


***Substitute House Bill No. 6913***

# *Public Act No. 25-17*

***AN ACT PROHIBITING LONG-TERM CARE FACILITIES FROM DISCRIMINATING AGAINST LONG-TERM CARE FACILITY RESIDENTS.***

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

Section 1. (NEW) (*Effective October 1, 2025*) (a) As used in this section:

(1) "Long-term care facility" or "facility" means a nursing home facility, as defined in section 19a-490 of the general statutes, or a managed residential community, as defined in section 19a-693 of the general statutes, with assisted living services regulated by the Department of Public Health;

(2) "Long-term care facility staff" or "facility staff" means all persons employed by or contracted directly with a long-term care facility; and

(3) "Resident" means a resident or patient of a long-term care facility.

(b) (1) No long-term care facility or long-term care facility staff shall discriminate against any resident on the basis of such resident's race, color, religious creed, sex, actual or perceived gender identity or expression, sexual orientation, marital status, age, national origin, ancestry, intellectual disability, mental disability, learning disability, physical disability, status as a veteran, status as a victim of domestic

violence or human immunodeficiency virus status.

(2) The provisions of this subsection shall not apply to the extent that they are incompatible with any professionally reasonable clinical judgment regarding the care of a resident.

(c) Each long-term care facility shall post in a prominent place in such facility the following notice printed in at least fourteen-point boldface capital letters: "(NAME OF FACILITY) DOES NOT DISCRIMINATE AND DOES NOT PERMIT DISCRIMINATION, INCLUDING, BUT NOT LIMITED TO, BULLYING, ABUSE, HARASSMENT OR DIFFERENTIAL TREATMENT ON THE BASIS OF RACE, COLOR, RELIGIOUS CREED, SEX, GENDER IDENTITY OR EXPRESSION, SEXUAL ORIENTATION, MARITAL STATUS, AGE, NATIONAL ORIGIN, ANCESTRY, INTELLECTUAL DISABILITY, MENTAL DISABILITY, LEARNING DISABILITY, PHYSICAL DISABILITY, STATUS AS A VETERAN, STATUS AS A VICTIM OF DOMESTIC VIOLENCE OR HUMAN IMMUNODEFICIENCY VIRUS STATUS. YOU MAY FILE A COMPLAINT WITH THE OFFICE OF THE LONG-TERM CARE OMBUDSMAN (PROVIDE CONTACT INFORMATION) IF YOU BELIEVE THAT YOU HAVE EXPERIENCED DISCRIMINATION."

(d) The State Ombudsman shall establish policies and procedures for recording complaints filed by or on behalf of residents of long-term care facilities pursuant to the provisions of this section.

(e) Long-term care facility staff not directly involved in providing direct care to a resident shall not be present during physical examination or the provision of personal care to such resident if such resident is partially or fully unclothed without the express permission of such resident or such resident's legal guardian, legal representative or other legally responsible party. A facility shall use doors, curtains, screens or other effective visual barriers to provide bodily privacy for all residents

whenever such residents are partially or fully unclothed. All residents shall be informed of and have the right to refuse to be examined, observed or treated by any facility staff when the primary purpose of such examination, observation or treatment is educational or informational rather than therapeutic, or for the evaluation or reevaluation of a resident's health. Such refusal shall not diminish the resident's access to care for the primary purpose of diagnosis or treatment.

(f) (1) At least once every two years, a long-term care facility shall ensure that every facility staff member who works directly with residents receives training, developed by the Commissioner of Public Health pursuant to subdivision (2) of this subsection, on cultural competency focusing on residents who identify as lesbian, gay, bisexual, transgender or gender-nonconforming or who are living with human immunodeficiency virus.

(2) Not later than January 1, 2026, the Commissioner of Public Health shall develop training materials for the purposes of subdivision (1) of this subsection. Such training materials (A) may be developed in consultation with entities with expertise in the legal and social challenges faced by aging persons who identify as lesbian, gay, bisexual or transgender or gender-nonconforming or who are living with human immunodeficiency virus, and (B) shall provide facility staff with the knowledge and skills necessary to provide effective care, in compliance with the provisions of this section, for such persons.

(3) Each long-term care facility shall ensure that a facility staff member required to receive training pursuant to the provisions of this subsection receives such training not more than six months after such facility staff member is hired unless such facility staff member provides proof of having received comparable training within the prior two years that the facility determines complies with the provisions of this subsection. If a facility determines that a facility staff member's prior

training complies with the provisions of this subsection, a record of the content of such training sufficient to determine its compliance with the provisions of this subsection shall be kept on site at such facility.

(g) If the Commissioner of Public Health finds that a long-term care facility has failed to comply with the provisions of this section, the commissioner may take any disciplinary action against such long-term care facility permitted under section 19a-494 of the general statutes.

(h) Nothing in this section shall be construed to limit any remedies available to a resident at law or in equity.