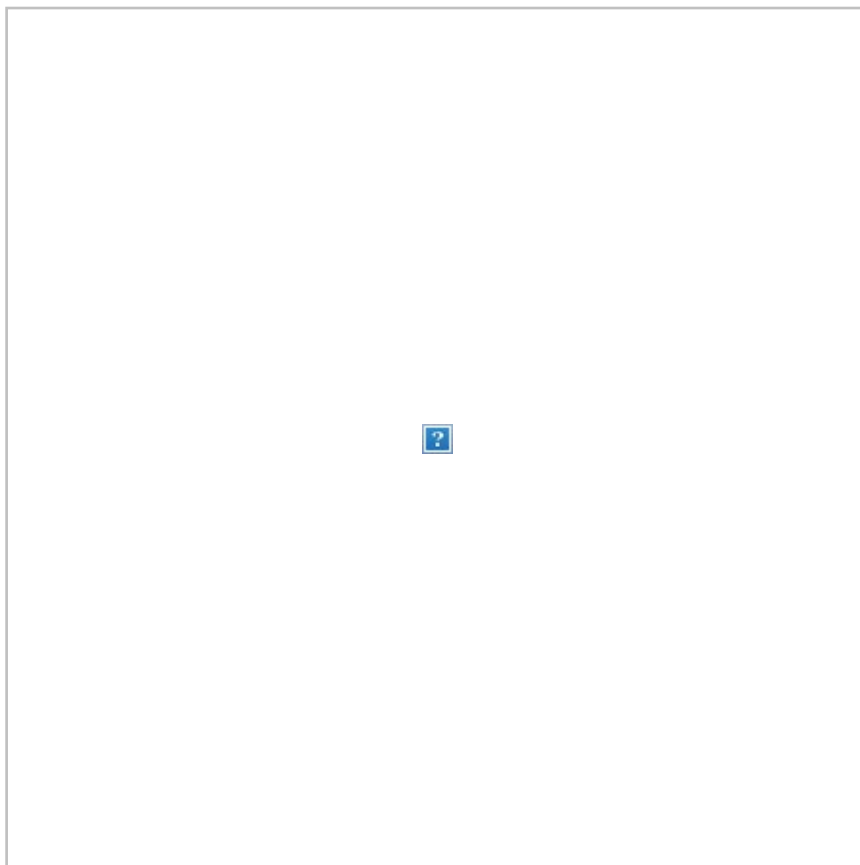




# Federal decisions unravel parts of two COVID-19 executive branch orders

COVID-19 :: by GREGORY B. HLADKY | JUNE 9, 2020 | VIEW AS "CLEAN READ"



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Separate federal rulings this week have rolled back portions of two COVID-related executive branch orders: one suspending fingerprinting for gun permits and another restricting hospital visitation rights for families and friends of people with disabilities.

Gun rights groups **had challenged** Gov. Ned Lamont's pandemic emergency order that effectively halted the collection and processing of fingerprints necessary to obtain a gun permit in Connecticut for months.

U.S. District Judge Jeffrey A. Meyer's ruling Tuesday overturned Lamont's order, saying a "continuing categorical elimination of fingerprinting is not necessary." Meyer ordered the state to resume taking fingerprints for gun permits by June 15.

Gov. Lamont shrugged off the federal ruling on fingerprinting, saying his administration was "about to do that anyway" as part of the state's next reopening phase.

But the decision was a victory for the Connecticut Citizens Defense League, the pro-gun rights group that filed the court action, which claimed the executive order violated citizens' constitutional right to keep and bear arms.

### Hospital visitors allowed to assist patients with disabilities

As a result of an agreement with the Office of Civil Rights in the U.S. Department of Health and Human Services, acting Public Health Commissioner Deidre S. Gifford issued an order Tuesday that allows for an exception to a previous order from the Department of Public Health restricting visitors in hospitals during the pandemic.

Gifford's new order allows disabled patients to have a support person with them if they need that assistance because of physical or intellectual disabilities or communication barriers.

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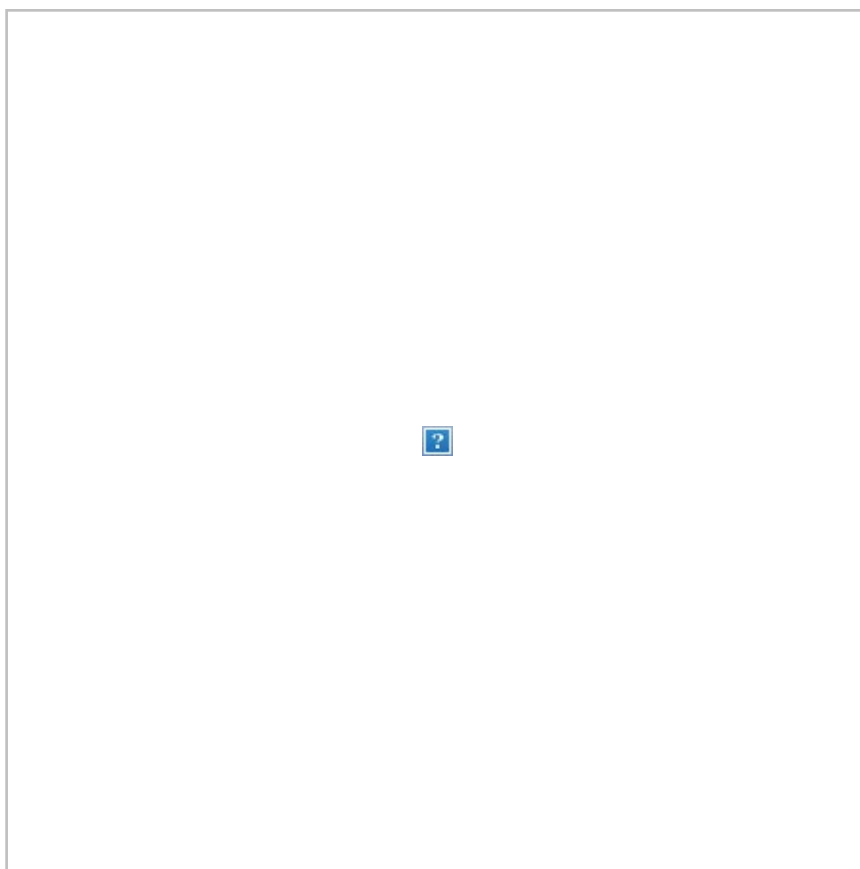
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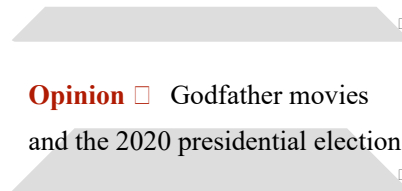
The change stems from a **complaint** filed by disability rights groups in Connecticut with the federal Office of Civil Rights that said Connecticut's guidance regarding hospital visitation for people with disabilities violated the Americans with Disabilities Act.



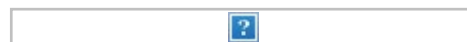
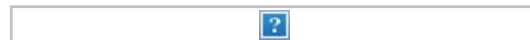
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Penny Barsch, of Meriden, stands six feet away from her son, Shane Sessa, in the back yard of the group home where he lives in Portland. When Sessa, who has cerebral palsy, was hospitalized recently for surgery, Barsch was prohibited from accompanying him due to pandemic restrictions.

The complaint stated that guidance only allowed support people for individuals receiving services from the state Department of Developmental Services, leaving large groups of people with disabilities unable to have a support person with them.



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Without support people, the complaints said, some people with disabilities were being denied equal access to medical treatment, effective communication and the ability to make informed decisions.

The order says one designated support person may accompany the person with a disability, though two support people will be allowed if the patient is going to be in a facility for longer than one day, provided only one support person is present at a time.

### **Infections keep dropping, as of now**

Lamont said Tuesday that the continuing downward trend in new coronavirus infections and hospitalizations in Connecticut are an indication that this state is on the right track in its ongoing efforts to reopen the economy.

The new infection rate is now 2% or less of those being tested and hospitalizations “are two-thirds below where they were... on May 20<sup>th</sup>,” he said. State officials reported Tuesday that the number of people hospitalized with COVID-19 has sunk to 293, a decline of 31 people during the previous 24 hours.

Another 13 coronavirus-related fatalities were reported as Connecticut’s overall pandemic deaths rose to 4,097. State officials recorded an additional 4,658 tests for the disease and just 87 new cases of COVID-19. A total of 310,654 tests for the virus have now been conducted in Connecticut with 44,179 confirmed cases.

“So I don’t think we opened up too early,” Lamont said at a morning news briefing in downtown Hartford. “I think we opened cautiously.” He said next week’s scheduled “Phase 2” of the reopening plan will mean that about 95% of Connecticut’s economy will be up and operating.



Lamont told reporters that he continues to be worried that the massive protests against police brutality and violence in the past two weeks could trigger another wave of coronavirus infections.

He said that people involved in those demonstrations are often in close contact with hundreds of other protestors and that tracing contacts for someone who comes down with the virus after one of those events would be very complicated.

“Time will tell if this leads to a flare-up,” Lamont said.

### **Seeking road rules for public-private partnerships**

Gov. Lamont said he asked top Republican and Democratic leaders in the General Assembly to discuss setting new ground rules for public-private partnerships to avoid controversies like those that ended billionaire Ray Dalio’s philanthropic educational program with the state.

The governor said he is asking Democratic House Speaker Joe Aresimowicz and the top Senate Republican, Len Fasano, “to work with me to see if we can figure out the rules of the road so

we don't stiff-arm people who want to be helpful.”

The Dalio-state venture, Partnership for Connecticut, was criticized from the outset over exemptions from state financial disclosure and ethics rules and ended last week amid an uproar over the firing of the partnership's newly hired CEO.

Still, Lamont defended the Dalio effort Tuesday, which **announced the purchase** of laptops for students in low-income districts for remote learning during the pandemic shortly before its dissolution.

“I thought it was an amazing template,” Lamont said. “I thought we could take \$100 million of public resources turn that into \$300 million, and use that with not-for-profit educators and legislative leaders all at the table... Making sure we could do more for our kids.”



“Within a week or two of announcing the partnership,” Lamont said, “somebody went to the floor of the state House of Representatives and said, ‘Who are these corporate bond guys... dropping dollars on we peasants.’” He called such remarks “an attitude that killed any opportunity for us to do much fund-raising.”

Lamont said the state needs to think about “how we can do better to put together a structure that's transparent and that gives you confidence they're acting in the public interest so we can leverage their amazing resources.”

“They need to know, what are the rules of the road... Is everybody subject to Freedom of Information [requirements]? What about financial reporting? Does everybody have to do that?” Lamont

said of the kinds of questions he wants answered.

But the governor dodged questions about whether he had any specific public-private partnerships in mind that he wanted to set up under those potential new rules.

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**Gregory B. Hladky** was a reporter for the Hartford Courant, the State Capitol bureau chief for the New Haven Register, and has written for the New York Times, the Boston Globe, Connecticut Magazine and other publications.

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