



General Assembly

February Session, 2006

Substitute Bill No. 5642

* HB05642HS_APP032106 *

**AN ACT CONCERNING PROGRAMS ADMINISTERED BY THE
DEPARTMENT OF SOCIAL SERVICES.**

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

1 Section 1. Section 17b-80 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective July 1, 2006*):

3 (a) The commissioner, upon receipt of an application for aid, shall
4 promptly and with due diligence make an investigation, such
5 investigation to be completed within forty-five days after receipt of the
6 application or within sixty days after receipt of the application in the
7 case of an application in which a determination of disability must be
8 made. If an application for an award is not acted on within forty-five
9 days after the filing of an application, or within sixty days in the case
10 of an application in which a determination of disability must be made,
11 the applicant may apply to the commissioner for a hearing in
12 accordance with sections 17b-60 and 17b-61. The commissioner shall
13 grant aid only if [he] the commissioner finds the applicant eligible
14 therefor, in which case [he] the commissioner shall grant aid in such
15 amount, determined in accordance with levels of payments established
16 by the commissioner, as is needed in order to enable the applicant to
17 support himself, or, in the case of temporary family assistance, to
18 enable the relative to support such dependent child or children and
19 himself, in health and decency, including the costs of such medical

20 care as [he] the commissioner deems necessary and reasonable, not in
21 excess of the amounts set forth in the various fee schedules
22 promulgated by the [Commissioner of Social Services] commissioner
23 for medical, dental and allied services and supplies or the charges
24 made for comparable services and supplies to the general public,
25 whichever is less, and the cost of necessary hospitalization as is
26 provided in section 17b-239, as amended, over and above hospital
27 insurance or other such benefits, including workers' compensation and
28 claims for negligent or wilful injury. The commissioner, subject to the
29 provisions of subsection (b) of this section, shall in determining need,
30 take into consideration any available income and resources of the
31 individual claiming assistance. The commissioner shall make periodic
32 investigations to determine eligibility and may, at any time, modify,
33 suspend or discontinue an award previously made when such action is
34 necessary to carry out the provisions of the state supplement program,
35 medical assistance program, temporary family assistance program,
36 state-administered general assistance program or food stamps
37 program. The parent or parents of any child for whom aid is received
38 under the temporary family assistance program and any beneficiary
39 receiving assistance under the state supplement program shall be
40 conclusively presumed to have accepted the provisions of sections 17b-
41 93, as amended, 17b-94 and 17b-95.

42 (b) (1) The commissioner, in making a determination for initial or
43 continued eligibility for any program operated or administered by the
44 Department of Social Services, shall, to the extent permitted by federal
45 law, exclude as income to a program applicant or program beneficiary,
46 any sums received by such person that are attributable to payments
47 from the Department of Children and Families pursuant to section 17a-
48 90 or 17a-126 of the 2006 supplement to the general statutes.

49 (2) The commissioner, in making a determination for initial or
50 continued eligibility for any program operated or administered by the
51 department, shall exclude as income to a program applicant or
52 beneficiary who receives a relative caregiver subsidy payment

53 pursuant to section 17a-126 of the 2006 supplement to the general
54 statutes, any earned income attributable to the child for whom the
55 subsidy payment is made.

56 [(b)] (3) The commissioner shall disregard any earned income of a
57 child who is a student in determining the eligibility, standard of need
58 and amount of assistance of a family in the [TFA] temporary family
59 assistance program.

60 (c) No person shall be eligible for the state supplement program
61 whose assets as defined by the commissioner exceed sixteen hundred
62 dollars or, if living with a spouse, whose combined assets exceed
63 twenty-four hundred dollars.

64 Sec. 2. Section 17b-105a of the 2006 supplement to the general
65 statutes is repealed and the following is substituted in lieu thereof
66 (*Effective July 1, 2006*):

67 (a) The Commissioner of Social Services shall seek a waiver from
68 federal law to allow persons who live in an area in which (1) the
69 unemployment rate is greater than ten per cent, or (2) there is an
70 insufficient number of jobs to provide such persons with employment,
71 to be exempt from the three-month participation limit of the food
72 stamp program implemented pursuant to the Food Stamp Act of 1977.

73 (b) The Commissioner of Social Services shall implement the federal
74 option to allow applicants for, or recipients of, food stamps to retain a
75 car valued up to the limit established [under the temporary family
76 assistance program] in accordance with 7 CFR 273.8(f)(4).

77 (c) The Commissioner of Social Services, pursuant to 7 USC
78 2014(e)(6), shall implement the federal option to mandate the use of a
79 standard utility allowance, to be used in place of actual utility costs, for
80 purposes of calculating the excess shelter deduction of applicants for,
81 or recipients of, food stamp program benefits. Pursuant to 7 USC
82 2014(e)(6)(C)(iii)(III), the commissioner shall not prorate a standard
83 utility allowance based upon the fact that an assisted household shares

84 the utility with an individual who is not a member of the assisted
85 household.

86 Sec. 3. (NEW) (*Effective July 1, 2006*) For the fiscal year ending June
87 30, 2007, and each fiscal year thereafter, the Secretary of the Office of
88 Policy and Management shall increase the compensation rate paid to
89 private providers under contract with the state to provide services
90 related to health and hospitals, human services, education and
91 correction by an amount equal to the annual average increase paid to
92 state employees providing the same or similar services during the
93 previous biennium, as determined by the Secretary of the Office of
94 Policy and Management.

95 Sec. 4. Section 17b-255 of the general statutes is repealed and the
96 following is substituted in lieu thereof (*Effective July 1, 2006*):

97 (a) There is established, in the Department of Social Services, a
98 program to provide insurance assistance for [people with AIDS]
99 persons with acquired immunodeficiency syndrome or human
100 immunodeficiency virus. Under the program the state shall pay
101 insurance premiums for persons with [AIDS-related disease] acquired
102 immunodeficiency syndrome or human immunodeficiency virus who,
103 without such assistance, would be unable to obtain health insurance
104 coverage through an employer. To qualify for assistance a person shall
105 have a family income less than two hundred per cent of the federal
106 poverty level, shall have less than ten thousand dollars in cash assets
107 and shall have health insurance which may be continued upon
108 termination of employment of the applicant, the applicant's spouse or
109 the applicant's parent. Insurance premiums and medical expenses for
110 which the applicant has no coverage, which are incurred in the month
111 of application, shall be deducted from gross income for the purpose of
112 determining income eligibility for the program. Eligibility shall be
113 periodically redetermined and any uncovered medical expenses
114 incurred in the month of redetermination shall be deducted from gross
115 income in determining continued eligibility for the program. An
116 applicant for assistance shall document the risk of losing health

117 insurance and submit a physician's statement that the applicant has [an
118 AIDS-related disease] acquired immunodeficiency syndrome or
119 human immunodeficiency virus.

120 (b) The Commissioner of Social Services shall adopt regulations, in
121 accordance with chapter 54, to implement the provisions of this
122 section, which shall include the establishment of (1) higher income
123 eligibility limits for applicants with dependents; (2) an application
124 process for the program, including application forms; and (3) a
125 procedure by which the insurance premiums of participants in the
126 program shall be paid.

127 (c) Except as otherwise specified in this section, the insurance
128 assistance for [people with AIDS] persons with acquired
129 immunodeficiency syndrome or human immunodeficiency virus
130 program shall be operated in a manner consistent with the Medicaid
131 program.

132 (d) The Department of Social Services shall investigate the
133 purchasing of a managed care insurance program in lieu of the
134 issuance of individual policies.

135 (e) The insurance assistance program for persons with acquired
136 immunodeficiency syndrome or human immunodeficiency virus shall
137 terminate on January 1, 2007.

138 Sec. 5. Section 17b-256 of the general statutes is repealed and the
139 following is substituted in lieu thereof (*Effective July 1, 2006*):

140 [The Commissioner of Social Services may administer, within
141 available appropriations, a program providing payment for the cost of
142 drugs prescribed by a physician for the prevention or treatment of
143 acquired immunodeficiency syndrome (AIDS) or human
144 immunodeficiency virus (HIV infection). The commissioner shall
145 determine specific drugs to be covered and may implement a
146 pharmacy lock-in procedure for the program. The commissioner shall
147 adopt regulations, in accordance with the provisions of chapter 54, to

148 carry out the purposes of this section. The commissioner may
149 implement the program while in the process of adopting regulations,
150 provided notice of intent to adopt the regulations is published in the
151 Connecticut Law Journal within twenty days of implementation. The
152 regulations may include eligibility for all persons with AIDS or HIV
153 infection whose income is below four hundred per cent of the federal
154 poverty level.]

155 (a) The Department of Social Services shall establish a program to
156 provide insurance premium assistance or prescription drug assistance
157 for persons with acquired immunodeficiency syndrome or human
158 immunodeficiency virus. Under the program, the department shall pay
159 on behalf of an eligible applicant, the lesser of: (1) Insurance
160 premiums, including payments for the continuation of health plan
161 benefits available pursuant to federal extension requirements
162 established by the Consolidated Omnibus Budget Reconciliation Act of
163 1985, as amended from time to time, and any applicable copayments;
164 or (2) payment for the cost of drugs prescribed for the applicant for
165 treatment of acquired immunodeficiency syndrome or human
166 immunodeficiency virus. Assistance under the program shall be
167 available to an applicant with family income less than four hundred
168 per cent of the federal poverty level and access to employer sponsored
169 health insurance that, consistent with state and federal law, would be
170 continued upon termination of employment of the applicant, the
171 applicant's spouse or the applicant's parent. An applicant shall
172 demonstrate to the satisfaction of the Commissioner of Social Services,
173 that such applicant is without the financial means to obtain health
174 insurance or prescription drug coverage through an employer and
175 shall provide the commissioner with a physician's statement
176 documenting that the applicant has acquired immunodeficiency
177 syndrome or human immunodeficiency virus. On and after January 1,
178 2007, persons receiving insurance assistance under the program
179 established pursuant to section 17b-255, as amended by this act, shall
180 be eligible to receive insurance premium assistance in accordance with
181 the provisions of this subsection.

182 **(b)** The commissioner shall, within available federal resources,
183 purchase and maintain insurance policies for eligible clients, including,
184 but not limited to, coverage of costs associated with such policies, that
185 provide a full range of HIV treatments and access to comprehensive
186 primary care services as determined by the commissioner and as
187 provided by federal law, and may provide payment, determined by
188 the commissioner, for (1) drugs and nutritional supplements
189 prescribed by a physician that prevent or treat opportunistic diseases
190 and conditions associated with AIDS or HIV infection; (2) ancillary
191 supplies related to the administration of such drugs; and (3) laboratory
192 tests ordered by a physician.

193 **(c)** The Commissioner of Social Services, in accordance with chapter
194 54, shall implement policies and procedures necessary to establish
195 program eligibility criteria and implement the provisions of this
196 section while in the process of adopting such policies and procedures
197 as regulations, provided notice of the intent to adopt regulations is
198 published in the Connecticut Law Journal not later than twenty days
199 after implementation of such policies and procedures. Such policies
200 and procedures shall be valid until the time final regulations are
201 effective.

202 Sec. 6. (NEW) (*Effective July 1, 2006*) The Commissioner of Social
203 Services shall, within available appropriations, establish and operate a
204 pilot program that will allow not more than seventy-five persons with
205 income that exceeds three hundred per cent of the federal
206 supplemental security income limit who reside in a residential care
207 home, but are at risk for being displaced from such home because of
208 income which exceeds threshold limits or are making application for
209 residence at a residential care home to reside in such home. The
210 commissioner shall ensure that the annual per recipient cost to the
211 state for participation in the pilot program shall not exceed the annual
212 per recipient cost to the state for placement of the same individuals in
213 nursing home facilities under the Medicaid program. Cost savings
214 realized by the state through implementation of the pilot program

215 shall be used to provide healthcare coverage, including prescription
 216 drug coverage to pilot program participants. Not later than January 1,
 217 2008, the Commissioner of Social Services shall report, in accordance
 218 with section 11-4a of the general statutes, to the select committee of the
 219 General Assembly having cognizance of matters relating to aging and
 220 to the joint standing committees of the General Assembly having
 221 cognizance of matters relating to human services, appropriations and
 222 the budgets of state agencies on such pilot program.

223 Sec. 7. (*Effective July 1, 2006*) The sum of ____ dollars is appropriated
 224 to the Office of Policy and Management, from the General Fund, for
 225 the fiscal year ending June 30, 2007, to provide an increase in the
 226 compensation rate paid by the state to private providers under
 227 contract with the state to provide services related to health and
 228 hospitals, human services, education and correction.

229 Sec. 8. (*Effective July 1, 2006*) The sum of ____ dollars is appropriated
 230 to the Department of Social Services, from the General Fund, for the
 231 fiscal year ending June 30, 2007, to transform the department's current
 232 Medicaid customer service center into a centralized call center that will
 233 better service the needs of Medicaid beneficiaries.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2006</i>	17b-80
Sec. 2	<i>July 1, 2006</i>	17b-105a
Sec. 3	<i>July 1, 2006</i>	New section
Sec. 4	<i>July 1, 2006</i>	17b-255
Sec. 5	<i>July 1, 2006</i>	17b-256
Sec. 6	<i>July 1, 2006</i>	New section
Sec. 7	<i>July 1, 2006</i>	New section
Sec. 8	<i>July 1, 2006</i>	New section

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Joint Favorable Subst. C/R

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