



General Assembly

January Session, 2003

Committee Bill No. 730

LCO No. 3354

Referred to Committee on Select Committee on Aging

Introduced by:
(AGE)

AN ACT CONCERNING PERSONAL CARE ATTENDANTS AND THE HOME-CARE PROGRAM.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsection (c) of section 17b-342 of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective July*
3 *1, 2003*):

4 (c) The community-based services covered under the program shall
5 include, but not be limited to, the following services to the extent that
6 they are not available under the state Medicaid plan, occupational
7 therapy, homemaker services, companion services, meals on wheels,
8 adult day care, transportation, mental health counseling, care
9 management, elderly foster care, minor home modifications and
10 assisted living services provided in state-funded congregate housing
11 and in other assisted living pilot or demonstration projects established
12 under state law. The commissioner shall allow personal care attendant
13 services as an alternate covered service to home health care aide
14 services under the state-funded portion of the program provided the
15 annual net cost to the state for such services does not exceed the
16 annual net cost to the state for home health care aide services provided

17 under the program during the fiscal year ending June 30, 2003.
18 Personal care attendant services shall include care services provided
19 by nonspousal family members of the recipient of services under the
20 program. Recipients of state-funded services and persons who are
21 determined to be functionally eligible for community-based services
22 who have an application for medical assistance pending shall have the
23 cost of home health and community-based services covered by the
24 program, provided they comply with all medical assistance application
25 requirements. Access agencies shall not use department funds to
26 purchase community-based services or home health services from
27 themselves or any related parties.

28 Sec. 2. (NEW) (*Effective from passage*) The Commissioner of Social
29 Services, pursuant to section 17b-342 of the general statutes, as
30 amended by this act, shall apply to the Centers for Medicaid and
31 Medicare Services for a waiver to include in the Medicaid funded
32 home-care program services provided by personal care attendants
33 including, but not limited to, care services provided by nonspousal
34 family members of the recipient of services under the home-care
35 program.

36 Sec. 3. Section 17b-343 of the general statutes is repealed and the
37 following is substituted in lieu thereof (*Effective July 1, 2003*):

38 The Commissioner of Social Services shall establish annually the
39 maximum allowable rate to be paid by said agencies for homemaker
40 services, chore person services, companion services, respite care, meals
41 on wheels, adult day care services, case management and assessment
42 services, transportation, mental health counseling and elderly foster
43 care, except that the maximum allowable rates in effect July 1, 1990,
44 shall remain in effect during the fiscal years ending June 30, 1992, and
45 June 30, 1993. The Commissioner of Social Services shall prescribe
46 uniform forms on which agencies providing such services shall report
47 their costs for such services. Such rates shall be determined on the
48 basis of a reasonable payment for necessary services rendered. The

49 maximum allowable rates established by the Commissioner of Social
50 Services for the Connecticut home-care program for the elderly
51 established under section 17b-342, as amended by this act, shall
52 constitute the rates required under this section until revised in
53 accordance with this section. The Commissioner of Social Services shall
54 establish a fee schedule, to be effective on and after July 1, 1994, for
55 homemaker services, chore person services, companion services,
56 respite care, meals on wheels, adult day care services, case
57 management and assessment services, transportation, mental health
58 counseling and elderly foster care. The commissioner may annually
59 increase any fee in the fee schedule based on an increase in the cost of
60 services. The commissioner shall increase the fee schedule effective
61 July 1, 2000, by not less than five per cent, for adult day care services.
62 The commissioner shall establish a fee schedule, to be effective July 1,
63 2003, for personal care attendant services including reimbursement to
64 nonspousal family members of recipients of services who provide
65 personal care attendant services to their recipient family member.
66 Nothing contained in this section shall authorize a payment by the
67 state to any agency for such services in excess of the amount charged
68 by such agency for such services to the general public.

This act shall take effect as follows:	
Section 1	<i>July 1, 2003</i>
Sec. 2	<i>from passage</i>
Sec. 3	<i>July 1, 2003</i>

Statement of Purpose:

To enable personal care attendant services to be a covered service under both the state funded and Medicaid funded home-care program while keeping within current state expenditures for home health care aides and enabling nonspousal family members of recipients of service to be reimbursed for providing care services to their elderly family members.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]

Co-Sponsors: SEN. PRAGUE, 19th Dist.; REP. MARTINEZ, 128th Dist.

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