



General Assembly

January Session, 2003

**Raised Bill No. 1010**

LCO No. 2754

Referred to Committee on Human Services

Introduced by:  
(HS)

**AN ACT CONCERNING STATE ASSISTANCE TO LEGAL IMMIGRANTS.**

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

1 Section 1. Section 17b-112c of the general statutes is repealed and  
2 the following is substituted in lieu thereof (*Effective from passage*):

3 [(a)] Qualified aliens, as defined in Section 431 of Public Law 104-  
4 193, who do not qualify for federally-funded cash assistance, other  
5 lawfully residing immigrant aliens or aliens who formerly held the  
6 status of permanently residing under color of law shall be eligible for  
7 solely state-funded temporary family assistance or cash assistance  
8 under the state-administered general assistance program, provided  
9 other conditions of eligibility are met. An individual who is granted  
10 assistance under this section must pursue citizenship to the maximum  
11 extent allowed by law as a condition of eligibility unless incapable of  
12 doing so due to a medical problem, language barrier or other reason as  
13 determined by the Commissioner of Social Services. Notwithstanding  
14 the provisions of this section, any qualified alien or other lawfully  
15 residing immigrant alien or alien who formerly held the status of  
16 permanently residing under color of law who is a victim of domestic

17 violence or who has mental retardation shall be eligible for assistance  
18 under this section. [The commissioner shall not accept new  
19 applications for assistance under this subsection after June 30, 2003.

20 (b) Notwithstanding the provisions of subsection (a) of this section:  
21 (1) A qualified alien admitted into the United States on or after August  
22 22, 1996, or other lawfully residing immigrant alien determined  
23 eligible for temporary family assistance or cash assistance under the  
24 state-administered general assistance program prior to July 1, 1997, or  
25 other lawfully residing immigrant alien or alien who formerly held the  
26 status of permanently residing under color of law, shall remain  
27 eligible, and (2) a qualified alien, other lawfully residing immigrant  
28 alien admitted into the United States on or after August 22, 1996, other  
29 lawfully residing immigrant alien or an alien who formerly held the  
30 status of permanently residing under color of law and not determined  
31 eligible prior to July 1, 1997, shall be eligible for such assistance  
32 subsequent to six months from establishing residency in this state.

33 (c) Notwithstanding the provisions of this section, a qualified alien  
34 or other lawfully residing immigrant alien or alien who formerly held  
35 the status of permanently residing under color of law who is a victim  
36 of domestic violence or who has mental retardation shall be eligible for  
37 assistance under this section.]

38 Sec. 2. Subsection (e) of section 17b-116 of the general statutes is  
39 repealed and the following is substituted in lieu thereof (*Effective from*  
40 *passage*):

41 (e) Persons domiciled and residing in Connecticut or who have no  
42 other residence, and who are United States citizens or who have been  
43 admitted as qualified aliens, as defined in Section 431 of Public Law  
44 104-193, into the United States prior to August 22, 1996, or other  
45 lawfully residing immigrant aliens or aliens who formerly held the  
46 status of permanently residing under color of law shall be eligible for  
47 support under the general assistance program. [A qualified alien  
48 admitted into the United States on or after August 22, 1996, or other

49 lawfully residing immigrant alien determined eligible for general  
50 assistance prior to July 1, 1997, shall remain eligible for such assistance.  
51 Qualified aliens or other lawfully residing immigrant aliens admitted  
52 into the United States on or after August 22, 1996, and not determined  
53 eligible for assistance prior to July 1, 1997, shall be eligible for such  
54 assistance subsequent to six months from establishing residency in this  
55 state.] Qualified aliens [must] shall pursue citizenship to the maximum  
56 extent allowed by law as a condition of eligibility for the general  
57 assistance program unless incapable of doing so due to a medical  
58 problem, language barrier or other reason as determined by the  
59 Commissioner of Social Services. Notwithstanding the provisions of  
60 this subsection, any qualified alien or other lawfully residing  
61 immigrant alien or alien who formerly held the status of permanently  
62 residing under color of law who is a victim of domestic violence or  
63 who has mental retardation shall be eligible for general assistance. [No  
64 town shall accept applications for assistance under this section from  
65 qualified aliens, as defined in Section 431 of Public Law 104-193, or  
66 other lawfully residing immigrant aliens or aliens who formerly held  
67 the status of permanently residing under color of law on or after June  
68 30, 2002.]

69 Sec. 3. Section 17b-257b of the general statutes is repealed and the  
70 following is substituted in lieu thereof (*Effective from passage*):

71 Qualified aliens, as defined in Section 431 of Public Law 104-193,  
72 admitted into the United States on or after August 22, 1996, other  
73 lawfully residing immigrant aliens or aliens who formerly held the  
74 status of permanently residing under color of law who have been  
75 determined eligible for Medicaid or for state-administered general  
76 assistance medical aid prior to July 1, 1997, may be eligible for state-  
77 funded medical assistance which shall provide coverage to the same  
78 extent as the Medicaid program, state-administered general assistance  
79 medical aid or the HUSKY Plan, Part B provided other conditions of  
80 eligibility are met. [Such qualified aliens or lawfully residing  
81 immigrant aliens or aliens who formerly held the status of

82 permanently residing under color of law who have not been  
83 determined eligible for Medicaid or for state-administered general  
84 assistance medical aid prior to July 1, 1997, shall be eligible for state-  
85 funded assistance or the HUSKY Plan, Part B subsequent to six months  
86 from establishing residency in this state. The Commissioner of Social  
87 Services shall not accept applications for assistance pursuant to this  
88 section on or after June 30, 2003. Notwithstanding the provisions of  
89 this section, any qualified alien or other lawfully residing immigrant  
90 alien or alien who formerly held the status of permanently residing  
91 under color of law who is a victim of domestic violence or who has  
92 mental retardation shall be eligible for state-funded assistance or the  
93 HUSKY Plan, Part B pursuant to this section.] Only individuals who  
94 are not eligible for Medicaid shall be eligible for state-funded  
95 assistance pursuant to this section.

96 Sec. 4. Subsection (a) of section 17b-342 of the general statutes is  
97 repealed and the following is substituted in lieu thereof (*Effective from*  
98 *passage*):

99 (a) The Commissioner of Social Services shall administer the  
100 Connecticut home-care program for the elderly state-wide in order to  
101 prevent the institutionalization of elderly persons (1) who are  
102 recipients of medical assistance, (2) who are eligible for such  
103 assistance, (3) who would be eligible for medical assistance if residing  
104 in a nursing facility, or (4) who meet the criteria for the state-funded  
105 portion of the program under subsection (i) of this section. For  
106 purposes of this section, a long-term care facility is a facility which has  
107 been federally certified as a skilled nursing facility or intermediate care  
108 facility. The commissioner shall make any revisions in the state  
109 Medicaid plan required by Title XIX of the Social Security Act prior to  
110 implementing the program. The annualized cost of the community-  
111 based services provided to such persons under the program shall not  
112 exceed sixty per cent of the weighted average cost of care in skilled  
113 nursing facilities and intermediate care facilities. The program shall be  
114 structured so that the net cost to the state for long-term facility care in

115 combination with the community-based services under the program  
116 shall not exceed the net cost the state would have incurred without the  
117 program. The commissioner shall investigate the possibility of  
118 receiving federal funds for the program and shall apply for any  
119 necessary federal waivers. A recipient of services under the program,  
120 and the estate and legally liable relatives of the recipient, shall be  
121 responsible for reimbursement to the state for such services to the  
122 same extent required of a recipient of assistance under the state  
123 supplement program, medical assistance program, temporary family  
124 assistance program or food stamps program. [Only a United States  
125 citizen or a noncitizen who meets the citizenship requirements for  
126 eligibility under the Medicaid program shall be eligible for home-care  
127 services under this section, except a qualified alien, as defined in  
128 Section 431 of Public Law 104-193, admitted into the United States on  
129 or after August 22, 1996, or other lawfully residing immigrant alien  
130 determined eligible for services under this section prior to July 1, 1997,  
131 shall remain eligible for such services. The Commissioner of Social  
132 Services shall not accept applications for assistance pursuant to this  
133 section from a qualified alien, as defined in Section 431 of Public Law  
134 104-193, or other lawfully residing immigrant alien after June 30, 2003.  
135 Qualified aliens or other lawfully residing immigrant aliens not  
136 determined eligible prior to July 1, 1997, shall be eligible for services  
137 under this section subsequent to six months from establishing  
138 residency. Notwithstanding the provisions of this subsection, any  
139 qualified alien or other lawfully residing immigrant alien or alien who  
140 formerly held the status of permanently residing under color of law  
141 who is a victim of domestic violence or who has mental retardation  
142 shall be eligible for assistance pursuant to this section.] Qualified  
143 aliens, as defined in Section 431 of Public Law 104-193, or other  
144 lawfully residing immigrant aliens or aliens who formerly held the  
145 status of permanently residing under color of law shall be eligible for  
146 services under this section provided other conditions of eligibility are  
147 met.

148 Sec. 5. Subsection (a) of section 17b-790a of the general statutes is

149 repealed and the following is substituted in lieu thereof (*Effective from*  
150 *passage*):

151 (a) The Commissioner of Social Services, within available  
152 appropriations, shall establish a food assistance program for  
153 individuals entering the United States prior to April 1, 1998, whose  
154 immigrant status meets the eligibility requirements of the federal Food  
155 Stamp Act of 1977, as amended, but who are no longer eligible for food  
156 stamps solely due to their immigrant status under Public Law 104-193.  
157 [The commissioner shall not accept new applications for assistance  
158 under this section after June 30, 2003. Individuals who enter the United  
159 States after April 1, 1998, must have resided in the state for six months  
160 prior to becoming eligible for the state program.] The commissioner  
161 may administer such program in accordance with the provisions of the  
162 federal food stamp program, except those pertaining to the  
163 determination of immigrant status under Public Law 104-193.

This act shall take effect as follows:	
Section 1	<i>from passage</i>
Sec. 2	<i>from passage</i>
Sec. 3	<i>from passage</i>
Sec. 4	<i>from passage</i>
Sec. 5	<i>from passage</i>

**Statement of Purpose:**

To allow legal immigrants to remain eligible for state assistance programs.

*[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.]*