



March 13, 2026

Testimony of the Connecticut Association of Health Care Facilities / Connecticut Center for Assisted Living (CAHCF/CCAL) concerning H.B. No. 5512 (RAISED) AN ACT CONCERNING THE DEPARTMENT OF PUBLIC HEALTH'S RECOMMENDATIONS REGARDING REAL PROPERTY CHANGE OF OWNERSHIP.

We support the intent of this bill and agree that state regulators should have sufficient authorities and tools to evaluate the fitness and suitability of real property owners where a facility will be located in our state's change of ownership approval process. This bill provides a new authority over the real property owner where the real estate owner has a history of having previously operated or managed a facility in a manner that can be construed as substandard, here in Connecticut or in other jurisdictions, and where the real property owner will have involvement in the operations of the facility here in Connecticut.

We recommend the following substitute language for the consideration of the committee as a more straightforward approach to achieving the objectives of the bill. Our recommended revisions establish a clear standard the outset of the bill as to the targeted real property owners with negative histories with anticipated operational involvement, rather than applying the full range of requirements to all real property owners across the entire provider community, which is proposed, and then establishing an agency administrative waiver process after the change of ownership application is made where the real property owner could be found exempt from the bill's authorities. Specifically, we recommend the following substitute language in Section 1:

First, in subdivision (5), beginning on line 156, the substitute language expands the Commissioner of Public Health's change of ownership review authority to include the real property owners who have a prior history in the operations or management of a facility and have anticipated involvement in the operation or management of a facility under review:

(5) When evaluating an application for a change in ownership, the commissioner shall consider whether each proposed new owner, [and] beneficial owner, and real property owner who has a prior history and anticipated involvement in the operation or management of a facility in accordance with subdivision (10) of this section within the prior 5 years, demonstrates character and competence, quality of care and whether an acceptable history of past and current compliance with state licensure requirements, applicable federal requirements and state regulatory requirements exists for each licensed health care facility owned, operated or managed by each proposed new owner, [and] beneficial owner, and real property owner in the United States or any territory of the United States during the five years preceding the date on which such application is submitted. The commissioner may deny an application for change in ownership if such qualities are not demonstrated, as evidenced by:”

Second, conforming changes are required in subdivision (10), beginning on line 211, linking the provisions to subdivisions (3) and (5) and specifying real property owner’s substandard prior performance as an operator or managers of a facility and specifying the real property owner will also be involved in the operation or management of the Connecticut facility:

(10) A real property owner shall be required to submit information in accordance with subdivision (3) of this subsection and shall be evaluated in accordance with subdivision (5) of this subsection, if: (A) the real property owner has a prior history in the operation or management o facility in the past 5 years and the real property owner in that prior capacity was found within that period to have provided care constituting a serious risk to the life, safety or quality of care of patients or residents within the meaning of subsection (c) of section 19a-493 of the general statutes, and (C) the real property owner will be involved in the operation or management of the nursing home.

We want to emphasize that the substitute language does not alter the fitness and suitability standards for the targeted real property owners in any way from the proponent’s original proposal. These are exactly in alignment with the original language. What is different is the administrative waiver process is forgone in favor of an up front standard identifying the targeted real property owners who will have involvement in the operations and management of the facility.

Thank you for this opportunity to submit this written testimony.

For additional information on this testimony, please contact Matthew Barrett, President and CEO of CAHCF/CCAL, at mbarrett@cahcf.org.