



General Assembly

**Substitute Bill No. 5508**

February Session, 2004

\*        HB05508HS        031104        \*

**AN ACT CONCERNING REVISIONS TO THE GENERAL STATUTES  
NECESSITATED BY THE ELIMINATION OF THE GENERAL  
ASSISTANCE PROGRAM.**

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

1       Section 1. Section 4-71c of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective October 1, 2004*):

3       The Secretary of the Office of Policy and Management shall  
4 annually compute the cost of an increase in assistance payments under  
5 the state-administered general assistance program, state supplement  
6 program, medical assistance program, temporary family assistance  
7 program and food stamp program based on the percentage increase, if  
8 any, in the most recent calendar year average in the consumer price  
9 index for urban consumers provided if the increase in such index  
10 exceeds five per cent, the computation shall be based on a five per cent  
11 increase.

12       Sec. 2. Section 8-72 of the general statutes is repealed and the  
13 following is substituted in lieu thereof (*Effective October 1, 2004*):

14       Each developer or housing authority shall manage and operate its  
15 housing projects in an efficient manner so as to enable it to fix the  
16 rentals for dwelling accommodations at the lowest possible rates  
17 consistent with providing decent, safe and sanitary dwelling

18 accommodations, and no housing authority or nonprofit corporation  
19 shall construct or operate any such project for profit. To this end an  
20 authority or a nonprofit corporation shall fix the rentals for dwelling in  
21 its projects at no higher rates than it finds to be necessary in order to  
22 produce revenues which, together with all other available money,  
23 revenues, income and receipts of the authority or nonprofit  
24 corporation from whatever sources derived, will be sufficient (a) to  
25 pay, as the same become due, the principal and interest on the bonds  
26 of the authority or nonprofit corporation; (b) to meet the cost of, and to  
27 provide for, maintaining and operating the projects, including the cost  
28 of any insurance, and the administrative expenses of the authority or  
29 nonprofit corporation; provided nothing in this section shall be  
30 construed as prohibiting any authority or nonprofit corporation from  
31 providing for variable rentals based on family income. In the operation  
32 or management of housing projects an authority or nonprofit  
33 corporation shall, at all times, rent or lease the dwelling  
34 accommodations therein at rentals within the financial reach of  
35 families of low income. The Commissioner of Economic and  
36 Community Development may establish maximum income limits for  
37 admission and continued occupancy of tenants, provided such  
38 maximum income limits and all revisions thereof for housing projects  
39 operated pursuant to any contract with any agency of the federal  
40 government shall be subject to the prior approval of such federal  
41 agency. The Commissioner of Economic and Community  
42 Development shall define the income of a family to provide the basis  
43 for determining eligibility for the admission, rentals and for the  
44 continued occupancy of families under the maximum income limits  
45 fixed and approved. The definition of family income, by the  
46 Commissioner of Economic and Community Development, may  
47 provide for the exclusion of all or part of the income of family  
48 members which, in the judgment of said commissioner, is not  
49 generally available to meet the cost of basic living needs of the family.  
50 No housing authority or developer shall refuse to rent any dwelling  
51 accommodation to an otherwise qualified applicant on the ground that  
52 one or more of the proposed occupants are children born out of

53 wedlock. Each housing authority and developer shall provide a receipt  
54 to each applicant for admission to its housing projects stating the time  
55 and date of application and shall maintain a list of such applications,  
56 which shall be a public record as defined in section 1-200. The  
57 Commissioner of Economic and Community Development shall, by  
58 regulation, provide for the manner in which such list shall be created,  
59 maintained and revised. No provision of this part shall be construed as  
60 limiting the right of the authority to vest in an obligee the right, in the  
61 event of a default by such authority, to take possession of a housing  
62 project or cause the appointment of a receiver thereof or acquire title  
63 thereto through foreclosure proceedings, free from all the restrictions  
64 imposed by this chapter with respect to rental rates and tenant  
65 selection. The Commissioner of Economic and Community  
66 Development shall approve an operation or management plan of each  
67 housing project, which shall provide an income adequate for debt  
68 service, if any, administration, including a state service charge, other  
69 operating costs and establishment of reasonable reserves for repairs,  
70 maintenance and replacements, vacancy and collection losses. Said  
71 commissioner shall have the right of inspection of any housing during  
72 the period between the date on which construction thereof begins and  
73 the date the state loan is fully paid or, in the case of a grant, during the  
74 period for which any housing project built pursuant to such grant is  
75 used for housing for families of low and moderate income. An  
76 authority or developer shall semiannually submit to said  
77 commissioner a sworn statement setting forth such information with  
78 respect to the tenants and rentals for each housing project hereunder  
79 and the costs of operating each housing project under its jurisdiction as  
80 said commissioner requires. Any person who makes a false statement  
81 concerning the income of the family for which application for  
82 admission to or continued occupancy of housing projects is made may  
83 be fined not more than five hundred dollars or imprisoned not more  
84 than six months or both. With regard to a family who, since the last  
85 annual recertification, received any public assistance or state-  
86 administered general assistance and received earnings from  
87 employment, the authority or developer shall not require any interim

88 recertification due to an earnings increase. At the annual  
89 recertification, the authority or developer shall base rent levels on such  
90 family's average income throughout the preceding twelve months.  
91 During the subsequent twelve-month period, the authority or  
92 developer shall not require any interim recertifications due to  
93 increased earnings from employment. However, if a family's income  
94 has decreased, nothing in this section shall preclude an interim  
95 recertification or recertification based on the reduced income level.

96 Sec. 3. Subsection (s) of section 12-574 of the general statutes is  
97 repealed and the following is substituted in lieu thereof (*Effective*  
98 *October 1, 2004*):

99 (s) Any person or business organization issued a license to conduct  
100 dog racing pursuant to subsection (c) of section 12-574c shall employ  
101 persons who, at the time of employment, are recipients of assistance  
102 under the state-administered general assistance program, state  
103 supplement program, medical assistance program, temporary family  
104 assistance program or food stamps program to fill not less than twenty  
105 per cent of the positions created by the conversion of a jai alai fronton  
106 to a dog race track if such persons have been trained for such  
107 employment by public or publicly-funded agencies in coordination  
108 with such licensee.

109 Sec. 4. Subsections (a) and (b) of section 16a-41h of the general  
110 statutes are repealed and the following is substituted in lieu thereof  
111 (*Effective October 1, 2004*):

112 (a) Each electric and gas company, as defined in section 16-1, as  
113 amended, having at least seventy-five thousand customers, shall  
114 include in its monthly bills a request to each customer to add a one-  
115 dollar donation to the bill payment. Each company shall transmit all  
116 such donations received each month to Operation Fuel, Inc., a state-  
117 wide nonprofit organization designed to respond to people within the  
118 state who are in financial crisis and need emergency energy assistance.  
119 Donations shall be distributed to nonprofit social services agencies and

120 private fuel banks in accordance with guidelines established by the  
121 board of directors of Operation Fuel, Inc., provided such funds shall be  
122 distributed on a priority basis to low-income elderly and working poor  
123 households which are not eligible for public assistance or state-  
124 administered general assistance but who are faced with a financial  
125 crisis and are unable to make timely payments on winter fuel,  
126 electricity or gas bills.

127 (b) If Operation Fuel, Inc. ceases to exist, such electric and gas  
128 companies shall jointly establish a nonprofit, tax-exempt corporation  
129 for the purpose of holding in trust and distributing such customer  
130 donations. The board of directors of such corporation shall consist of  
131 eleven members appointed as follows: Four by the companies, each of  
132 which shall appoint one member; one by the president pro tempore of  
133 the Senate; one by the minority leader of the Senate; one by the speaker  
134 of the House of Representatives; one by the minority leader of the  
135 House of Representatives; and three by the Governor. The board shall  
136 distribute such funds to nonprofit organizations and social service  
137 agencies which provide emergency energy or fuel assistance. The  
138 board shall target available funding on a priority basis to low-income  
139 elderly and working poor households which are not eligible for public  
140 assistance or state-administered general assistance but who are faced  
141 with a financial crisis and are unable to make timely payments on  
142 winter fuel, electricity or gas bills.

143 Sec. 5. Subsection (b) of section 16a-44b of the general statutes is  
144 repealed and the following is substituted in lieu thereof (*Effective*  
145 *October 1, 2004*):

146 (b) Funds allocated for the purposes of sections 16a-44b to 16a-44d,  
147 inclusive, shall be distributed among the towns in the following  
148 manner: (1) Ten per cent of the amount shall be distributed pro rata on  
149 the basis of the ratio of the total population of each town to the total  
150 population of the state. (2) Fifty per cent of the amount shall be  
151 divided among those towns whose adjusted equalized net grand list  
152 per capita falls below that of the town at the seventy-fifth percentile

153 among all towns in the state, as determined by ranking in ascending  
154 order of all towns in the state according to their adjusted equalized net  
155 grand list per capita. The distribution shall be made to each town pro  
156 rata on the basis of the following ratio: The difference between the  
157 adjusted equalized net grand list per capita for the town at the  
158 seventy-fifth percentile and that of such town multiplied by the  
159 population of such town shall be the numerator of the fraction. For  
160 each town whose adjusted equalized net grand list per capita falls  
161 below that of the town at the seventy-fifth percentile, the resulting  
162 products of all such towns shall be added together and the sum shall  
163 be the denominator of the fraction. (3) Twenty per cent of the amount  
164 shall be distributed pro rata on the basis of the ratio of the average  
165 number of monthly paid maintenance cases for such town to the  
166 average number of monthly paid maintenance cases in the state. (4)  
167 Twenty per cent of the amount shall be distributed pro rata on the  
168 basis of the ratio of the number of elderly persons in such town  
169 receiving assistance under section 12-129b and chapter 204a to the  
170 number of elderly persons in the state receiving such assistance. For  
171 the purposes of this section, "adjusted equalized net grand list per  
172 capita" and "total population" shall be defined as in section 10-261, as  
173 amended, and "average number of monthly paid maintenance cases"  
174 means the monthly number of recipients of temporary family  
175 assistance, state-administered general assistance, and assistance to the  
176 aged, the blind and the totally disabled, [Connecticut assistance and  
177 medical aid program for the disabled and general assistance,] averaged  
178 over the most recent fiscal year for which information is available.

179 Sec. 6. Subsection (b) of section 17a-460c of the general statutes, as  
180 amended by section 36 of public act 03-19, is repealed and the  
181 following is substituted in lieu thereof (*Effective October 1, 2004*):

182 (b) The agreements and other contractual arrangements identified in  
183 subsection (a) of this section may include plans and arrangements  
184 certified by the Department of Social Services, the Department of  
185 Mental Health and Addiction Services, or the federal Centers for  
186 Medicare and Medicaid Services, to provide services to Medicaid,

187 Medicare, state-administered general assistance, Department of Mental  
188 Health and Addiction Services or Centers for Medicare and Medicaid  
189 Services beneficiaries, as well as private plans and arrangements  
190 satisfactory to the commissioner.

191 Sec. 7. Section 17b-10 of the general statutes is repealed and the  
192 following is substituted in lieu thereof (*Effective October 1, 2004*):

193 (a) The Department of Social Services shall prepare and routinely  
194 update state medical services and public assistance manuals, [and  
195 general assistance policy manuals.] The pages of such manuals shall be  
196 consecutively numbered and indexed, containing all departmental  
197 policy regulations and substantive procedure. Said manuals shall be  
198 published by the department and distributed so that they are available  
199 to (1) all district, subdistrict and field offices of the Department of  
200 Social Services; (2) each town hall in the state; (3) all legal assistance  
201 programs in the state; and (4) any interested member of the public who  
202 requests a copy. All policy manuals of the department, as they exist on  
203 May 23, 1984, including the supporting bulletins but not including  
204 statements concerning only the internal management of the  
205 department and not affecting private rights or procedures available to  
206 the public, shall be construed to have been adopted as regulations in  
207 accordance with the provisions of chapter 54. After May 23, 1984, any  
208 policy issued by the department, except a policy necessary to conform  
209 to a requirement of a federal or joint federal and state program  
210 administered by the department, including, but not limited to, the state  
211 supplement program to the Supplemental Security Income Program,  
212 shall be adopted in regulation form in accordance with the provisions  
213 of chapter 54. After May 23, 1984, the department shall adopt in  
214 regulation form in accordance with the provisions of chapter 54, any  
215 new policy necessary to conform to a requirement of a federal or joint  
216 state and federal program administered by the department, including,  
217 but not limited to, the state supplement program to the Supplemental  
218 Security Income Program, but the department may operate under such  
219 policy while it is in the process of adopting the policy in regulation  
220 form, provided the Department of Social Services prints notice of

221 intent to adopt the regulations in the Connecticut Law Journal within  
222 twenty days after adopting the policy. Such policy shall be valid until  
223 the time final regulations are effective.

224 [(b) By July 1, 1986, the Department of Social Services shall rewrite  
225 the general assistance policy manual using plain language as described  
226 in section 42-152 and sections 38a-295 to 38a-300, inclusive. The  
227 manual shall include an index for frequent referencing and a separate  
228 section or manual which specifies procedures to follow to clarify  
229 policy. The department shall keep records of policy and procedural  
230 questions raised by town welfare officials and staff during telephone  
231 conversations and office visits.]

232 [(c)] (b) By January 1, 1987, the Department of Social Services shall  
233 replace its state public assistance policy manual with a new manual  
234 which is adopted in accordance with the provisions of chapter 54 and  
235 which sets forth in clear and concise language the policies and  
236 procedures to be used by the department in implementing and  
237 enforcing federal and state laws. The department may operate under a  
238 policy in the new recipient eligibility and benefit policy manual while  
239 it is in the process of adopting the manual in regulation form, provided  
240 the department shall print a notice of intent to adopt regulations  
241 relating to recipient eligibility and benefits in the Connecticut Law  
242 Journal within twenty days of issuing the policy.

243 Sec. 8. Subsection (c) of section 17b-30 of the general statutes is  
244 repealed and the following is substituted in lieu thereof (*Effective*  
245 *October 1, 2004*):

246 (c) Said system shall be utilized for office use only in the following  
247 programs: [(1) General assistance; (2) temporary] (1) Temporary family  
248 assistance; and [(3)] (2) any other program to be determined at the  
249 discretion of the Commissioner of Social Services.

250 Sec. 9. Subsection (b) of section 17b-90 of the general statutes, as  
251 amended by section 1 of public act 03-89, is repealed and the following  
252 is substituted in lieu thereof (*Effective October 1, 2004*):

253 (b) No person shall, except for purposes directly connected with the  
254 administration of programs of the Department of Social Services and in  
255 accordance with the regulations of the commissioner, solicit, disclose,  
256 receive or make use of, or authorize, knowingly permit, participate in  
257 or acquiesce in the use of, any list of the names of, or any information  
258 concerning, persons applying for or receiving assistance from the  
259 Department of Social Services or persons participating in a program  
260 administered by said department, directly or indirectly derived from  
261 the records, papers, files or communications of the state or its  
262 subdivisions or agencies, or acquired in the course of the performance  
263 of official duties. The Commissioner of Social Services shall disclose (1)  
264 to any authorized representative of the Labor Commissioner such  
265 information directly related to unemployment compensation,  
266 administered pursuant to chapter 567 or information necessary for  
267 implementation of sections 17b-688b, 17b-688c and 17b-688h, as  
268 amended, and section 122 of public act 97-2 of the June 18 special  
269 session\*, (2) to any authorized representative of the Commissioner of  
270 Mental Health and Addiction Services any information necessary for  
271 the implementation and operation of the basic needs supplement  
272 program or for the management of and payment for behavioral health  
273 services for applicants for and recipients of [general assistance and]  
274 state-administered general assistance, (3) to any authorized  
275 representative of the Commissioner of Administrative Services, or the  
276 Commissioner of Public Safety such information as the state  
277 Commissioner of Social Services determines is directly related to and  
278 necessary for the Department of Administrative Services or the  
279 Department of Public Safety for purposes of performing their functions  
280 of collecting social services recoveries and overpayments or amounts  
281 due as support in social services cases, investigating social services  
282 fraud or locating absent parents of public assistance recipients, (4) to  
283 any authorized representative of the Commissioner of Children and  
284 Families necessary information concerning a child or the immediate  
285 family of a child receiving services from the Department of Social  
286 Services, including safety net services, if the Commissioner of Children  
287 and Families or the Commissioner of Social Services has determined

288 that imminent danger to such child's health, safety or welfare exists to  
289 target the services of the family services programs administered by the  
290 Department of Children and Families, (5) to a town official or other  
291 contractor or authorized representative of the Labor Commissioner  
292 such information concerning an applicant for or a recipient of financial  
293 or medical assistance under [general assistance or] state-administered  
294 general assistance deemed necessary by said commissioners to carry  
295 out their respective responsibilities to serve such persons under the  
296 programs administered by the Labor Department that are designed to  
297 serve applicants for or recipients of [general assistance or] state-  
298 administered general assistance, (6) to any authorized representative  
299 of the Commissioner of Mental Health and Addiction Services for the  
300 purposes of the behavioral health managed care program established  
301 by section 17a-453, or (7) to a health insurance provider, in IV-D  
302 support cases, as defined in section 46b-231, as amended, information  
303 concerning a child and the custodial parent of such child that is  
304 necessary to enroll such child in a health insurance plan available  
305 through such provider when the noncustodial parent of such child is  
306 under court order to provide health insurance coverage but is unable  
307 to provide such information, provided the Commissioner of Social  
308 Services determines, after providing prior notice of the disclosure to  
309 such custodial parent and an opportunity for such parent to object,  
310 that such disclosure is in the best interests of the child. No such  
311 representative shall disclose any information obtained pursuant to this  
312 section, except as specified in this section. Any applicant for assistance  
313 provided through said department shall be notified that, if and when  
314 such applicant receives benefits, the department will be providing law  
315 enforcement officials with the address of such applicant upon the  
316 request of any such official pursuant to section 17b-16a.

317 Sec. 10. Section 17b-92 of the general statutes is repealed and the  
318 following is substituted in lieu thereof (*Effective October 1, 2004*):

319 (a) A relocation adjustment payment under Section 114 of the  
320 federal Housing Act of 1949, as amended, shall not be considered  
321 income, earnings, assets or rent in the determination of eligibility

322 under any public assistance program [or any general assistance  
323 program] provided, if a recipient of such assistance receives a  
324 relocation adjustment payment in excess of two hundred fifty dollars,  
325 the Commissioner of Social Services shall not be required to provide  
326 such recipient with similar assistance for moving expenses or other  
327 expenses directly related to relocation. In those instances where a  
328 recipient has received a relocation adjustment payment in excess of  
329 two hundred fifty dollars and has also been provided with similar  
330 assistance for moving expenses or other expenses directly related to  
331 relocation, under any public assistance program [or any general  
332 assistance program] such recipient shall be required to transfer or  
333 assign to the Commissioner of Social Services an amount equal to the  
334 relocation assistance that had been received from the Commissioner of  
335 Social Services.

336 (b) Any payment made pursuant to section 47-88d to a recipient of  
337 public assistance [or general assistance] shall not be considered  
338 income, earnings, assets or rent in the determination of eligibility for  
339 any public assistance program [or any general assistance program] and  
340 shall not be deducted from the amount of assistance to which the  
341 recipient would otherwise be entitled.

342 Sec. 11. Section 17b-104 of the general statutes, as amended by  
343 section 38 of public act 03-19 and section 60 of public act 03-3 of the  
344 June 30 special session, is repealed and the following is substituted in  
345 lieu thereof (*Effective October 1, 2004*):

346 (a) The Commissioner of Social Services shall administer the  
347 program of state supplementation to the Supplemental Security  
348 Income Program provided for by the Social Security Act and state law.  
349 The commissioner may delegate any powers and authority to any  
350 deputy, assistant, investigator or supervisor, who shall have, within  
351 the scope of the power and authority so delegated, all of the power  
352 and authority of the Commissioner of Social Services. On and after  
353 January 1, 1994, the commissioner shall establish a standard of need  
354 based on the cost of living in this state for the temporary family

355 assistance program [,] and the state-administered general assistance  
356 program. [and the general assistance program.] The commissioner  
357 shall make a reinvestigation, at least every twelve months, of all cases  
358 receiving aid from the state, except that such reinvestigation may be  
359 conducted every twenty-four months for recipients of assistance to the  
360 elderly or disabled with stable circumstances, and shall maintain all  
361 case records of the several programs administered by the Department  
362 of Social Services so that such records show, at all times, full  
363 information with respect to eligibility of the applicant or recipient. In  
364 the determination of need under any public assistance program, such  
365 income or earnings shall be disregarded as federal law requires, and  
366 such income or earnings may be disregarded as federal law permits.  
367 The commissioner shall encourage and promulgate such incentive  
368 earning programs as are permitted by federal law and regulations.

369 (b) On July 1, 1988, and annually thereafter, the commissioner shall  
370 increase the payment standards over those of the previous fiscal year  
371 under the aid to families with dependent children program, temporary  
372 family assistance program [,] and the state-administered general  
373 assistance program [and for the general assistance program] by the  
374 percentage increase, if any, in the most recent calendar year average in  
375 the consumer price index for urban consumers over the average for the  
376 previous calendar year, provided the annual increase, if any, shall not  
377 exceed five per cent, except that the payment standards for the fiscal  
378 years ending June 30, 1992, June 30, 1993, June 30, 1994, June 30, 1995,  
379 June 30, 1996, June 30, 1997, June 30, 1998, June 30, 1999, June 30, 2000,  
380 June 30, 2001, June 30, 2002, June 30, 2003, June 30, 2004, and June 30,  
381 2005, shall not be increased. On January 1, 1994, the payment  
382 standards shall be equal to the standards of need in effect July 1, 1993.

383 (c) On and after July 1, 1995, the payment standards for families  
384 receiving assistance under the temporary family assistance program [,]  
385 and the state-administered general assistance program [and general  
386 assistance program] shall be equal to seventy-three per cent of the  
387 AFDC standards of need in effect June 30, 1995.

388 (d) For a family living in subsidized housing, income shall be  
389 attributed to such family which shall be eight per cent of the payment  
390 standard for such family.

391 Sec. 12. Section 17b-111 of the general statutes is repealed and the  
392 following is substituted in lieu thereof (*Effective October 1, 2004*):

393 On and after July 1, 1998, the commissioner shall implement a state-  
394 administered general assistance program and on or before April 1,  
395 1997, the commissioner shall implement said program in the fourteen  
396 towns in which the regional or district offices of the Department of  
397 Social Services are located, subject to the restrictions of section 17b-118,  
398 as amended. The commissioner may contract for the implementation  
399 of such program. [A town, with a regional or district office of the  
400 department and a general assistance office, may petition the  
401 commissioner to allow such town to continue the operation of its  
402 general assistance program. The commissioner, in examining such  
403 petition, shall consider the cost effectiveness of such town's general  
404 assistance program.]

405 Sec. 13. Section 17b-118 of the general statutes, as amended by  
406 section 97 of public act 03-3 of the June 30 special session, is repealed  
407 and the following is substituted in lieu thereof (*Effective October 1,*  
408 *2004*):

409 [(a) No assistance or care shall be given under sections 17b-111,  
410 17b-118, 17b-118a, 17b-118b, 17b-119, 17b-122 and 17b-124 to 17b-132,  
411 inclusive, to an employable person by the state or the town liable to  
412 support such person in accordance with section 17b-111. On and after  
413 July 1, 1995, financial assistance granted under the general assistance  
414 program and state-administered general assistance, to a person who  
415 has been determined to be a transitional individual, as defined in  
416 section 17b-689, shall be limited to a twenty-four-month period of  
417 eligibility with no more than ten months of assistance in the first  
418 twelve months of eligibility and no more than six months of assistance  
419 in the second twelve months of eligibility. Persons with dependent

420 children under eighteen years of age and transitional individuals who  
421 are not classified as such solely due to mental illness or substance  
422 abuse who are eligible for assistance under sections 17b-111, 17b-118,  
423 17b-118a, 17b-118b, 17b-119, 17b-122, 17b-124 to 17b-132, inclusive,  
424 17b-136 to 17b-138, inclusive, 17b-221 to 17b-250, inclusive, 17b-256,  
425 17b-263, 17b-340 to 17b-350, inclusive, and 17b-743 to 17b-747,  
426 inclusive, shall not be subject to the durational limits on assistance  
427 established pursuant to this section. The Commissioner of Social  
428 Services shall adopt regulations, in accordance with the provisions of  
429 chapter 54, to implement the provisions of this subsection.

430 (b) Prior to or upon discontinuance of assistance, a person  
431 previously determined to be a transitional individual may petition the  
432 commissioner to review the determination of his status. In such  
433 review, the commissioner shall consider factors, including but not  
434 limited to: (1) Age; (2) education; (3) vocational training; (4) mental  
435 and physical health; and (5) employment history and shall make a  
436 determination of such person's ability to obtain gainful employment.  
437 The commissioner shall notify the town providing assistance to such  
438 person of his determination. The commissioner shall adopt  
439 regulations, in accordance with the provisions of chapter 54, to  
440 establish a standardized procedure of determining employability.  
441 Upon determination by the commissioner that a transitional individual  
442 is not unemployable, the person shall be ineligible to receive financial  
443 assistance from the town or from the state for one year, unless he  
444 produces medical verification of a substantial deterioration in his  
445 physical or mental condition or a new condition of such severity and  
446 duration that it precludes employment for a period of at least six  
447 months.]

448 [(c)] Notwithstanding any provision of the general statutes, when a  
449 person who is ineligible for financial assistance due to his  
450 employability status [or the time limits imposed under subsection (a)  
451 of this section,] is currently in or enters a residential substance abuse  
452 treatment facility, the town shall pay his room and board while at such  
453 facility as an expense reimbursable under the general assistance

454 program by the Department of Social Services or the Department of  
455 Mental Health and Addiction Services, provided the person is eligible  
456 to receive medical assistance. The town shall be responsible for these  
457 costs until the date upon which the administration of the general  
458 assistance program is assumed by the state or is officially delegated to  
459 a town by the Commissioner of Social Services, at which time the  
460 Department of Social Services or the Department of Mental Health and  
461 Addiction Services shall assume these costs. Such assistance shall be  
462 paid directly to the treatment facility at a rate established by the  
463 Department of Social Services or negotiated by the Department of  
464 Mental Health and Addiction Services.

465 [(d) The provisions of this section shall take effect no later than  
466 August 31, 1997.]

467 Sec. 14. Section 17b-118a of the general statutes is repealed and the  
468 following is substituted in lieu thereof (*Effective October 1, 2004*):

469 A person (1) at least eighteen years of age and under twenty-one  
470 years of age, (2) living with his family which is receiving benefits  
471 under the temporary family assistance program, and (3) who would be  
472 an eligible dependent in such program if under the age of eighteen  
473 shall be eligible for state-administered general assistance in the  
474 amount of assistance such person would be eligible for under the  
475 temporary family assistance program.

476 Sec. 15. Section 17b-180a of the general statutes is repealed and the  
477 following is substituted in lieu thereof (*Effective October 1, 2004*):

478 The Department of Social Services shall implement an expedited  
479 application and eligibility determination process for the temporary  
480 family assistance program to reduce state-administered general  
481 assistance program expenditures for those applicants potentially  
482 eligible for temporary family assistance.

483 Sec. 16. Section 17b-274 of the general statutes, as amended by  
484 section 19 of public act 03-2 and section 84 of public act 03-3 of the June

485 30 special session, is repealed and the following is substituted in lieu  
486 thereof (*Effective October 1, 2004*):

487 (a) The Division of Criminal Justice shall periodically investigate  
488 pharmacies to ensure that the state is not billed for a brand name drug  
489 product when a less expensive generic substitute drug product is  
490 dispensed to a Medicaid recipient. The Commissioner of Social  
491 Services shall cooperate and provide information as requested by such  
492 division.

493 (b) A licensed medical practitioner may specify in writing or by a  
494 telephonic or electronic communication that there shall be no  
495 substitution for the specified brand name drug product in any  
496 prescription for a Medicaid, state-administered general assistance,  
497 [general assistance] or ConnPACE recipient, provided (1) the  
498 practitioner specifies the basis on which the brand name drug product  
499 and dosage form is medically necessary in comparison to a chemically  
500 equivalent generic drug product substitution, and (2) the phrase  
501 "brand medically necessary" shall be in the practitioner's handwriting  
502 on the prescription form or, if the prohibition was communicated by  
503 telephonic communication, in the pharmacist's handwriting on such  
504 form, and shall not be preprinted or stamped or initialed on such form.  
505 If the practitioner specifies by telephonic communication that there  
506 shall be no substitution for the specified brand name drug product in  
507 any prescription for a Medicaid, state-administered general assistance,  
508 [general assistance] or ConnPACE recipient, written certification in the  
509 practitioner's handwriting bearing the phrase "brand medically  
510 necessary" shall be sent to the dispensing pharmacy within ten days. A  
511 pharmacist shall dispense a generically equivalent drug product for  
512 any drug listed in accordance with the Code of Federal Regulations  
513 Title 42 Part 447.332 for a drug prescribed for a Medicaid, state-  
514 administered general assistance, [general assistance] or ConnPACE  
515 recipient unless the phrase "brand medically necessary" is ordered in  
516 accordance with this subsection and such pharmacist has received  
517 approval to dispense the brand name drug product in accordance with  
518 subsection (c) of this section.

519 (c) The Commissioner of Social Services shall implement a  
520 procedure by which a pharmacist shall obtain approval from an  
521 independent pharmacy consultant acting on behalf of the Department  
522 of Social Services, under an administrative services only contract,  
523 whenever the pharmacist dispenses a brand name drug product to a  
524 Medicaid, state-administered general assistance, [general assistance] or  
525 ConnPACE recipient and a chemically equivalent generic drug  
526 product substitution is available, provided such procedure shall not  
527 require approval for other than initial prescriptions for such drug  
528 product. In cases where the brand name drug is less costly than the  
529 chemically equivalent generic drug when factoring in manufacturers'  
530 rebates, the pharmacist shall dispense the brand name drug. If such  
531 approval is not granted or denied within two hours of receipt by the  
532 commissioner of the request for approval, it shall be deemed granted.  
533 Notwithstanding any provision of this section, a pharmacist shall not  
534 dispense any initial maintenance drug prescription for which there is a  
535 chemically equivalent generic substitution that is for less than fifteen  
536 days without the department's granting of prior authorization,  
537 provided prior authorization shall not otherwise be required for  
538 atypical antipsychotic drugs if the individual is currently taking such  
539 drug at the time the pharmacist receives the prescription. The  
540 pharmacist may appeal a denial of reimbursement to the department  
541 based on the failure of such pharmacist to substitute a generic drug  
542 product in accordance with this section.

543 (d) A licensed medical practitioner shall disclose to the Department  
544 of Social Services or such consultant, upon request, the basis on which  
545 the brand name drug product and dosage form is medically necessary  
546 in comparison to a chemically equivalent generic drug product  
547 substitution. The Commissioner of Social Services shall establish a  
548 procedure by which such a practitioner may appeal a determination  
549 that a chemically equivalent generic drug product substitution is  
550 required for a Medicaid, state-administered general assistance,  
551 [general assistance] or ConnPACE recipient.

552 Sec. 17. Section 17b-274a of the general statutes is repealed and the

553 following is substituted in lieu thereof (*Effective October 1, 2004*):

554 The Commissioner of Social Services may establish maximum  
555 allowable costs to be paid under the Medicaid, state-administered  
556 general assistance, [general assistance,] ConnPACE and Connecticut  
557 AIDS drug assistance programs for generic prescription drugs based  
558 on, but not limited to, actual acquisition costs. The department shall  
559 implement and maintain a procedure to review and update the  
560 maximum allowable cost list at least annually, and shall report  
561 annually to the joint standing committee of the General Assembly  
562 having cognizance of matters relating to appropriations and the  
563 budgets of state agencies on its activities pursuant to this section.

564 Sec. 18. Section 17b-274b of the general statutes is repealed and the  
565 following is substituted in lieu thereof (*Effective October 1, 2004*):

566 The Commissioner of Social Services may implement a  
567 pharmaceutical purchasing initiative by contracting with an  
568 established entity for the purchase of drugs through the lowest pricing  
569 available notwithstanding the provisions of section 17b-280, as  
570 amended, for Medicaid, state-administered general assistance, [general  
571 assistance,] ConnPACE and Connecticut AIDS drug assistance  
572 recipients. Any entity with whom the commissioner contracts for the  
573 purposes of this section shall have an established pharmaceutical  
574 network and a demonstrated capability of processing the prescription  
575 volume anticipated for Medicaid, state-administered general  
576 assistance, [general assistance,] ConnPACE and Connecticut AIDS  
577 drug assistance recipients. The department shall report annually on the  
578 status of the pharmaceutical purchasing initiative to the joint standing  
579 committee of the General Assembly having cognizance of matters  
580 relating to appropriations and the budgets of state agencies.

581 Sec. 19. Section 17b-274c of the general statutes is repealed and the  
582 following is substituted in lieu thereof (*Effective October 1, 2004*):

583 The Commissioner of Social Services may establish a voluntary mail  
584 order option for any maintenance prescription drug covered under the

585 Medicaid, state-administered general assistance, [general assistance,]  
586 ConnPACE or Connecticut AIDS drug assistance programs.

587 Sec. 20. Section 17b-280 of the general statutes, as amended by  
588 section 2 of public act 03-2 and section 52 of public act 03-3 of the June  
589 30 special session, is repealed and the following is substituted in lieu  
590 thereof (*Effective October 1, 2004*):

591 (a) The state shall reimburse for all legend drugs provided under  
592 the Medicaid, state-administered general assistance, [general  
593 assistance,] ConnPACE and Connecticut AIDS drug assistance  
594 programs at the rate established by the Health Care Finance  
595 Administration as the federal acquisition cost, or, if no such rate is  
596 established, the commissioner shall establish and periodically revise  
597 the estimated acquisition cost in accordance with federal regulations.  
598 Effective October 1, 2003, the commissioner shall also establish a  
599 professional fee of three dollars and thirty cents for each prescription  
600 to be paid to licensed pharmacies for dispensing drugs to Medicaid,  
601 state-administered general assistance, [general assistance,] ConnPACE  
602 and Connecticut AIDS drug assistance recipients in accordance with  
603 federal regulations; and on and after September 4, 1991, payment for  
604 legend and nonlegend drugs provided to Medicaid recipients shall be  
605 based upon the actual package size dispensed. Effective October 1,  
606 1991, reimbursement for over-the-counter drugs for such recipients  
607 shall be limited to those over-the-counter drugs and products  
608 published in the Connecticut Formulary, or the cross reference list,  
609 issued by the commissioner. The cost of all over-the-counter drugs and  
610 products provided to residents of nursing facilities, chronic disease  
611 hospitals, and intermediate care facilities for the mentally retarded  
612 shall be included in the facilities' per diem rate.

613 (b) The Department of Social Services may provide an enhanced  
614 dispensing fee to a pharmacy enrolled in the federal Office of  
615 Pharmacy Affairs Section 340B drug discount program established  
616 pursuant to 42 USC 256b or a pharmacy under contract to provide  
617 services under said program.

618 Sec. 21. Section 17b-491a of the general statutes is repealed and the  
619 following is substituted in lieu thereof (*Effective October 1, 2004*):

620 (a) The Commissioner of Social Services may establish a plan for  
621 the prior authorization of (1) any initial prescription for a drug covered  
622 under the Medicaid, state-administered general assistance, [general  
623 assistance] or ConnPACE program that costs five hundred dollars or  
624 more for a thirty-day supply, or (2) any early refill of a prescription  
625 drug covered under any of said programs. The Commissioner of Social  
626 Services shall establish a procedure by which prior authorization  
627 under this subsection shall be obtained from an independent  
628 pharmacy consultant acting on behalf of the Department of Social  
629 Services, under an administrative services only contract. If prior  
630 authorization is not granted or denied within two hours of receipt by  
631 the commissioner of the request for prior authorization, it shall be  
632 deemed granted.

633 (b) The Commissioner of Social Services shall, to increase cost-  
634 efficiency or enhance access to a particular prescription drug, establish  
635 a plan under which the commissioner may designate specific suppliers  
636 of a prescription drug from which a dispensing pharmacy shall order  
637 the prescription to be delivered to the pharmacy and billed by the  
638 supplier to the department. For each prescription dispensed through  
639 designated suppliers, the department shall pay the dispensing  
640 pharmacy a handling fee not to exceed four hundred per cent of the  
641 dispensing fee established pursuant to section 17b-280, as amended. In  
642 no event shall the provisions of this subsection be construed to allow  
643 the commissioner to purchase all prescription drugs covered under the  
644 Medicaid, state-administered general assistance, [general assistance]  
645 and ConnPACE programs under one contract.

646 (c) Notwithstanding the provisions of section 17b-262 and any  
647 regulation adopted thereunder, on or after July 1, 2000, the  
648 Commissioner of Social Services may establish a schedule of maximum  
649 quantities of oral dosage units permitted to be dispensed at one time  
650 for prescriptions covered under the Medicaid [.] and state-

651 administered general assistance [and general assistance] programs  
652 based on a review of utilization patterns.

653 (d) A plan or schedule established pursuant to subsection (a), (b) or  
654 (c) of this section and any revisions thereto shall be submitted to the  
655 joint standing committees of the General Assembly having cognizance  
656 of matters relating to public health, human services and appropriations  
657 and the budgets of state agencies. Within sixty days of receipt of such a  
658 plan or schedule or revisions thereto, said joint standing committees of  
659 the General Assembly shall approve or deny the plan or schedule or  
660 any revisions thereto and advise the commissioner of their approval or  
661 denial of the plan or schedule or any revisions thereto. The plan or  
662 schedule or any revisions thereto shall be deemed approved unless all  
663 committees vote to reject such plan or schedule or revisions thereto  
664 within sixty days of receipt of such plan or schedule or revisions  
665 thereto.

666 Sec. 22. Section 17b-491b of the general statutes is repealed and the  
667 following is substituted in lieu thereof (*Effective October 1, 2004*):

668 The maximum allowable cost paid for Factor VIII pharmaceuticals  
669 under the Medicaid, state-administered general assistance, [general  
670 assistance] and ConnPACE programs shall be the actual acquisition  
671 cost plus eight per cent. The Commissioner of Social Services may  
672 designate specific suppliers of Factor VIII pharmaceuticals from which  
673 a dispensing pharmacy shall order the prescription to be delivered to  
674 the pharmacy and billed by the supplier to the Department of Social  
675 Services. If the commissioner so designates specific suppliers of Factor  
676 VIII pharmaceuticals, the department shall pay the dispensing  
677 pharmacy a handling fee equal to eight per cent of the actual  
678 acquisition cost for such prescription.

679 Sec. 23. Section 17b-694 of the general statutes is repealed and the  
680 following is substituted in lieu thereof (*Effective October 1, 2004*):

681 (a) The Labor Commissioner, in consultation with the  
682 Commissioners of Social Services and Mental Health, shall administer

683 a grant program, within available appropriations, to fund employment  
684 placement projects for recipients of [general assistance or] state-  
685 administered general assistance, cash assistance or medical assistance  
686 or recipients of Medicaid who are eighteen to twenty years of age. A  
687 grant may be awarded to (1) a municipality or group of towns which  
688 form a region based on a project plan providing education, training or  
689 other assistance in securing employment, (2) a private substance abuse  
690 or mental health services provider based on a project plan  
691 incorporating job placement in the treatment process, or (3) a nonprofit  
692 organization providing employment services when no municipality or  
693 group of towns elect to apply for such a grant for a given geographic  
694 area. A plan may include cash incentives as a supplement to wages for  
695 recipients who work.

696 (b) In order to receive funding, a project plan shall be submitted to  
697 the commissioner no later than August first, annually. Funds shall be  
698 disbursed by the commissioner no later than September first, annually.  
699 Projects shall be funded based on the number of recipients to be served  
700 and the level of services to be provided.

701 Sec. 24. Section 17b-730 of the general statutes is repealed and the  
702 following is substituted in lieu thereof (*Effective October 1, 2004*):

703 (a) The Commissioner of Social Services is authorized to take  
704 advantage of any federal statutes and regulations relating to child day  
705 care and shall have the power to administer any federally-assisted  
706 child day care program in the event that said federal statutes or  
707 regulations require that said federally-assisted program be  
708 administered by a single state agency.

709 (b) The Commissioner of Social Services is authorized to take  
710 advantage of Title V of Public Law 88-452, entitled "Economic  
711 Opportunity Act of 1964", with respect to providing work training, aid  
712 and assistance to persons eligible for state-administered general  
713 assistance or public assistance, and to administer the same in such  
714 manner as is required for the receipt of federal funds therefor.

715 Sec. 25. Section 17b-802 of the general statutes is repealed and the  
716 following is substituted in lieu thereof (*Effective October 1, 2004*):

717 (a) The Commissioner of Social Services shall establish, within  
718 available appropriations, and administer a security deposit guarantee  
719 program for persons who (1) (A) are recipients of temporary family  
720 assistance, aid under the state supplement program, or state-  
721 administered general assistance, [or general assistance,] or (B) have a  
722 documented showing of financial need, and (2) (A) are residing in  
723 emergency shelters or other emergency housing, cannot remain in  
724 permanent housing due to any reason specified in subsection (a) of  
725 section 17b-808, or are served a notice to quit in a summary process  
726 action instituted pursuant to chapter 832, or (B) have a rental assistance  
727 program or federal Section 8 certificate or voucher. Under such  
728 program, the Commissioner of Social Services may provide security  
729 deposit guarantees for use by such persons in lieu of a security deposit  
730 on a rental dwelling unit. Eligible persons may receive a security  
731 deposit guarantee in an amount not to exceed the equivalent of two  
732 months' rent on such rental unit. No person may apply for and receive  
733 a security deposit guarantee more than once in any eighteen-month  
734 period without the express authorization of the Commissioner of  
735 Social Services, except as provided in subsection (b) of this section. The  
736 Commissioner of Social Services may establish priorities for allocating  
737 security deposit guarantees between eligible persons described in  
738 subparagraphs (A) and (B) of subdivision (2) of this subsection.

739 (b) In the case of any person who qualifies for a guarantee, the  
740 Commissioner of Social Services, or any emergency shelter under  
741 contract with the Department of Social Services to assist in the  
742 administration of the security deposit guarantee program established  
743 pursuant to subsection (a) of this section, may execute a written  
744 agreement to pay the landlord for any damages suffered by the  
745 landlord due to the tenant's failure to comply with such tenant's  
746 obligations as defined in section 47a-21, as amended, provided the  
747 amount of any such payment shall not exceed the amount of the  
748 requested security deposit. Notwithstanding the provisions of

749 subsection (a) of this section, if a person who has previously received a  
750 grant for a security deposit or a security deposit guarantee becomes  
751 eligible for a subsequent security deposit guarantee within eighteen  
752 months after a claim has been paid on a prior security deposit  
753 guarantee, such person may receive a security deposit guarantee. The  
754 amount of the subsequent security deposit guarantee for which such  
755 person would otherwise have been eligible shall be reduced by (1) any  
756 amount of a previous grant which has not been returned to the  
757 department pursuant to section 47a-21, as amended, or (2) the amount  
758 of any payment made to the landlord for damages pursuant to this  
759 subsection.

760 (c) Any payment made pursuant to this section to any person  
761 receiving temporary family assistance, aid under the state supplement  
762 program [, general assistance] or state-administered general assistance  
763 shall not be deducted from the amount of assistance to which the  
764 recipient would otherwise be entitled.

765 (d) On and after July 1, 2000, no special need or special benefit  
766 payments shall be made by the commissioner for security deposits  
767 from the temporary family assistance, state supplement, or state-  
768 administered general assistance [or general assistance] programs.

769 (e) The Commissioner of Social Services may, within available  
770 appropriations, on a case-by-case basis, provide a security deposit  
771 grant to a person eligible for the security deposit guarantee program  
772 established under subsection (a) of this section, in an amount not to  
773 exceed the equivalent of one month's rent on such rental unit provided  
774 the commissioner determines that emergency circumstances exist  
775 which threaten the health, safety or welfare of a child who resides with  
776 such person. Such person shall not be eligible for more than one such  
777 grant without the authorization of said commissioner. Nothing in this  
778 section shall preclude the approval of such one-month security deposit  
779 grant in conjunction with a one-month security deposit guarantee.

780 (f) The Commissioner of Social Services may provide a security

781 deposit grant to a person receiving such grant through any emergency  
782 shelter under an existing contract with the Department of Social  
783 Services to assist in the administration of the security deposit program,  
784 but in no event shall a payment be authorized after October 1, 2000.  
785 Nothing in this section shall preclude the commissioner from entering  
786 into a contract with one or more emergency shelters for the purpose of  
787 issuing security deposit guarantees.

788 (g) The Commissioner of Social Services shall adopt regulations, in  
789 accordance with the provisions of chapter 54, to administer the  
790 program established pursuant to this section and to set eligibility  
791 criteria for the program, but may implement the program until June 30,  
792 2003, while in the process of adopting such regulations provided  
793 notice of intent to adopt the regulations is published in the Connecticut  
794 Law Journal within twenty days after implementation.

795 Sec. 26. Subsection (c) of section 17b-853 of the general statutes is  
796 repealed and the following is substituted in lieu thereof (*Effective*  
797 *October 1, 2004*):

798 (c) So much of the cost of a human resource development program  
799 as is not met by either a federal grant-in-aid or by a state grant-in-aid  
800 pursuant to this section may be paid by a municipality, any agency,  
801 board, commission or department thereof, or any public authority, or  
802 any private organization, in cash or in kind, including, but not limited  
803 to, in the discretion of the Commissioner of Social Services, additional  
804 plant and equipment, added services and increases in financial  
805 assistance furnished thereby, provided only such increments in plant  
806 and equipment, services and financial assistance as (1) are used for or  
807 in connection with human resource development programs, and (2)  
808 are funded otherwise than by federal or state financial assistance [and  
809 (3) are not general assistance payments] may be considered as  
810 payment by a municipality under this section.

811 Sec. 27. Section 19a-492b of the general statutes is repealed and the  
812 following is substituted in lieu thereof (*Effective October 1, 2004*):

813 (a) A home health care agency that receives payment for rendering  
814 care to persons receiving medical assistance from the state, [general  
815 assistance medical benefits from a town,] assistance from the  
816 Connecticut home-care program for the elderly pursuant to section  
817 17b-342, or funds obtained through Title XVIII of the Social Security  
818 Amendments of 1965 shall be prohibited from discriminating against  
819 such persons who apply for enrollment to such home health care  
820 agency on the basis of source of payment.

821 (b) Any home health care agency which violates the provisions of  
822 this section shall be subject to suspension or revocation of license.

823 Sec. 28. Subsection (a) of section 19a-533 of the general statutes is  
824 repealed and the following is substituted in lieu thereof (*Effective*  
825 *October 1, 2004*):

826 (a) As used in this section, "nursing home" means any chronic and  
827 convalescent facility or any rest home with nursing supervision, as  
828 defined in section 19a-521, which has a provider agreement with the  
829 state to provide services to recipients of funds obtained through Title  
830 XIX of the Social Security Amendments of 1965; and "indigent person"  
831 means any person who is eligible for or who is receiving medical  
832 assistance benefits from the state, [or general assistance benefits from a  
833 town.]

834 Sec. 29. Subdivision (7) of section 19a-659 of the general statutes is  
835 repealed and the following is substituted in lieu thereof (*Effective*  
836 *October 1, 2004*):

837 (7) "Medical assistance" means medical assistance provided under  
838 the [general assistance program, the] state-administered general  
839 assistance program or the Medicaid program.

840 Sec. 30. Subdivision (4) of section 19a-673 of the general statutes, as  
841 amended by section 5 of public act 03-266, is repealed and the  
842 following is substituted in lieu thereof (*Effective October 1, 2004*):

843 (4) "Uninsured patient" means any person who is liable for one or  
844 more hospital charges whose income is at or below two hundred fifty  
845 per cent of the poverty income guidelines who (A) has applied and  
846 been denied eligibility for any medical or health care coverage  
847 provided under the state-administered general assistance program or  
848 the Medicaid program due to failure to satisfy income or other  
849 eligibility requirements, and (B) is not eligible for coverage for hospital  
850 services under the Medicare or CHAMPUS programs, or under any  
851 Medicaid or health insurance program of any other nation, state,  
852 territory or commonwealth, or under any other governmental or  
853 privately sponsored health or accident insurance or benefit program  
854 including, but not limited to, workers' compensation and awards,  
855 settlements or judgments arising from claims, suits or proceedings  
856 involving motor vehicle accidents or alleged negligence.

857 Sec. 31. Subsection (c) of section 20-619 of the general statutes is  
858 repealed and the following is substituted in lieu thereof (*Effective*  
859 *October 1, 2004*):

860 (c) A prescribing practitioner may specify in writing or by a  
861 telephonic or other electronic communication that there shall be no  
862 substitution for the specified brand name drug product in any  
863 prescription, provided (1) in any prescription for a Medicaid, state-  
864 administered general assistance, [general assistance] or ConnPACE  
865 recipient, such practitioner specifies the basis on which the brand  
866 name drug product and dosage form is medically necessary in  
867 comparison to a chemically equivalent generic drug product  
868 substitution, and (2) the phrase "BRAND MEDICALLY NECESSARY",  
869 shall be in the practitioner's handwriting on the prescription form or  
870 on an electronically-produced copy of the prescription form or, if the  
871 prohibition was communicated by telephonic or other electronic  
872 communication that did not reproduce the practitioner's handwriting,  
873 a statement to that effect appears on the form. The phrase "BRAND  
874 MEDICALLY NECESSARY" shall not be preprinted or stamped or  
875 initialed on the form. If the practitioner specifies by telephonic or other  
876 electronic communication that did not reproduce the practitioner's

877 handwriting that there shall be no substitution for the specified brand  
878 name drug product in any prescription for a Medicaid, state-  
879 administered general assistance, [general assistance] or ConnPACE  
880 recipient, written certification in the practitioner's handwriting bearing  
881 the phrase "BRAND MEDICALLY NECESSARY" shall be sent to the  
882 dispensing pharmacy within ten days.

883 Sec. 32. Subsections (a) and (b) of section 31-3d of the general  
884 statutes, as amended by section 97 of public act 03-3 of the June 30  
885 special session, are repealed and the following is substituted in lieu  
886 thereof (*Effective October 1, 2004*):

887 (a) The Labor Commissioner shall develop and implement work  
888 training opportunities programs in cooperation with municipalities,  
889 public and private agencies and business and industry in order to  
890 expand education, training, supportive services and job development  
891 for the placement of the chronically unemployed with specific  
892 emphasis on the needs of persons receiving or eligible to receive  
893 [general assistance under the provisions of sections 17b-118, 17b-118a,  
894 17b-118b, 17b-119, 17b-122, 17b-124 to 17b-132, inclusive, 17b-136 to  
895 17b-138, inclusive, 17b-221 to 17b-250, inclusive, 17b-256, 17b-263, 17b-  
896 340 to 17b-350, inclusive, 17b-689, 17b-689b and 17b-743 to 17b-747,  
897 inclusive] state-administered general assistance program benefits. For  
898 the purposes of funding such programs, the commissioner may, in  
899 addition to expending available appropriations, apply for, receive and  
900 expend funds from federal governmental and private sources.

901 (b) Participants in such programs shall receive compensation for  
902 time spent in training at rates established or approved by the Labor  
903 Commissioner. Participants who are state-administered general  
904 assistance recipients may earn a net amount up to thirty dollars per  
905 week in education and training programs established under this  
906 section, section 31-3b or subsection (a) of section 17b-689, as amended,  
907 without affecting the amount of their grants. Amounts in excess of  
908 thirty dollars earned by state-administered general assistance  
909 recipients for each week of such education or training shall be

910 deducted from such recipients' grants. Medical benefits of such  
911 recipients shall not be affected by participation in such education or  
912 training. Job placement of participants who have completed training  
913 shall be limited to positions for which compensation is payable at rates  
914 consistent with industry practice or in conformity with collective  
915 bargaining agreements.

916 Sec. 33. Subsection (b) of section 31-3k of the general statutes is  
917 repealed and the following is substituted in lieu thereof (*Effective*  
918 *October 1, 2004*):

919 (b) Each board, within its region, shall:

920 (1) Carry out the duties and responsibilities of a private industry  
921 council under the Job Training Partnership Act, provided the private  
922 industry council within the region elects by a vote of its members to  
923 become a board and the Labor Commissioner approves the council as a  
924 regional work force development board.

925 (2) Within existing resources and consistent with the state  
926 employment and training information system and any guidelines  
927 issued by the commissioner under subsection (b) of section 31-2, and  
928 with the annual plan developed by the commission under section 31-  
929 3h, as amended, and approved by the Governor, (A) assess regional  
930 needs and identify regional priorities for employment and training  
931 programs, including, but not limited to, an assessment of the special  
932 employment needs of unskilled and low-skilled unemployed persons,  
933 including persons receiving state-administered general assistance or  
934 short-term unemployment assistance, (B) conduct planning for  
935 regional employment and training programs, (C) coordinate such  
936 programs to ensure that the programs respond to the needs of labor,  
937 business and industry, municipalities within the region, the region as a  
938 whole, and all of its citizens, (D) serve as a clearinghouse for  
939 information on all employment and training programs in the region,  
940 (E) prepare and submit an annual plan containing the board's priorities  
941 and goals for regional employment and training programs to the

942 commissioner and the commission for their review and approval, (F)  
943 review grant proposals and plans submitted to state agencies for  
944 employment and training programs that directly affect the region to  
945 determine whether such proposals and plans are consistent with the  
946 annual regional plan prepared under subparagraph (E) of this  
947 subdivision and inform the commission and each state agency  
948 concerned of the results of the review, (G) evaluate the effectiveness of  
949 employment and training programs within the region in meeting the  
950 goals contained in the annual regional plan prepared under  
951 subparagraph (E) of this subdivision and report its findings to the  
952 commissioner and the commission on an annual basis, (H) ensure the  
953 effective use of available employment and training resources in the  
954 region, and (I) allocate funds where applicable for program operations  
955 in the region.

956 (3) Provide information to the commissioner concerning (A) all  
957 employment and training programs, grants or funds to be effective or  
958 available in the region in the following program year, (B) the source  
959 and purpose of such programs, grants or funds, (C) the projected  
960 amount of such programs, grants or funds, (D) persons, organizations  
961 and institutions eligible to participate in such programs or receive such  
962 grants or funds, (E) characteristics of clients eligible to receive services  
963 pursuant to such programs, grants or funds, (F) the range of services  
964 available pursuant to such programs, grants or funds, (G) goals of such  
965 programs, grants or funds, (H) where applicable, schedules for  
966 submitting requests for proposals, planning instructions, proposals  
967 and plans, in connection with such programs, grants or funds, (I) the  
968 program period for such programs, grants or funds, and (J) any other  
969 data relating to such programs, grants or funds that the commissioner  
970 or the commission deems essential for effective state planning.

971 (4) Carry out the duties and responsibilities of the local board for  
972 purposes of the federal Workforce Investment Act of 1998, P.L. 105-  
973 220, as from time to time amended.

974 (5) Establish a worker training education committee comprised of

975 persons from the education and business communities within the  
976 region, including, but not limited to, regional community-technical  
977 colleges and regional vocational-technical schools.

978 Sec. 34. Subsection (c) of section 31-11x of the general statutes is  
979 repealed and the following is substituted in lieu thereof (*Effective*  
980 *October 1, 2004*):

981 (c) The Labor Commissioner shall adopt regulations, in accordance  
982 with the provisions of chapter 54, establishing criteria for the  
983 distribution of funds under this section and shall adopt regulations, in  
984 accordance with chapter 54, to further implement the purposes of this  
985 section. The criteria shall include requirements that: (1) The program  
986 receiving state assistance: (A) Involves the Commissioner of Social  
987 Services in the planning of the program; (B) involves residents in the  
988 region to be served by the program in the planning and operation of  
989 the program; (C) involves the business community in the region to be  
990 served by the program in its development and operation; and (D) gives  
991 priority to persons who receive [general assistance or] state-  
992 administered general assistance benefits; and (2) a program receiving  
993 financial assistance has adequate internal administrative controls,  
994 accounting procedures, personnel standards, evaluation procedures,  
995 availability of in-service training and technical assistance programs  
996 and other policies as are necessary to promote the effective use of  
997 funds received under said programs.

998 Sec. 35. Subsection (e) of section 31-254 of the general statutes is  
999 repealed and the following is substituted in lieu thereof (*Effective*  
1000 *October 1, 2004*):

1001 (e) On a biweekly basis, the Department of Social Services shall  
1002 compile a list of individuals who are receiving public assistance under  
1003 the temporary assistance for needy families, Medicaid, food stamp,  
1004 state supplement and state-administered general assistance programs  
1005 and shall transmit such list to the Labor Department. The Labor  
1006 Department shall promptly identify any new employee who is such an

1007 individual and said department shall transmit to the Department of  
1008 Social Services the name, address and Social Security number of each  
1009 such new employee and the name, address and state and federal tax  
1010 registration or identification numbers of the employer.

1011 Sec. 36. Subsection (b) of section 38a-472 of the general statutes is  
1012 repealed and the following is substituted in lieu thereof (*Effective*  
1013 *October 1, 2004*):

1014 (b) Whenever there is in existence a contract by an insurer for  
1015 payment to, or on behalf of, an applicant or recipient of medical  
1016 assistance under the [general assistance program, the] state-  
1017 administered general assistance program or the Medicaid program  
1018 under said contract on account of bills incurred by the applicant or  
1019 recipient for medical services, including, but not limited to, physician  
1020 services, nursing services, pharmaceutical services, surgical care and  
1021 hospital care, the assignment of the benefits of the contract by such  
1022 applicant or recipient or his legally liable relative pursuant to section  
1023 17b-265 shall, upon receipt of notice from the assignee, be authority for  
1024 payment by the insurer directly to the assignee. If notice is provided by  
1025 the assignee to the insurer in accordance with the provisions of section  
1026 17b-265, the insurer shall be liable to the assignee for any amount  
1027 payable to the assignee under the contract.

1028 Sec. 37. Subdivision (3) of section 46a-63 of the general statutes is  
1029 repealed and the following is substituted in lieu thereof (*Effective*  
1030 *October 1, 2004*):

1031 (3) "Lawful source of income" means income derived from social  
1032 security, supplemental security income, housing assistance, child  
1033 support, alimony or public or state-administered general assistance.

1034 Sec. 38. Subsection (a) of section 46b-169 of the general statutes is  
1035 repealed and the following is substituted in lieu thereof (*Effective*  
1036 *October 1, 2004*):

1037 (a) If the mother of any child born out of wedlock, or the mother of

1038 any child born to any married woman during marriage which child  
1039 shall be found not to be issue of the marriage terminated by a decree of  
1040 divorce or dissolution or by decree of any court of competent  
1041 jurisdiction, fails or refuses to disclose the name of the putative father  
1042 of such child under oath to the Commissioner of Social Services, if such  
1043 child is a recipient of public assistance, [or to a selectman of a town in  
1044 which such child resides, if such child is a recipient of general  
1045 assistance,] or otherwise to a guardian or a guardian ad litem of such  
1046 child, such mother may be cited to appear before any judge of the  
1047 Superior Court and compelled to disclose the name of the putative  
1048 father under oath and to institute an action to establish the paternity of  
1049 said child.

1050 Sec. 39. Subsection (b) of section 46b-215b of the general statutes, as  
1051 amended by section 1 of public act 03-130, is repealed and the  
1052 following is substituted in lieu thereof (*Effective October 1, 2004*):

1053 (b) In any determination pursuant to subsection (a) of this section,  
1054 when a party has been determined by the Social Security  
1055 Administration, or a state agency authorized to award disability  
1056 benefits, to qualify for disability benefits under the federal  
1057 Supplemental Security Income Program, the Social Security disability  
1058 program, the state supplement to the federal Supplemental Security  
1059 Income Program, or the state-administered general assistance  
1060 program, [or the general assistance program,] parental earning  
1061 capacity shall not be a basis for deviating from the presumptive  
1062 support amount that results from the application of the child support  
1063 guidelines to such party's income.

1064 Sec. 40. Subsection (b) of section 52-259b of the general statutes is  
1065 repealed and the following is substituted in lieu thereof (*Effective*  
1066 *October 1, 2004*):

1067 (b) There shall be a rebuttable presumption that a person is indigent  
1068 and unable to pay a fee or fees or the cost of service of process if (1)  
1069 such person receives public assistance or (2) such person's income after

1070 taxes, mandatory wage deductions and child care expenses is one  
1071 hundred twenty-five per cent or less of the federal poverty level. For  
1072 purposes of this subsection, "public assistance" includes, but is not  
1073 limited to, [general assistance,] state-administered general assistance,  
1074 temporary family assistance, aid to the aged, blind and disabled, food  
1075 stamps and Supplemental Security Income.

1076 Sec. 41. Subsection (b) of section 54-210 of the general statutes is  
1077 repealed and the following is substituted in lieu thereof (*Effective*  
1078 *October 1, 2004*):

1079 (b) Payment of compensation under this chapter may be made to a  
1080 person who is a recipient of public assistance [.] or state-administered  
1081 general assistance [or general assistance] for necessary and reasonable  
1082 expenses related to injuries resulting from a crime and not provided  
1083 for by the income assistance program in which such person is a  
1084 participant. Unless required by federal law, no such payment shall be  
1085 considered an asset for purposes of eligibility for such assistance.

1086 Sec. 42. Section 7-406 of the general statutes, as amend by section 97  
1087 of public at 03-3 of the June 30 special session, is repealed and the  
1088 following is substituted in lieu thereof (*Effective October 1, 2004*):

1089 The board of finance or other corresponding board in each town, or,  
1090 if there is no such board, the selectmen, shall annually prepare and  
1091 have published a town report. Such report shall be available for  
1092 distribution and shall contain, in addition to reports of town officers or  
1093 boards required by law to be included, a statement of the amount  
1094 received by such town under the provisions of part IIa of chapter 240  
1095 together with an itemized account of the disposition of such amount,  
1096 and such other matter as the board of finance or other corresponding  
1097 board deems advisable. Towns with a population of five thousand or  
1098 less, as computed by the Secretary of the Office of Policy and  
1099 Management, shall publish their receipts and expenditures and the  
1100 names of all persons, firms or corporations, other than recipients of  
1101 support under sections 17b-118, as amended, 17b-118a, [17b-118b,]

1102 17b-119, as amended, 17b-122, 17b-124 to 17b-132, inclusive, as  
1103 amended, 17b-136 to 17b-138, inclusive, [17b-221] 17b-222 to 17b-250,  
1104 inclusive, as amended, 17b-256, 17b-263, 17b-340 to 17b-350, inclusive,  
1105 as amended, 17b-689, as amended, 17b-689b and 17b-743 to 17b-747,  
1106 inclusive, receiving money from such towns, together with the total  
1107 amount of payments in excess of fifty dollars to each, unless such town  
1108 has a bookkeeping system approved by the secretary setting forth all  
1109 the receipts and expenditures in detail, in which case it shall not be  
1110 necessary for the town to publish in its report the names of all persons,  
1111 firms or corporations receiving money from such towns, together with  
1112 the total amount of payments in excess of fifty dollars to each.

1113 Sec. 43. Section 10a-194a of the general statutes, as amended by  
1114 section 97 of public act 03-3 of the June 30 special session, is repealed  
1115 and the following is substituted in lieu thereof (*Effective October 1,*  
1116 *2004*):

1117 The authority shall report the terms and conditions of all financings  
1118 and refinancings of nursing homes to the Commissioner of Social  
1119 Services who shall make rate adjustments in accordance with the  
1120 provisions of sections 17b-118, as amended, 17b-118a, [17b-118b,] 17b-  
1121 119, as amended, 17b-122, 17b-124 to 17b-132, inclusive, as amended,  
1122 17b-136 to 17b-138, inclusive, [17b-221] 17b-222 to 17b-250, inclusive, as  
1123 amended, 17b-256, 17b-263, 17b-340 to 17b-350, inclusive, as amended,  
1124 17b-689, as amended, 17b-689b and 17b-743 to 17b-747, inclusive.

1125 Sec. 44. Subsection (b) of section 17a-600 of the general statutes, as  
1126 amended by section 97 of public act 03-3 of the June 30 special session,  
1127 is repealed and the following is substituted in lieu thereof (*Effective*  
1128 *October 1, 2004*):

1129 (b) The expense of confinement, support and treatment of any  
1130 acquittee committed to the jurisdiction of the board shall be computed  
1131 and paid for in accordance with the provisions of sections 17a-528, 17b-  
1132 118, as amended, 17b-118a, [17b-118b,] 17b-119, as amended, 17b-122,  
1133 17b-124 to 17b-132, inclusive, as amended, 17b-136 to 17b-138,

1134 inclusive, [17b-221] 17b-222 to 17b-250, inclusive, as amended, 17b-256,  
1135 17b-263, 17b-340 to 17b-350, inclusive, as amended, 17b-689, as  
1136 amended, 17b-689b and 17b-743 to 17b-747, inclusive.

1137 Sec. 45. Section 17b-13 of the general statutes, as amended by section  
1138 97 of public act 03-3 of the June 30 special session, is repealed and the  
1139 following is substituted in lieu thereof (*Effective October 1, 2004*):

1140 The Commissioner of Social Services is designated as the agency of  
1141 the state to administer or supervise the administration of financial aid  
1142 for emergency relief purposes which the United States government has  
1143 authorized or may authorize to be given to the several states. The State  
1144 Treasurer is directed to receive all money granted by the United States  
1145 or by any agency thereof and to hold the same separate from all other  
1146 funds of the state. Funds granted to the state for emergency relief  
1147 purposes shall be disbursed by the Treasurer, upon voucher of the  
1148 Comptroller, under direction of and subject to the regulations of said  
1149 commissioner. Unless otherwise provided by the terms of the federal  
1150 authorization, such money shall be distributed by said commissioner  
1151 to the several towns of this state for emergency relief in the state and  
1152 shall be used by such towns in accordance with, and shall be subject to,  
1153 the provisions of sections 17b-118, as amended, 17b-118a, [17b-118b,]  
1154 17b-119, as amended, 17b-122, 17b-124 to 17b-132, inclusive, as  
1155 amended, 17b-136 to 17b-138, inclusive, [17b-221] 17b-222 to 17b-250,  
1156 inclusive, as amended, 17b-256, 17b-263, 17b-340 to 17b-350, inclusive,  
1157 as amended, 17b-689, as amended, 17b-689b and 17b-743 to 17b-747,  
1158 inclusive. The remaining cost of providing such relief, after deduction  
1159 of the federal contribution thereto, shall be borne by the state and the  
1160 towns in accordance with the provisions of section 17b-134, as  
1161 amended; but such cost shall not include administrative expense  
1162 unless included in the federal authorization.

1163 Sec. 46. Subsection (b) of section 17b-124 of the general statutes, as  
1164 amended by section 97 of public act 03-3 of the June 30 special session,  
1165 is repealed and the following is substituted in lieu thereof (*Effective*  
1166 *October 1, 2004*):

1167 (b) Each person having in his possession or control any property of  
1168 any person for whom an application has been filed for medical  
1169 assistance under sections 17b-118, as amended, 17b-118a, [17b-118b,  
1170 17b-119, as amended, 17b-122, 17b-124 to 17b-132, inclusive, as  
1171 amended, 17b-136 to 17b-138, inclusive, [17b-221] 17b-222 to 17b-250,  
1172 inclusive, as amended, 17b-256, 17b-263, 17b-340 to 17b-350, inclusive,  
1173 as amended, 17b-689, as amended, 17b-689b and 17b-743 to 17b-747,  
1174 inclusive, or being indebted to him, or having knowledge of any  
1175 property or income, including wages, belonging to him, or having  
1176 knowledge of any other information relevant to such person's  
1177 eligibility for such assistance, and any officer having control of the  
1178 books and accounts of any corporation which has possession or control  
1179 of any property or income, including wages, belonging to any such  
1180 person, or is indebted to him, or having knowledge of such  
1181 information, shall, upon presentation by a medical provider or its  
1182 attorney of a signed certificate stating that an application signed by  
1183 such person has been made for medical assistance, make full  
1184 disclosure to such provider as to any such property or income,  
1185 including wages or indebtedness or such other information relevant to  
1186 such person's eligibility. Any person who violates any provision of this  
1187 section shall be fined not more than one hundred dollars and shall pay  
1188 just damages to the provider injured thereby.

1189 Sec. 47. Subsection (a) of section 42 of public act 03-3 of the June 30  
1190 special session is repealed and the following is substituted in lieu  
1191 thereof (*Effective October 1, 2004*):

1192 (a) Notwithstanding the provisions of sections [17b-7,] 17b-111, 17b-  
1193 111b, 17b-118, as amended, and 17b-118a, [17b-118b and 17b-221,] the  
1194 Commissioner of Social Services shall operate a state-administered  
1195 general assistance program in accordance with this section and section  
1196 44 of [this act] public act 03-3 of the June 30 special session and  
1197 sections 17b-78, as amended, 17b-119, as amended, 17b-131, as  
1198 amended, 17b-257, as amended, and 17b-689, as amended.  
1199 Notwithstanding any provision of the general statutes, on and after  
1200 October 1, 2003, no town shall be reimbursed by the state for any

1201 general assistance medical benefits incurred after September 30, 2003,  
1202 and on and after March 1, 2004, no town shall be reimbursed by the  
1203 state for any general assistance cash benefits or general assistance  
1204 program administrative costs incurred after February 29, 2004.

1205 Sec. 48. Section 17b-126 of the general statutes, as amended by  
1206 section 97 of public act 03-3 of the June 30 special session, is repealed  
1207 and the following is substituted in lieu thereof (*Effective October 1,*  
1208 *2004*):

1209 If any person receiving such aid neglects or refuses to sign such  
1210 agreement, the selectmen are authorized to file a lien against such  
1211 property, or against the real property of any legally liable relative of  
1212 any person receiving aid or support under sections [17b-221] 17b-222  
1213 to 17b-250, inclusive, as amended, 17b-256, 17b-263, 17b-340 to 17b-350,  
1214 inclusive, as amended, 17b-689, as amended, 17b-689b and 17b-743 to  
1215 17b-747, inclusive, to secure the disbursements of such town made  
1216 prior to filing such lien and any disbursements thereafter made, and  
1217 such lien from the time of filing shall have the same force and effect  
1218 and may be foreclosed in the same manner as any agreement provided  
1219 for in section 17b-125.

1220 Sec. 49. Subsection (c) of section 17b-127 of the general statutes, as  
1221 amended by section 97 of public act 03-3 of the June 30 special session,  
1222 is repealed and the following is substituted in lieu thereof (*Effective*  
1223 *October 1, 2004*):

1224 (c) Any person who defrauds the town to obtain any monetary  
1225 award to which such person is not entitled, assists another person in so  
1226 defrauding the town or with intent to defraud, or violates any other  
1227 provision of sections 17b-118, as amended, 17b-118a, [17b-118b,] 17b-  
1228 119, as amended, 17b-122, 17b-124 to 17b-132, inclusive, as amended,  
1229 17b-136 to 17b-138, inclusive, [17b-221] 17b-222 to 17b-250, inclusive, as  
1230 amended, 17b-256, 17b-263, 17b-340 to 17b-350, inclusive, as amended,  
1231 17b-689, as amended, 17b-689b and 17b-743 to 17b-747, inclusive, shall  
1232 be subject to the penalties for larceny under sections 53a-122 and 53a-

1233 123, depending on the amount involved. Any person convicted of  
1234 violating this section shall be terminated from participation in the  
1235 program for a period of at least one year.

1236 Sec. 50. Subsection (b) of section 17b-128 of the general statutes, as  
1237 amended by section 97 of public act 03-3 of the June 30 special session,  
1238 is repealed and the following is substituted in lieu thereof (*Effective*  
1239 *October 1, 2004*):

1240 (b) Any town that overpays a person receiving financial assistance  
1241 under sections 17b-118, as amended, 17b-118a, [17b-118b,] 17b-119, as  
1242 amended, 17b-122, 17b-124 to 17b-132, inclusive, as amended, 17b-136  
1243 to 17b-138, inclusive, [17b-221] 17b-222 to 17b-250, inclusive, as  
1244 amended, 17b-256, 17b-263, 17b-340 to 17b-350, inclusive, as amended,  
1245 17b-689, as amended, 17b-689b and 17b-743 to 17b-747, inclusive, shall  
1246 recover such overpayment from such person's ongoing assistance. The  
1247 amount of such recovery shall not exceed ten per cent of such person's  
1248 ongoing benefit in any month.

1249 Sec. 51. Section 17b-129 of the general statutes, as amended by  
1250 section 97 of public act 03-3 of the June 30 special session, is repealed  
1251 and the following is substituted in lieu thereof (*Effective October 1,*  
1252 *2004*):

1253 (a) If any beneficiary of aid under sections 17b-118, as amended,  
1254 17b-118a, [17b-118b,] 17b-119, as amended, 17b-122, 17b-124 to 17b-132,  
1255 inclusive, as amended, 17b-136 to 17b-138, inclusive, [17b-221] 17b-222  
1256 to 17b-250, inclusive, as amended, 17b-256, 17b-263, 17b-340 to 17b-350,  
1257 inclusive, as amended, 17b-689, as amended, 17b-689b and 17b-743 to  
1258 17b-747, inclusive, has a cause of action, a town that provided aid to  
1259 such beneficiary shall have a claim against the proceeds of such cause  
1260 of action for the amount of such aid or fifty per cent of the proceeds  
1261 received by such beneficiary after payment of all expenses connected  
1262 with the cause of action, whichever is less, which shall have priority  
1263 over all other unsecured claims and unrecorded encumbrances. Such  
1264 claim shall be a lien, subordinate to any interest the state may possess

1265 under section 17b-94, against the proceeds from such cause of action,  
1266 for the amount established in accordance with this section, and such  
1267 lien shall have priority over all other claims except attorney's fees for  
1268 such causes of action, expenses of suit, costs of hospitalization  
1269 connected with the cause of action by whomever paid, over and above  
1270 hospital insurance or other such benefits, and, for such period of  
1271 hospitalization as was not paid for by the town, physician's fees for  
1272 services during any such period as are connected with the cause of  
1273 action over and above medical insurance or other such benefits. Where  
1274 the state also has a claim against the proceeds of such cause of action  
1275 under section 17b-94, the total amount of the claims by the state under  
1276 said section and the town under this subsection shall not exceed fifty  
1277 per cent of the proceeds received by the recipient after the allowable  
1278 expenses and the town's claim shall be reduced accordingly. The  
1279 proceeds of such causes of action shall be assignable to the town for  
1280 payment of such lien irrespective of any other provision of law except  
1281 section 17b-94. Upon presentation to the attorney for the beneficiary of  
1282 an assignment of such proceeds executed by the beneficiary or his  
1283 conservator or guardian, such assignment shall constitute an  
1284 irrevocable direction to the attorney to pay the town in accordance  
1285 with its terms.

1286 (b) In the case of an inheritance of an estate by a beneficiary of aid  
1287 under sections 17b-118, as amended, 17b-118a, [17b-118b,] 17b-119, as  
1288 amended, 17b-122, 17b-124 to 17b-132, inclusive, as amended, 17b-136  
1289 to 17b-138, inclusive, [17b-221] 17b-222 to 17b-250, inclusive, as  
1290 amended, 17b-256, 17b-263, 17b-340 to 17b-350, inclusive, as amended,  
1291 17b-689, as amended, 17b-689b and 17b-743 to 17b-747, inclusive, fifty  
1292 per cent of the assets of the estate payable to the beneficiary or the  
1293 amount of such assets equal to the amount of assistance paid,  
1294 whichever is less, shall be assignable to the town. Where the state also  
1295 has an assignment of such assets under section 17b-94, the total  
1296 amount of the claims of the state under said section and the town  
1297 under this subsection shall not exceed fifty per cent of the assets of the  
1298 estate payable to the beneficiary and the town's assigned share shall be

1299 reduced accordingly. The Court of Probate shall accept any such  
1300 assignment executed by the beneficiary and filed by the town with the  
1301 court prior to the distribution of such inheritance, and to the extent of  
1302 such inheritance not already distributed, the court shall order  
1303 distribution in accordance therewith. If the town receives any assets of  
1304 an estate pursuant to any such assignment, the town shall be subject to  
1305 the same duties and liabilities concerning such assigned assets as the  
1306 beneficiary.

1307 (c) No claim shall be made, or lien applied, against any payment  
1308 made pursuant to chapter 135, any payment made pursuant to section  
1309 47-88d or 47-287, any court-ordered retroactive rent abatement,  
1310 including any made pursuant to subsection (e) of section 47a-14h, as  
1311 amended, or section 47a-4a, 47a-5 or 47a-57, or any security deposit  
1312 refund pursuant to subsection (d) of section 47a-21, as amended, paid  
1313 to a beneficiary of assistance under sections 17b-118, as amended, 17b-  
1314 118a, [17b-118b,] 17b-119, as amended, 17b-122, 17b-124 to 17b-132,  
1315 inclusive, as amended, 17b-136 to 17b-138, inclusive, [17b-221] 17b-222  
1316 to 17b-250, inclusive, as amended, 17b-256, 17b-263, 17b-340 to 17b-350,  
1317 inclusive, as amended, 17b-689, as amended, 17b-689b and 17b-743 to  
1318 17b-747, inclusive.

1319 Sec. 52. Section 17b-250 of the general statutes, as amended by  
1320 section 97 of public act 03-3 of the June 30 special session, is repealed  
1321 and the following is substituted in lieu thereof (*Effective October 1,*  
1322 *2004*):

1323 When any person has been transferred from the Connecticut  
1324 Correctional Institution, Somers, the Connecticut Correctional  
1325 Institution, Niantic, or its maximum security division, the John R.  
1326 Manson Youth Institution, Cheshire, or a community correctional  
1327 center to a state hospital, such person's hospital expense prior to the  
1328 termination of his sentence shall be charged to the state. If any person,  
1329 transferred from a correctional institution or community correction  
1330 center is committed to or otherwise remains in a state hospital after the  
1331 expiration of his sentence, such person's hospital expense shall be paid

1332 to the state in the manner provided for payment in sections 17b-118, as  
1333 amended, 17b-118a, [17b-118b,] 17b-119, as amended, 17b-122, 17b-124  
1334 to 17b-132, inclusive, as amended, 17b-136 to 17b-138, inclusive, [17b-  
1335 221] 17b-222 to 17b-250, inclusive, as amended, 17b-256, 17b-263, 17b-  
1336 340 to 17b-350, inclusive, as amended, 17b-689, as amended, 17b-689b  
1337 and 17b-743 to 17b-747, inclusive.

1338 Sec. 53. Section 17b-351 of the general statutes is repealed and the  
1339 following is substituted in lieu thereof (*Effective October 1, 2004*):

1340 (a) Notwithstanding the provisions of sections [17b-7,] 17b-8 or 17b-  
1341 9, as amended, any nursing home participating in the Title XVIII and  
1342 Title XIX programs may, on a one-time basis, increase its licensed bed  
1343 capacity and implement a capital construction project to accomplish  
1344 such an increase without being required to request or obtain approval  
1345 of the increase in services, licensed bed capacity or the capital  
1346 expenditures program from the Department of Social Services  
1347 provided that the project (1) shall not require licensure by the  
1348 Department of Public Health of more than ten additional nursing  
1349 home beds, and (2) the total capital cost of said program shall not  
1350 exceed thirty thousand dollars per bed, adjusted for inflation annually  
1351 by said department.

1352 Sec. 54. Section 18-87 of the general statutes, as amended by section  
1353 97 of public act 03-3 of the June 30 special session, is repealed and the  
1354 following is substituted in lieu thereof (*Effective October 1, 2004*):

1355 The Commissioner of Correction may transfer any inmate of any of  
1356 the institutions of the Department of Correction to any other  
1357 appropriate state institution with the concurrence of the  
1358 superintendent of such institution or to the Department of Children  
1359 and Families when the Commissioner of Correction finds that the  
1360 welfare or health of the inmate requires it. When an inmate, after the  
1361 expiration of his sentence, is committed to or otherwise remains in the  
1362 institution to which he was transferred, the expense of his treatment  
1363 and support shall be paid as provided by sections 17b-118, as

1364 amended, 17b-118a, [17b-118b,] 17b-119, as amended, 17b-122, 17b-124  
1365 to 17b-132, inclusive, as amended, 17b-136 to 17b-138, inclusive, [17b-  
1366 221] 17b-222 to 17b-250, inclusive, as amended, 17b-256, 17b-263, 17b-  
1367 340 to 17b-350, inclusive, as amended, 17b-689, as amended, 17b-689b,  
1368 and 17b-743 to 17b-747, inclusive. No transfer of any person who has  
1369 attained the age of eighteen years shall be made to the Department of  
1370 Children and Families, and no transfer of any person who has not  
1371 attained the age of eighteen to the Department of Children and  
1372 Families shall be made unless the Commissioner of Children and  
1373 Families finds that such person would benefit from a transfer to the  
1374 Department of Children and Families and agrees to accept such person  
1375 and such person has given his written consent to such transfer. Such  
1376 person transferred to the Department of Children and Families shall be  
1377 deemed to be committed to the custody of the Commissioner of  
1378 Children and Families. The Commissioner of Children and Families  
1379 shall have the power to terminate the commitment and release such  
1380 person at any time he determines such termination and release would  
1381 be in such person's best interest, and shall have the power to return  
1382 such person to the jurisdiction of the Commissioner of Correction. The  
1383 transfer of any person under this section to the Department of  
1384 Children and Families shall not result in the person so transferred  
1385 being in the custody of the Commissioner of Correction and the  
1386 Commissioner of Children and Families for a total of less than the  
1387 minimum nor more than the maximum term he would have been in  
1388 the custody of the Commissioner of Correction had he not been so  
1389 transferred.

1390 Sec. 55. Section 19a-255 of the general statutes, as amended by  
1391 section 97 of public act 03-3 of the June 30 special session, is repealed  
1392 and the following is substituted in lieu thereof (*Effective October 1,*  
1393 *2004*):

1394 Any resident of the state afflicted with tuberculosis in any form,  
1395 who requires medical care for tuberculosis and who applies for care,  
1396 shall be received: (1) In a state chronic disease hospital; (2) in a private  
1397 hospital or clinic; or (3) by a physician or other health care provider

1398 without regard to the financial condition of the patient. The cost of care  
1399 and treatment of such patients shall be computed in accordance with  
1400 the provisions of sections 17b-118, as amended, 17b-118a, [17b-118b,]  
1401 17b-119, as amended, 17b-122, 17b-124 to 17b-132, inclusive, as  
1402 amended, 17b-136 to 17b-138, inclusive, [17b-221] 17b-222 to 17b-250,  
1403 inclusive, as amended, 17b-256, 17b-263, 17b-340 to 17b-350, inclusive,  
1404 as amended, 17b-689, as amended, 17b-689b and 17b-743 to 17b-747,  
1405 inclusive, and section 4-67c and shall be paid by the state if such cost is  
1406 deemed appropriate by the Commissioner of Public Health to the  
1407 treatment of tuberculosis.

1408 Sec. 56. Subsection (f) of section 52-57 of the general statutes, as  
1409 amended by section 97 of public act 03-3 of the June 30 special session,  
1410 is repealed and the following is substituted in lieu thereof (*Effective*  
1411 *October 1, 2004*):

1412 (f) When the other methods of service of process provided under  
1413 this section or otherwise provided by law cannot be effected, in actions  
1414 concerning the establishment, enforcement or modification of child  
1415 support orders other than actions for dissolution of marriage,  
1416 including, but not limited to, such actions under sections 17b-118, as  
1417 amended, 17b-118a, [17b-118b,] 17b-119, as amended, 17b-122, 17b-124  
1418 to 17b-132, inclusive, as amended, 17b-136 to 17b-138, inclusive, [17b-  
1419 221] 17b-222 to 17b-250, inclusive, as amended, 17b-256, 17b-263, 17b-  
1420 340 to 17b-350, inclusive, as amended, 17b-689, as amended, 17b-689b,  
1421 17b-743 to 17b-747, inclusive, and 46b-212 to 46b-213v, inclusive, and  
1422 chapters 815, 815p, 815t, 815y and 816, and actions to implement  
1423 garnishments for support under section 52-362, as amended, service of  
1424 process may be made upon a party to the action by one of the  
1425 following methods, provided proof of receipt of such process by such  
1426 party is presented to the court in accordance with rules promulgated  
1427 by the judges of the Superior Court:

1428 (1) By certified mail to a party to the action addressed to the  
1429 employer of such party. Any service of process so sent shall include on  
1430 the outside envelope the words "To be delivered to the employee in

1431 accordance with subsection (f) of section 52-57". The employer shall  
1432 accept any such service of process sent by certified mail and promptly  
1433 deliver such certified mail to the employee; or

1434 (2) When a party to an action under this subsection is employed by  
1435 an employer with fifteen or more employees, by personal service upon  
1436 an official of the employer designated as an agent to accept service of  
1437 process in actions brought under this subsection. Every employer with  
1438 fifteen or more employees doing business in this state shall designate  
1439 an official to accept service of process for employees who are parties to  
1440 such actions. The person so served shall promptly deliver such process  
1441 to the employee.

1442 Sec. 57. Subsection (n) of section 54-56d of the general statutes, as  
1443 amended by sections 17 and 97 of public act 03-3 of the June 30 special  
1444 session, is repealed and the following is substituted in lieu thereof  
1445 (*Effective October 1, 2004*):

1446 (n) The cost of the examination effected by the Commissioner of  
1447 Mental Health and Addiction Services and of testimony of persons  
1448 conducting the examination effected by the commissioner shall be paid  
1449 by the Department of Mental Health and Addiction Services. The cost  
1450 of the examination and testimony by physicians appointed by the  
1451 court shall be paid by the Judicial Department. If the defendant is  
1452 indigent, the fee of the person selected by the defendant to observe the  
1453 examination and to testify on his behalf shall be paid by the Public  
1454 Defender Services Commission. The expense of treating a defendant  
1455 placed in the custody of the Commissioner of Mental Health and  
1456 Addiction Services, the Commissioner of Children and Families or the  
1457 Commissioner of Mental Retardation pursuant to subdivision (2) of  
1458 subsection (h) of this section or subsection (i) of this section shall be  
1459 computed and paid for in the same manner as is provided for persons  
1460 committed by a probate court under the provisions of sections 17b-118,  
1461 as amended, 17b-118a, [17b-118b,] 17b-119, as amended, 17b-122, 17b-  
1462 124 to 17b-132, inclusive, as amended, 17b-136 to 17b-138, inclusive,  
1463 [17b-221] 17b-222 to 17b-250, inclusive, as amended, 17b-256, 17b-263,

1464 17b-340 to 17b-350, inclusive, as amended, 17b-689, as amended, 17b-  
 1465 689b and 17b-743 to 17b-747, inclusive.

1466 Sec. 58. (*Effective October 1, 2004*) Sections 8-206b, 8-358, 17b-7, 17b-  
 1467 111b, 17b-118b, 17b-221 and 17b-810 of the general statutes are  
 1468 repealed.

This act shall take effect as follows:	
Section 1	<i>October 1, 2004</i>
Sec. 2	<i>October 1, 2004</i>
Sec. 3	<i>October 1, 2004</i>
Sec. 4	<i>October 1, 2004</i>
Sec. 5	<i>October 1, 2004</i>
Sec. 6	<i>October 1, 2004</i>
Sec. 7	<i>October 1, 2004</i>
Sec. 8	<i>October 1, 2004</i>
Sec. 9	<i>October 1, 2004</i>
Sec. 10	<i>October 1, 2004</i>
Sec. 11	<i>October 1, 2004</i>
Sec. 12	<i>October 1, 2004</i>
Sec. 13	<i>October 1, 2004</i>
Sec. 14	<i>October 1, 2004</i>
Sec. 15	<i>October 1, 2004</i>
Sec. 16	<i>October 1, 2004</i>
Sec. 17	<i>October 1, 2004</i>
Sec. 18	<i>October 1, 2004</i>
Sec. 19	<i>October 1, 2004</i>
Sec. 20	<i>October 1, 2004</i>
Sec. 21	<i>October 1, 2004</i>
Sec. 22	<i>October 1, 2004</i>
Sec. 23	<i>October 1, 2004</i>
Sec. 24	<i>October 1, 2004</i>
Sec. 25	<i>October 1, 2004</i>
Sec. 26	<i>October 1, 2004</i>
Sec. 27	<i>October 1, 2004</i>
Sec. 28	<i>October 1, 2004</i>
Sec. 29	<i>October 1, 2004</i>
Sec. 30	<i>October 1, 2004</i>
Sec. 31	<i>October 1, 2004</i>

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Sec. 32	<i>October 1, 2004</i>
Sec. 33	<i>October 1, 2004</i>
Sec. 34	<i>October 1, 2004</i>
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Sec. 37	<i>October 1, 2004</i>
Sec. 38	<i>October 1, 2004</i>
Sec. 39	<i>October 1, 2004</i>
Sec. 40	<i>October 1, 2004</i>
Sec. 41	<i>October 1, 2004</i>
Sec. 42	<i>October 1, 2004</i>
Sec. 43	<i>October 1, 2004</i>
Sec. 44	<i>October 1, 2004</i>
Sec. 45	<i>October 1, 2004</i>
Sec. 46	<i>October 1, 2004</i>
Sec. 47	<i>October 1, 2004</i>
Sec. 48	<i>October 1, 2004</i>
Sec. 49	<i>October 1, 2004</i>
Sec. 50	<i>October 1, 2004</i>
Sec. 51	<i>October 1, 2004</i>
Sec. 52	<i>October 1, 2004</i>
Sec. 53	<i>October 1, 2004</i>
Sec. 54	<i>October 1, 2004</i>
Sec. 55	<i>October 1, 2004</i>
Sec. 56	<i>October 1, 2004</i>
Sec. 57	<i>October 1, 2004</i>
Sec. 58	<i>October 1, 2004</i>

**HS**      *Joint Favorable Subst.*