



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2 repealed and the following is substituted in lieu thereof (*Effective July*  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

