

*Regulations of Connecticut State Agencies*

TITLE 17. Public Assistance & Welfare Services

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*Agency*

**Department of Public Health and Addiction Services**

*Subject*

**Licensure of Hospitals for Mentally Ill Persons**

*Inclusive Sections*

**§§ 17-227-1—17-227-55**

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**Licensing of Family Care Homes for Mentally Ill Adults**

Sec. 17-227-51—17-227-55. Repealed

**Licensure of Hospitals for Mentally Ill Persons**

**Sec. 17-227-1—17-227-14. Repealed**

Repealed October 16, 1975.

**Sec. 17-227-14a. Definitions**

As used in sections 17-227-14a to 17-227-14m, inclusive:

A. “Applicant” means any person, firm, corporation or organization applying for a license or renewal of a license under this section;

B. “Certificate of need” means approval of capital expenditures or functions or services from the commission of hospitals and health care (sections 19-73a to 19-73t of the general statutes);

C. “Chief administrative officer” means the individual in charge of the overall management of the hospital;

D. “Clinical staff” means that group of professional and paraprofessional personnel of the hospital which is directly involved in the care and treatment programs;

E. “Department” means the department of mental health, 90 Washington Street, Hartford, Connecticut 06115;

F. “Emergency service” means an immediately available service to meet the psychiatric and/or medical needs of individuals who either present themselves or who develop such need for help;

G. “Hospital” means a psychiatric facility which primarily offers medically directed inpatient services for the diagnosis, treatment, care, protection and rehabilitation, as indicated, of individuals admitted with psychiatric disorders.

H. “License” means the certificate issued by the department that signifies compliance with these regulations and other applicable law and authorizes the applicant to conduct a hospital for mental illness;

I. “Licensee” means any person, firm, corporation or organization licensed to conduct a hospital under these regulations;

J. “Organizational chart” means a description of the successive delegations of functional authority and assignments of responsibility, listing all position categories and number of budgeted full-time equivalents;

K. “Policies” means written statements which define the basic philosophies and instructions required by the staff of the hospital in order for them to participate effectively in the operation of the hospital;

L. “Population to be served” means the group toward which the hospital directs its services; such groups may be geographical, client type, disability or functional level delineated;

M. “Professional” means an individual who, by custom, training, education or experience, is considered a member of one of the helping professions, e.g., physician, nurse, social worker, psychologist, who is qualified by specific training and experience in mental health care and treatment;

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N. “Paraprofessional” means an individual who, through experience, inservice training or formal educational, or all three, functions in the hospital under a number of different job titles, such as mental health worker, psychiatric technician, psychiatric aide, psychiatric assistant, etc.;

O. “Staff” means those professional and paraprofessional individuals who are directly involved in the hospital’s programs, and includes any volunteer workers;

P. “Statement of ownership” means a written statement as to the actual legal owners of the hospital;

Q. “Treatment” means services related to the reduction of disability or discomfort, amelioration of signs and symptoms and changes in specified physical, mental or social functioning.

(Effective April 18, 1978)

**Sec. 17-227-14b. Licensure**

A. **License required; penalty:** every person, firm, corporation or organization conducting a hospital for mental illness must have a current and valid license issued by the department. Any person, firm, corporation or organization conducting a hospital for mental illness contrary to the provisions of section 17-227 shall be liable for a fine of not more than one thousand dollars or imprisoned not more than six months or both.

**B. Initial application:**

(1) a person, firm, corporation or organization which desires to conduct a hospital for mental illness shall make written application for a license to the department on forms provided by the department.

(2) Such applicant shall furnish with the application the following:

- (a) Documentation of compliance with local zoning ordinances;
  - (b) Documentation of compliance with local building codes;
  - (c) The local fire marshall’s certificate of inspection of the hospital certifying compliance with the fire code;
  - (d) A statement of ownership;
  - (e) A curren organizational chart;
  - (f) An application fee as required by section 17-227, payable to the state treasurer;
  - (g) Documentation of approval of the commission on hospitals and health care (where appropriate);
  - (h) Such other material as the department may reasonably request.
- (3) The hospital shall be investigated by department personnel after receipt of the application in order to determine compliance with these regulations and applicable state laws.

C. **Issuance of license:** once compliance has been determined, the department shall issue a license to the applicant for the conducting of a hospital for mental illness. The license shall specify the location of the hospital, the name of the licensee, the name of the chief administrative officer and any limitations placed on the hospital. All licenses shall terminate

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annually on the 31st of December. The license shall be posted in a conspicuous place in the hospital.

**D. Changes in licenses:** licenses issued under this section are not transferable. If the licensee wishes to change the location or the hospital, or change the chief administrative officer, or if the ownership of the hospital changes, written application must be made to the department for permission to make such change. Such application shall be acted upon within ten days from the date of its filing.

**E. Renewal of license:**

(1) each licensee wishing to continue conducting a hospital for mental illness shall make written application for renewal of the license to the department on forms provided by the department on or before each November 30th.

(2) Such licensee shall furnish with the application the following:

(a) The local fire marshall's certificate of annual inspection of the facility certifying compliance with the fire code;

(b) A statement of ownership;

(c) A current organizational chart;

(d) An application fee as required by section 17-227, payable to the state treasurer;

(e) Documentation of approval of the commission on hospitals and health care (where appropriate);

(f) such other material as the department may reasonably request.

**F. Limitation, suspension or revocation of licenses:** a license issued under these regulations may be limited, suspended or revoked after due notice and hearing by the department upon proof that the licensed hospital is being improperly conducted or for the violation of any of the applicable provisions of section 17-227, or for the violation of these regulations. Such hearing shall be conducted in accordance with the administrative procedures act, sections 4-168, et seq.

**G. Miscellaneous:**

(1) each applicant shall receive a copy of these regulations upon request for application forms;

(2) Department personnel shall have the right to enter and inspect a licensed hospital at any reasonable time.

**H. Effect of Accreditation:**

(1) except as provided in subsection (2) of this section; if

(a) A Hospital for mental illness is accredited by the joint commission on accreditation of hospitals as a psychiatric hospital, and

(b) Such hospital authorizes the commission to release to the department (on a confidential basis) upon request a copy of the most current accreditation survey of such hospital made by such commission, then, such hospital shall be deemed to meet the requirements of these regulations; provided

(c) That such hospital provides the department with any and all documentation which the department deems is necessary for determination of compliance with applicable state and

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local law.

(2) Notwithstanding any other provision of these regulations, if the department finds following an inspection made pursuant to § 17-227-14b-G(2) that an accredited hospital has significant deficiencies, such hospital shall not be deemed as meeting the requirements of these regulations under this section.

(3) Any hospital for mental illness which is deemed under this section as meeting the requirements of these regulations must make application for a license to the department in accordance with subsections 17-227-14b-A, -B(1) and -B(2). Renewals of such licenses shall be in accordance with subsection 17-227-14b-E.

(Effective April 18, 1978)

**Sec. 17-227-14c. Management**

A. There shall be full disclosure of psychiatric facility ownership and control.

B. A sound system of responsible accounting shall be maintained which produces information reflecting the facility's fiscal experience and its current financial posture.

C. The Chief Administrative Officer shall be the individual in charge of the overall management of the psychiatric hospital. He shall be a physician registered under the laws of this state who is a member of The American Board of Psychiatry and Neurology, or a physician registered under the laws of this state who has had at least three years' full time medical experience in an institution for the care and treatment of mentally ill persons, or a person holding a degree in hospital administration with broad experience in the field.

D. The management shall be cognizant of all pertinent state and federal statutes, laws, regulations, and Public Acts, and shall take all necessary steps to conform to all such legislation.

(Effective April 18, 1978)

**Sec. 17-227-14d. Environment**

A. There shall be appropriate and adequate space and equipment for all services to be provided effectively and efficiently in pleasant and functional surroundings, readily accessible to the patients of the hospital.

B. The physical plant shall meet and maintain all the standards of current federal, state and local zoning, building, fire and safety codes and standards.

C. There shall be appropriate and adequate space and equipment for any and all social, educational, rehabilitating, and recreational activities which the hospital may provide.

D. The environment of the hospital shall contribute to establishing and enhancing a positive self-image for the patient, and preserving his human dignity.

E. There shall be clearly delineated and written policies and procedures concerning effective relationships between staff and patients, between staff members, and between patients which shall contribute to the development of therapeutic interpersonal relationships for the patient.

F. The physical plant shall provide facilities for the physical separation of patients, for

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emotional, behavioral and/or medical reasons. The written procedures, policies and practices of such isolation shall be within the limits set forth by Sec. 17-206e of the Connecticut General Statutes.

G. The buildings, equipment and surroundings shall be kept clean and in good repair at all times and the management and operation of the hospital shall be such as reasonable to provide a healthy, comfortable and safe environment for the patients.

(Effective April 18, 1978)

**Sec. 17-227-14e. Safety**

A. The hospital shall be structurally constituted, equipped, operated and maintained so as to sustain its safe and sanitary characteristics and to prevent or minimize all health hazards in the facility for the protection of patients, personnel and visitors.

B. The hospital shall have written plans for the proper and timely care of casualties arising from both external and internal disasters, and shall periodically rehearse these plans.

C. The hospital shall have a written plan providing emergency services or arranging for the provision of such services to meet the needs of the patients and the facility.

(Effective April 18, 1978)

**Sec. 17-227-14f. Medical staff**

A. There shall be a medical staff consisting of at least one physician licensed in Connecticut and specializing in psychiatry, and said staff shall establish bylaws that are designed to ensure the achievement and maintenance of high standards of professional ethical practice.

B. The medical staff shall assure the patients' rights to physical and psychiatric examinations and treatment according to a specialized treatment plan as guaranteed under Section 17-206c and 17-206f of the Connecticut General Statutes.

(Effective April 18, 1978)

**Sec. 17-227-14g. Nursing**

(A) All hospitals providing inpatient care shall have an organized nursing service.

(B) The nursing service shall have a current, written organizational chart.

(C) Written nursing care policies and procedures shall be developed to provide the nursing staff with acceptable methods of meeting its responsibilities and achieving projected nursing care goals.

(D) The service shall be under the direction of a duly qualified registered nurse, and shall have a sufficient number of adequately trained personnel to meet the needs of the patients.

(1) Each hospital shall employ as Director of Nursing Services a nurse, registered in Connecticut, experienced in the care of the mentally ill patients and in the administration of psychiatric nursing services, who shall be responsible for the supervision and assignment of nursing personnel.

(2) There shall be on duty at all times at least one nurse, registered in Connecticut, who

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shall have had training and experience in the care of mentally ill patients.

(Effective April 18, 1978)

**Sec. 17-227-14h. Pharmacy**

A. The scope of pharmaceutical services shall be consistent with the medication needs of the patient and shall include a program for the control and accountability of drug products throughout the hospital which are consistent with all applicable state and federal legislation and regulations.

B. Pharmaceutical services shall be directed by a qualified registered pharmacist, and shall be staffed by a sufficient number of appropriately qualified personnel.

C. Written policies and procedures which govern the safe ordering, dispensing and administration of drugs which are consistent with all federal and state legislation and regulations shall be developed.

D. There shall be adequate equipment, supplies, and information resources provided for the safe and efficient functioning of the pharmaceutical service.

(Effective April 18, 1978)

**Sec. 17-227-14i. Personnel**

A. There shall be employed a sufficient number of appropriately qualified clinical staff and necessary supporting personnel to provide satisfactory care and treatment of its patients.

B. Each hospital shall establish and maintain sound personnel recruitment and selection policies.

C. There shall be a written policy assuring equal opportunity in hiring and employment practices for all personnel without regard to race, color, religion, sex or national origin, which adheres to all federal, state and local legislation concerned with nondiscriminatory practices.

(Effective April 18, 1978)

**Sec. 17-227-14j. Component services**

A. The chief administrative officer shall assure that the functions of the hospital are organized through appropriate departmentalization of services.

B. Every hospital shall have a written plan describing the organization of those services which the hospital offers, or the arrangements for the provision of such services to meet the needs of the patients.

C. Each service shall be guided by written current policies and procedures which are readily available to all appropriate personnel.

D. Each collaborating, recognized service shall be supervised by an individual whose qualifications shall be specified in the personnel policies.

(Effective April 18, 1978)

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**Sec. 17-227-14k. Support services**

A. Each hospital shall have a written plan describing the organization of laboratory, pathology, radiology, nuclear medicine, or arrangements for the provision of such services.

(1) Each shall have sufficient personnel, equipment, supplies, and suitable environmental conditions to perform the required volume of work with optimal accuracy, precision, efficiency and safety.

(2) There shall be written policies and procedures that govern each services' activities.

B. Each hospital shall have an organized pastoral service, or shall have a written plan describing the arrangements for the provision of such services, to meet the needs of patients.

C. Each hospital shall have a written plan describing the organization of housekeeping, dietary, laundry, maintenance, and central service departments, or the arrangements for the provision of such services, to meet the needs of the hospital.

(1) There shall be written policies and procedures that govern each services' activities.

(2) The service shall be directed by a qualified person and staffed by adequate personnel to carry out its functions.

(3) There shall be adequate space, equipment and supplies to provide an efficient, safe and sanitary operation of each service.

(Effective April 18, 1978)

**Sec. 17-227-14l. Patient rights**

A. Each hospital shall comply with the provisions of the Patient's Bill of Rights (Sections 17-206a to 17-206k, inclusive, of the Connecticut General Statutes).

B. Admission and treatment of patients shall be conducted without regard to race, color, or national origin.

C. The hospital shall give each patient, upon admission, a written copy of the Patient's Bill of Rights in the language of the patient's understanding.

D. Each hospital should make provision for adequate personnel to assist patients who are members of national origin minorities with language problems.

(Effective April 18, 1978)

**Sec. 17-227-14m. Patient records**

A. A single, compiled, written record for each patient shall be kept.

B. All records shall be confidential, current and accurate.

C. The hospital shall maintain a system of identification and filing to facilitate the prompt location of a patient's record.

D. The patient record service shall be adequately directed, staffed and equipped to facilitate the accurate processing, indexing and filing of all patient records.

(Effective April 18, 1978)

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§17-227-15

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**Unusual Incidents**

**Sec. 17-227-15. Definitions**

As used in this section and in Section 17-227-16:

- (a) “Department” means the department of mental health;
- (b) “Employee” means an employee of the facility;
- (c) “Facility” means a facility licensed by the department in accordance with section 17-227 of the general statutes;
- (d) “Guest” means a person, other than a patient or employee, who is on the premises of a facility;
- (e) “Patient” means a person who is being treated or who is a resident at a facility as defined in this section;
- (f) “Serious injury” means an injury which results in the medical or surgical hospitalization of the injured person as an inpatient;
- (g) “Unusual incident” means:
  - (1) The death of a patient from other than natural causes;
  - (2) The death of an employee from whatever cause, while on duty;
  - (3) The death of a guest from whatever cause;
  - (4) A serious injury to a patient;
  - (5) A serious injury to an employee while on duty;
  - (6) A serious injury to a guest;
  - (7) The escape or elopement of a patient;
  - (8) A fire, theft or other occurrence which causes property damage or loss in the amount of \$100.00 or more;
  - ((9))

(Effective April 27, 1977)

**Sec. 17-227-16. Reporting unusual incidents**

Within twenty-four (24) hours of its discovery, the person in charge of the facility or his designed shall notify the department at the office of the Commissioner of the occurrence of any unusual incident as defined in these regulations. In each instance the person in charge of the facility or his designee shall also report the incident to the proper local authorities. The facility shall conduct its own investigation of the incident and make a written report thereof, a copy of which shall be sent to the department. Said written report shall contain a full description of the unusual incident, together with any other findings and any action taken by the facility or local authorities as a result of the incident.

(Effective April 27, 1977)

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**Sec. 17-227-17—17-227-20. Reserved**

**Licensure of Psychiatric Clinics and Outpatient Services for Adults**

**Sec. 17-227-21—17-227-25. Repealed**

Repealed May 23, 1986.

**Sec. 17-227-26—17-227-29. Reserved**

**Licensing of Institutions which Provide Care and Treatment for Alcohol-Dependent Persons**

**Sec. 17-227-30—17-227-44. Repealed**

Repealed February 2, 1988.

**Licensing of Intermediate Treatment Facilities for Adults**

**Sec. 17-227-45—17-227-49. Repealed**

Repealed May 23, 1986.

**Sec. 17-227-50. Reserved**

**Licensing of Family Care Homes for Mentally Ill Adults**

**Sec. 17-227-51—17-227-55. Repealed**

Repealed August 2, 1994.