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News for Darien

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New State Laws Just Took Effect: A List with Summaries

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Among the new Connecticut laws that took effect on Jan. 1 are changes to domestic violence law targeting the "dominant aggressor," new insurance rules to make breast exams less expensive for patients and rules that would make it easier for a woman without insurance to get it after getting pregnant.

"These new laws may have an impact on you, your business, or our community," state Rep. Terrie Wood, a Republican representing most of Darien, said in an email to constituents.

"I have highlighted some noteworthy new laws below and encourage you to take a look at the full list," Wood wrote (Darienite has included the full list, below). "Please contact me with any questions or clarifications regarding these new laws. [...] *Please don't hesitate to contact me at 1-800-842-1423 or Terrie.Wood@housegop.ct.gov.*"

"New legislation effective dates are typically Jan. 1, July 1, and Oct. 1 throughout the calendar year," Wood wrote. "Now that 2018 has come to an end, a number of new laws took effect yesterday, Jan. 1, 2019."

New Laws Wood Highlighted

DOMESTIC VIOLENCE ARRESTS

AN ACT CONCERNING DUAL ARRESTS AND THE TRAINING REQUIRED OF LAW ENFORCEMENT PERSONNEL WITH RESPECT TO DOMESTIC VIOLENCE

[PA 18-5](#) reduces the number of dual arrests that occur in domestic violence cases and enhance domestic violence training offered to state and local law enforcement agencies. For a summary, [click here](#).

Here's Darienite's condensed version of [the summary](#):

This act requires a peace officer, in responding to a family violence complaint made by two or more opposing parties, to arrest the person the officer believes is the dominant aggressor.

The act does not prohibit dual arrests, but discourages such arrests when appropriate. It does not apply to (1) college and university students who live together in on-campus housing and (2) tenants who live together in a residential rental property, who are not in a dating relationship.

Under the act, a “dominant aggressor” is the person who poses the most serious ongoing threat in a situation involving a suspected family violence crime [...]

Under prior law, when two or more opposing parties made complaints of family violence, the peace officer had to evaluate each complaint separately to determine whether to make an arrest or seek an arrest warrant.

If the officer determined that a family violence crime had been committed, the officer had to arrest the alleged perpetrator and charge the person with the appropriate crime, except the officer was not required to arrest someone who used force in self defense.

The act explicitly states that the peace officer is not required to arrest both people. It requires the officer to

(1) evaluate each complaint separately to determine which person is the dominant aggressor and (2) arrest that person.

Under existing law, unchanged by the act, the officer’s decision to arrest and charge the perpetrator must not be based (1) on getting the victim’s specific consent, (2) on the relationship of the parties, or (3) solely on a victim’s request.

By law, a peace officer investigating a family violence incident must not threaten to arrest all parties to discourage any of them from requesting law enforcement intervention.

DOMINANT AGGRESSOR FACTORS

The act requires the peace officer, in determining who is the dominant aggressor, to consider:

1. the need to protect domestic violence victims;
2. whether one person acted in self-defense or to defend a third person;
3. the relative degree of any injury;
4. threats creating fear of physical injury; and
5. any history of family violence between the people involved, if it can reasonably be obtained by the peace officer

[...]

BACKGROUND

Family Violence

By law, “family violence” means an incident resulting in physical harm, bodily injury or assault, or an act of threatened violence that constitutes fear of imminent physical harm, bodily injury, or assault, including stalking or a pattern of threatening, between family or household members. It does not include verbal abuse or argument unless there is present danger and the likelihood that physical violence will occur.

Family Violence Crime

By law, “family violence crime” means a crime, other than a delinquent act, which, in addition to its other elements, contains an element of an act of family violence to a family or household member. It does not include acts by parents or guardians disciplining minor children unless such acts constitute abuse.

MAMMOGRAMS

AN ACT CONCERNING MAMMOGRAMS, BREAST ULTRASOUNDS AND MAGNETIC RESONANCE IMAGING OF BREASTS

[PA 18-159](#) redefines mammogram, and eliminates co-payments and deductibles for certain breast ultrasounds. For a summary, [click here](#).

Darienite's condensed version of [the summary](#):

This act expands the types of breast imaging services that certain health insurance policies must cover. It does so by defining “mammogram” as a mammographic examination or breast tomosynthesis, including any procedure with one of 13 specific Healthcare Common Procedure Coding System (HCPCS) billing codes or

any subsequent corresponding codes.

PREGNANCY

AN ACT AUTHORIZING PREGNANCY AS A QUALIFYING EVENT FOR SPECIAL ENROLLMENT PERIODS FOR CERTAIN INDIVIDUALS

[PA 18-43](#) permits certain pregnant individuals to enroll in a health insurance policy or plan not later than 30 days after the individual's pregnancy has been certified by a licensed health care provider. For a full summary, [click here](#).

Darienite's condensed version of [the summary](#):

This act requires certain health insurance plans to provide a special enrollment period to pregnant women who do not have insurance that covers the federal Affordable Care Act's (ACA) minimum essential health benefits or otherwise meets state law's minimum coverage requirements.

A special enrollment period is a time outside of open-enrollment when eligible individuals may apply for health insurance.

Under the act, the special enrollment period must be offered to a woman within 30 days after her pregnancy began, as certified by a licensed health care provider acting within his or her scope of practice, and coverage must begin on the first of the month in which she receives the certification.

- *For more information on Terry Wood, see [her website](#) or [Facebook account](#).*

Other New Laws

(Information from [this Web page](#).)

[Editor's note: Most of these titles begin with the phrase "AN ACT CONCERNING." We removed those words to make the list easier to read. We've removed links to the actual language of the statute, but you can find the links on the list [here](#). The second link in each item, to Senate or House bills, tells you, among other things, which legislators voted for or against the bill.]

THE STATE BUDGET FOR THE BIENNIUM ENDING JUNE 30, 2019, MAKING APPROPRIATIONS THEREFOR, AUTHORIZING AND ADJUSTING BONDS OF THE STATE AND IMPLEMENTING

PROVISIONS OF THE BUDGET.

[Summary](#)

[Senate Bill No. 1502](#)

SECURED AND UNSECURED LENDING.

[Summary](#)

[House Bill No. 7141](#)

PAY EQUITY.

[Summary](#)

[House Bill No. 5386](#)

AN ACT MANDATING INSURANCE COVERAGE OF ESSENTIAL HEALTH BENEFITS AND EXPANDING MANDATED HEALTH BENEFITS FOR WOMEN, CHILDREN AND ADOLESCENTS.

[Summary](#)

[House Bill No. 5210](#)

CHANGES TO PHARMACY AND DRUG CONTROL STATUTES.

[Summary](#)

[Senate Bill No. 195](#)

PROBATE COURT OPERATIONS.

[Summary](#)

[Senate Bill No. 247](#)

HEALTH INSURANCE COVERAGE FOR PROSTHETIC DEVICES.

[Summary](#)

[Senate Bill No. 376](#)

REVISIONS TO DEPARTMENT OF CONSUMER PROTECTION STATUTES.

[Summary](#)

[Senate Bill No. 193](#)

INSURANCE ISSUES.

[Summary](#)

[House Bill No. 5206](#)

AN ACT IMPOSING A SURCHARGE ON CERTAIN INSURANCE POLICIES AND ESTABLISHING THE HEALTHY HOMES FUND.

[Summary](#)

[House Bill No. 5209](#)

THIRD-PARTY FINGERPRINTING SERVICES, MINIMUM STANDARDS AND PRACTICES FOR THE ADMINISTRATION OF LAW ENFORCEMENT UNITS AND REPORTS OF POLICE PURSUITS.

[Summary](#)

[House Bill No. 5220](#)

THE DEPARTMENT OF PUBLIC HEALTH'S RECOMMENDATIONS REGARDING VARIOUS REVISIONS TO THE PUBLIC HEALTH STATUTES.

[Summary](#)

[House Bill No. 5163](#)

CONSUMER CREDIT LICENSES.

[Summary](#)

[House Bill No. 5490](#)

THE WRITTEN RESIDENTIAL DISCLOSURE REPORT, THE CAPTIVE INSURANCE COMPANY ESTABLISHED FOR ASSISTING WITH CRUMBLING FOUNDATIONS AND FUNDING FOR LEAD REMOVAL, REMEDIATION AND ABATEMENT.

[Summary](#)

[House Bill No. 5321](#)

- *See also* current legislation [effective from passage](#).

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