) "Department" means the Department of Public Health;

117 (6) "Noncommunity water system" means a public water system  
118 that serves at least twenty-five persons at least sixty days of the year  
119 and is not a community water system;

120 (7) "Nontransient noncommunity water system" means a  
121 noncommunity water system that regularly serves at least twenty-five  
122 of the same persons over six months per year;

123 (8) "Public water system" means a water company that supplies  
124 drinking water to fifteen or more consumers or twenty-five or more  
125 persons daily at least sixty days of the year;

126 (9) "Sanitary survey" means the review of a public water system by  
127 the department to evaluate the adequacy of the public water system,  
128 its sources of supply and operations and the distribution of safe  
129 drinking water;

130 (10) "Service connection" means the service pipe from the water  
131 main to the curb stop or adjacent to the street line or property line, but  
132 shall not include a service pipe used only for fire service purposes;

133 (11) "Transient noncommunity water system" means a  
134 noncommunity water system that does not meet the definition of a  
135 nontransient noncommunity water system; and

136 (12) "Water company" has the same meaning as provided in section  
137 25-32a of the general statutes.

138 (b) On or before August 1, 2019, and annually thereafter, the  
139 department shall issue a statement, in such manner as the department  
140 determines, to each water company that owns a community water  
141 system or systems showing the number of service connections such  
142 community water system or systems has listed in the department's  
143 records as of the date of issuance of the statement.

144 (c) On or before October 1, 2019, and annually thereafter, the  
145 department, in consultation with the Office of Policy and Management,  
146 shall post on the department's Internet web site (1) the costs to support  
147 the department's ability to maintain primacy under the federal Safe  
148 Drinking Water Act, 42 USC 300f, et seq., as amended from time to  
149 time, which costs shall constitute the safe drinking water primacy  
150 assessment for the current fiscal year, and (2) the assessment amounts  
151 due, based on the posted costs and in accordance with subsection (d)  
152 of this section.

153 (d) (1) For the fiscal year ending June 30, 2019, and each fiscal year  
154 thereafter, each water company that owns a community or  
155 nontransient noncommunity water system or systems shall pay  
156 annually to the department a safe drinking water primacy assessment  
157 amount in accordance with the following: (A) Each community water  
158 system having less than fifty service connections and nontransient  
159 noncommunity water system shall be assessed one hundred twenty-  
160 five dollars; (B) each community water system having at least fifty but  
161 less than one hundred service connections shall be assessed one  
162 hundred fifty dollars; and (C) each community water system having at  
163 least one hundred service connections shall be assessed an amount  
164 established by the commissioner, not to exceed five dollars per service  
165 connection. For purposes of this subdivision, a community water  
166 system's service connections shall be determined in accordance with  
167 subsection (b) of this section.

168 (2) On or before January 1, 2020, and annually thereafter, the  
169 department shall issue an invoice, in such manner as the department  
170 determines, to each water company that owns a community or

171 nontransient noncommunity water system or systems for the amount  
172 due pursuant to subdivision (1) of this subsection. Each such water  
173 company shall pay the amount invoiced, in the same year the  
174 department issued in the invoice, in accordance with the following  
175 schedule:

176 (A) A nontransient noncommunity water system shall pay one  
177 hundred per cent of the amount invoiced on or before March first;

178 (B) A community water system having less than one hundred  
179 service connections shall pay one hundred per cent of the invoiced  
180 amount invoiced on or before May first; and

181 (C) A community water system having one hundred or more service  
182 connections shall pay fifty per cent of the invoiced amount by March  
183 first and the remaining fifty per cent of the amount invoiced by May  
184 first.

185 (e) (1) Commencing January 1, 2022, each water company that owns  
186 a transient noncommunity water system or systems for which the  
187 department conducted a sanitary survey in the prior year shall pay to  
188 the department a safe drinking water primacy assessment of one  
189 hundred fifty dollars.

190 (2) On or before March 1, 2022, and annually thereafter, the  
191 department shall issue an invoice, in such manner as the department  
192 determines, to each water company that owns a transient  
193 noncommunity water system or systems that had a sanitary survey  
194 conducted by the department in the previous year for the amount due  
195 pursuant to subdivision (1) of this subsection. Each such water  
196 company shall pay the amount invoiced on or before May thirty-first  
197 of the year in which the department issued the invoice.

198 (f) If a water company is acquired by another water company for  
199 any reason, the acquiring water company shall pay the amount due to  
200 the department for the acquired water company's assessment under  
201 subsections (d) and (e) of this section.

202 (g) (1) A water company that owns a community water system may  
203 collect the assessment amount due for the community water system  
204 from a customer of such community water system. The amount  
205 collected by the water company from an individual customer may be a  
206 pro rata share of such assessment amount. Such amount may appear as  
207 a separate item on the customer's bills.

208 (2) The assessment amount due for a community water system  
209 under subdivision (1) of this subsection may be adopted in rates  
210 through the existing rate approval process for the water company or  
211 may appear as a separate item identified as an assessment on each  
212 customer's bill without requiring a revision to or approval of the  
213 schedule of authorized rates and charges for the water company that is  
214 otherwise required pursuant to section 7-239 or 16-19 of the general  
215 statutes or any other special act or enabling legislation establishing a  
216 water company. Such charges shall be subject to the past due and  
217 collection procedures, including interest charges, of the water  
218 company as are applicable to any other authorized customer charge or  
219 fee.

220 (h) The requirement for a water company to pay the assessment  
221 shall terminate immediately if the department no longer has primacy  
222 under the federal Safe Drinking Water Act, 42 USC 300f, et seq., as  
223 amended from time to time, whether removed by the federal  
224 Environmental Protection Agency or through any other action by a  
225 state or federal authority. If the assessment is terminated and not  
226 reinstated on or before one hundred eighty days after such  
227 termination, the water company shall credit its customers any amounts  
228 collected from such customers for such assessment amount that the  
229 water company is no longer required to pay to the department.

230 (i) If any assessment is not paid on or before thirty days after the  
231 date when such assessment is due, the commissioner may impose a fee  
232 equal to one and one-half per cent of such assessment for each month  
233 of nonpayment beyond such initial thirty-day period unless the water  
234 company that has not paid such assessment is a town, city or borough,



235 in which case the water company shall be subject to the provisions of  
 236 section 12-38 of the general statutes.

237 (j) On or before December 1, 2019, and annually thereafter, the  
 238 department shall post on its Internet web site and submit to the  
 239 Governor and the joint standing committee of the General Assembly  
 240 having cognizance of matters relating to public health, in accordance  
 241 with the provisions of section 11-4a of the general statutes, a report  
 242 that shall include: (1) Resources dedicated to supporting the  
 243 department's ability to maintain primacy under the federal Safe  
 244 Drinking Water Act, 42 USC 300f, et seq., as amended from time to  
 245 time, in the previous fiscal year; (2) the number of full-time equivalent  
 246 positions that performed the required functions to maintain primacy in  
 247 the previous fiscal year; and (3) quality improvement strategies the  
 248 department has deployed to streamline operations to make efficient  
 249 and effective use of staff and resources.

250 (k) The commissioner may adopt regulations, in accordance with  
 251 the provisions of chapter 54 of the general statutes, to carry out the  
 252 provisions of this section.

253 (l) State agencies shall be exempt from the requirements of  
 254 subsections (d) to (i), inclusive, of this section.

255 Sec. 5. Section 19a-202b of the general statutes is repealed. (*Effective*  
 256 *July 1, 2019*)

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2019</i>	19a-55(a)
Sec. 2	<i>July 1, 2019</i>	19a-202
Sec. 3	<i>July 1, 2019</i>	19a-245
Sec. 4	<i>from passage</i>	New section
Sec. 5	<i>July 1, 2019</i>	Repealer section

**PH**            *Joint Favorable*

**APP**      *Joint Favorable*