

## REPORTS OF STANDING COMMITTEES

MADAM PRESIDENT:

The Committee on **Public Health and Welfare** recommends **SB 456** be amended on page 1, in line 9, by striking all after "after"; in line 10, by striking all before the semicolon and inserting "notifying the adult care home of the resident's intent to conduct electronic monitoring"; in line 11, after "means" by inserting "a surveillance instrument used to broadcast or record activity or sound occurring in a room, including"; in line 15, by striking all after "(b)"; in line 16, by striking all before "to" and inserting "A resident shall be permitted"; in line 20, after "person" by inserting "or otherwise retaliate against a resident or person"; also in line 20, by striking "a request to conduct" and inserting "conducting or consenting to"; in line 23, by striking "make a request to" and inserting "notify";

On page 2, in line 5, by striking "and"; in line 7, after "device" by inserting: "

(3) making reasonable accommodations and exhausting all reasonable options if a resident in a multi-resident room wishes to conduct electronic monitoring pursuant to this section and the resident or residents with whom the resident shares the room do not consent to the monitoring, including offering to move the resident who wishes to conduct electronic monitoring to another shared room which is available or becomes available; and

(4) making reasonable accommodations and exhausting all reasonable options if a resident wishes to conduct electronic monitoring and another resident begins residing in the multi-resident room who does not consent to the monitoring before moving the resident wishing to conduct electronic monitoring";

Also on page 2, in line 11, by striking "(1)"; by striking all in lines 15 through 18; in line

33, after "(6)" by inserting "restrictions that a resident may elect to place on electronic monitoring conducted in the resident's room, including, but not limited to:

(A) Prohibiting video recording;

(B) prohibiting audio recording;

(C) turning off the device or blocking the visual recording component of the device during an exam or procedure administered by a healthcare professional;

(D) turning off the device or blocking the visual recording component of the device while the resident is dressing or bathing; or

(E) turning off the device or blocking the visual recording component of the device during a resident's visit with a spiritual advisor, ombudsman, attorney, financial planner, intimate partner or other visitor; and

(7)";

Also on page 2, in line 35, after "(i)" by inserting "Any electronic monitoring device installed or operated pursuant to this section shall comply with the requirements of the national fire protection association 101 life safety code, or other standards determined by the secretary for aging and disability as having substantially equivalent requirements.

(j) (1) A person is prohibited from knowingly hindering, obstructing, tampering with or destroying, without the consent of the resident or individual who authorized electronic monitoring, an electronic monitoring device installed in a resident's room in accordance with this section.

(2) A person is prohibited from knowingly hindering, obstructing, tampering with or destroying, without the consent of the resident or individual who authorized electronic monitoring, a video or audio recording obtained in accordance with this section.

(3) (A) Any person who violates this subsection shall be guilty of a class B nonperson misdemeanor.

(B) Any person who violates this subsection with the intent to commit or conceal the commission of a misdemeanor offense shall be guilty of a class A nonperson misdemeanor.

(C) Any person who violates this subsection with the intent to commit or conceal the commission of a felony offense shall be guilty of a severity level 4, nonperson felony.

(k)"; and the bill be passed as amended.

\_\_\_\_\_ Chairperson