



General Assembly

**Bill No. 54**

February Session, 2006

LCO No. 540

\*00540 \_\_\_\_\_ \*

Referred to Committee on Human Services

Introduced by:

SEN. DELUCA, 32<sup>nd</sup> Dist.

REP. WARD, 86<sup>th</sup> Dist.

**AN ACT IMPLEMENTING THE GOVERNOR'S BUDGET  
RECOMMENDATIONS REGARDING THE DEPARTMENT OF SOCIAL  
SERVICES.**

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

1 Section 1. Subdivision (4) of subsection (f) of section 17b-340 of the  
2 2006 supplement to the general statutes is repealed and the following  
3 is substituted in lieu thereof (*Effective July 1, 2006*):

4 (4) For the fiscal year ending June 30, 1992, (A) no facility shall  
5 receive a rate that is less than the rate it received for the rate year  
6 ending June 30, 1991; (B) no facility whose rate, if determined pursuant  
7 to this subsection, would exceed one hundred twenty per cent of the  
8 state-wide median rate, as determined pursuant to this subsection,  
9 shall receive a rate which is five and one-half per cent more than the  
10 rate it received for the rate year ending June 30, 1991; and (C) no  
11 facility whose rate, if determined pursuant to this subsection, would be  
12 less than one hundred twenty per cent of the state-wide median rate,  
13 as determined pursuant to this subsection, shall receive a rate which is

14 six and one-half per cent more than the rate it received for the rate year  
15 ending June 30, 1991. For the fiscal year ending June 30, 1993, no  
16 facility shall receive a rate that is less than the rate it received for the  
17 rate year ending June 30, 1992, or six per cent more than the rate it  
18 received for the rate year ending June 30, 1992. For the fiscal year  
19 ending June 30, 1994, no facility shall receive a rate that is less than the  
20 rate it received for the rate year ending June 30, 1993, or six per cent  
21 more than the rate it received for the rate year ending June 30, 1993.  
22 For the fiscal year ending June 30, 1995, no facility shall receive a rate  
23 that is more than five per cent less than the rate it received for the rate  
24 year ending June 30, 1994, or six per cent more than the rate it received  
25 for the rate year ending June 30, 1994. For the fiscal years ending June  
26 30, 1996, and June 30, 1997, no facility shall receive a rate that is more  
27 than three per cent more than the rate it received for the prior rate  
28 year. For the fiscal year ending June 30, 1998, a facility shall receive a  
29 rate increase that is not more than two per cent more than the rate that  
30 the facility received in the prior year. For the fiscal year ending June  
31 30, 1999, a facility shall receive a rate increase that is not more than  
32 three per cent more than the rate that the facility received in the prior  
33 year and that is not less than one per cent more than the rate that the  
34 facility received in the prior year, exclusive of rate increases associated  
35 with a wage, benefit and staffing enhancement rate adjustment added  
36 for the period from April 1, 1999, to June 30, 1999, inclusive. For the  
37 fiscal year ending June 30, 2000, each facility, except a facility with an  
38 interim rate or replaced interim rate for the fiscal year ending June 30,  
39 1999, and a facility having a certificate of need or other agreement  
40 specifying rate adjustments for the fiscal year ending June 30, 2000,  
41 shall receive a rate increase equal to one per cent applied to the rate the  
42 facility received for the fiscal year ending June 30, 1999, exclusive of  
43 the facility's wage, benefit and staffing enhancement rate adjustment.  
44 For the fiscal year ending June 30, 2000, no facility with an interim rate,  
45 replaced interim rate or scheduled rate adjustment specified in a  
46 certificate of need or other agreement for the fiscal year ending June  
47 30, 2000, shall receive a rate increase that is more than one per cent

48 more than the rate the facility received in the fiscal year ending June  
49 30, 1999. For the fiscal year ending June 30, 2001, each facility, except a  
50 facility with an interim rate or replaced interim rate for the fiscal year  
51 ending June 30, 2000, and a facility having a certificate of need or other  
52 agreement specifying rate adjustments for the fiscal year ending June  
53 30, 2001, shall receive a rate increase equal to two per cent applied to  
54 the rate the facility received for the fiscal year ending June 30, 2000,  
55 subject to verification of wage enhancement adjustments pursuant to  
56 subdivision (15) of this subsection. For the fiscal year ending June 30,  
57 2001, no facility with an interim rate, replaced interim rate or  
58 scheduled rate adjustment specified in a certificate of need or other  
59 agreement for the fiscal year ending June 30, 2001, shall receive a rate  
60 increase that is more than two per cent more than the rate the facility  
61 received for the fiscal year ending June 30, 2000. For the fiscal year  
62 ending June 30, 2002, each facility shall receive a rate that is two and  
63 one-half per cent more than the rate the facility received in the prior  
64 fiscal year. For the fiscal year ending June 30, 2003, each facility shall  
65 receive a rate that is two per cent more than the rate the facility  
66 received in the prior fiscal year, except that such increase shall be  
67 effective January 1, 2003, and such facility rate in effect for the fiscal  
68 year ending June 30, 2002, shall be paid for services provided until  
69 December 31, 2002, except any facility that would have been issued a  
70 lower rate effective July 1, 2002, than for the fiscal year ending June 30,  
71 2002, due to interim rate status or agreement with the department shall  
72 be issued such lower rate effective July 1, 2002, and have such rate  
73 increased two per cent effective June 1, 2003. For the fiscal year ending  
74 June 30, 2004, rates in effect for the period ending June 30, 2003, shall  
75 remain in effect, except any facility that would have been issued a  
76 lower rate effective July 1, 2003, than for the fiscal year ending June 30,  
77 2003, due to interim rate status or agreement with the department shall  
78 be issued such lower rate effective July 1, 2003. For the fiscal year  
79 ending June 30, 2005, rates in effect for the period ending June 30, 2004,  
80 shall remain in effect until December 31, 2004, except any facility that  
81 would have been issued a lower rate effective July 1, 2004, than for the

82 fiscal year ending June 30, 2004, due to interim rate status or  
83 agreement with the department shall be issued such lower rate  
84 effective July 1, 2004. Effective January 1, 2005, each facility shall  
85 receive a rate that is one per cent greater than the rate in effect  
86 December 31, 2004. Effective upon receipt of all the necessary federal  
87 approvals to secure federal financial participation matching funds  
88 associated with the rate increase provided in this subdivision, but in  
89 no event earlier than July 1, 2005, and provided the user fee imposed  
90 under section 17b-320 of the 2006 supplement to the general statutes is  
91 required to be collected, for the fiscal year ending June 30, 2006, the  
92 department shall compute the rate for each facility based upon its 2003  
93 cost report filing or, a subsequent cost year filing for facilities having  
94 an interim rate for the period ending June 30, 2005, as provided under  
95 section 17-311-55 of the regulations of Connecticut state agencies. For  
96 each facility not having an interim rate for the period ending June 30,  
97 2005, the rate for the period ending June 30, 2006, shall be determined  
98 beginning with the higher of the computed rate based upon its 2003  
99 cost report filing or the rate in effect for the period ending June 30,  
100 2005. Such rate shall then be increased by ~~[\$11.80]~~ eleven dollars and  
101 eighty cents per day except that in no event shall the rate for the period  
102 ending June 30, 2006, be ~~[\$32.00]~~ thirty-two dollars more than the rate  
103 in effect for the period ending June 30, 2005, and for any facility with a  
104 rate below ~~[\$195.00]~~ one hundred ninety-five dollars per day for the  
105 period ending June 30, 2005, such rate for the period ending June 30,  
106 2006, shall not be greater than ~~[\$217.43]~~ two hundred seventeen dollars  
107 and forty-three cents per day and for any facility with a rate equal to or  
108 greater than ~~[\$195.00]~~ one hundred ninety-five dollars per day for the  
109 period ending June 30, 2005, such rate for the period ending June 30,  
110 2006, shall not exceed the rate in effect for the period ending June 30,  
111 2005, increased by eleven and one-half per cent. For each facility with  
112 an interim rate for the period ending June 30, 2005, the interim  
113 replacement rate for the period ending June 30, 2006, shall not exceed  
114 the rate in effect for the period ending June 30, 2005, increased by  
115 ~~[\$11.80]~~ eleven dollars and eighty cents per day plus the per day cost

116 of the user fee payments made pursuant to section 17b-320 of the 2006  
117 supplement to the general statutes divided by annual resident service  
118 days, except for any facility with an interim rate below [\$195.00] one  
119 hundred ninety-five dollars per day for the period ending June 30,  
120 2005, the interim replacement rate for the period ending June 30, 2006,  
121 shall not be greater than [\$217.43] two hundred seventeen dollars and  
122 forty-three cents per day and for any facility with an interim rate equal  
123 to or greater than [\$195.00] one hundred ninety-five dollars per day for  
124 the period ending June 30, 2005, the interim replacement rate for the  
125 period ending June 30, 2006, shall not exceed the rate in effect for the  
126 period ending June 30, 2005, increased by eleven and one-half per cent.  
127 Such July 1, 2005, rate adjustments shall remain in effect unless (i) the  
128 federal financial participation matching funds associated with the rate  
129 increase are no longer available; or (ii) the user fee created pursuant to  
130 section 17b-320 of the 2006 supplement to the general statutes is not in  
131 effect. For fiscal year ending June 30, 2007, all facility rates in effect for  
132 the period ending June 30, 2006, shall remain in effect until September  
133 30, 2006, except for any facility that would have been issued a lower  
134 rate effective July 1, 2006, than for the rate period ending June 30, 2006,  
135 due to interim rate status or agreement with the department, shall be  
136 issued such lower rate effective July 1, 2006. Effective October 1, 2006,  
137 each facility shall receive a rate that is two per cent greater than the  
138 rate in effect September 30, 2006, except any facility that would have  
139 been issued a lower rate effective October 1, 2006, due to interim rate  
140 status or agreement with the department, shall be issued such lower  
141 rate effective October 1, 2006. The Commissioner of Social Services  
142 shall add fair rent increases to any other rate increases established  
143 pursuant to this subdivision for a facility which has undergone a  
144 material change in circumstances related to fair rent. Interim rates may  
145 take into account reasonable costs incurred by a facility, including  
146 wages and benefits.

147 Sec. 2. Subsection (g) of section 17b-340 of the 2006 supplement to  
148 the general statutes is repealed and the following is substituted in lieu  
149 thereof (*Effective July 1, 2006*):

150 (g) For the fiscal year ending June 30, 1993, any intermediate care  
151 facility for the mentally retarded with an operating cost component of  
152 its rate in excess of one hundred forty per cent of the median of  
153 operating cost components of rates in effect January 1, 1992, shall not  
154 receive an operating cost component increase. For the fiscal year  
155 ending June 30, 1993, any intermediate care facility for the mentally  
156 retarded with an operating cost component of its rate that is less than  
157 one hundred forty per cent of the median of operating cost  
158 components of rates in effect January 1, 1992, shall have an allowance  
159 for real wage growth equal to thirty per cent of the increase  
160 determined in accordance with subsection (q) of section 17-311-52 of  
161 the regulations of Connecticut state agencies, provided such operating  
162 cost component shall not exceed one hundred forty per cent of the  
163 median of operating cost components in effect January 1, 1992. Any  
164 facility with real property other than land placed in service prior to  
165 October 1, 1991, shall, for the fiscal year ending June 30, 1995, receive a  
166 rate of return on real property equal to the average of the rates of  
167 return applied to real property other than land placed in service for the  
168 five years preceding October 1, 1993. For the fiscal year ending June 30,  
169 1996, and any succeeding fiscal year, the rate of return on real property  
170 for property items shall be revised every five years. The commissioner  
171 shall, upon submission of a request, allow actual debt service,  
172 comprised of principal and interest, in excess of property costs allowed  
173 pursuant to section 17-311-52 of the regulations of Connecticut state  
174 agencies, provided such debt service terms and amounts are  
175 reasonable in relation to the useful life and the base value of the  
176 property. For the fiscal year ending June 30, 1995, and any succeeding  
177 fiscal year, the inflation adjustment made in accordance with  
178 subsection (p) of section 17-311-52 of the regulations of Connecticut  
179 state agencies shall not be applied to real property costs. For the fiscal  
180 year ending June 30, 1996, and any succeeding fiscal year, the  
181 allowance for real wage growth, as determined in accordance with  
182 subsection (q) of section 17-311-52 of the regulations of Connecticut  
183 state agencies, shall not be applied. For the fiscal year ending June 30,

184 1996, and any succeeding fiscal year, no rate shall exceed three  
185 hundred seventy-five dollars per day unless the commissioner, in  
186 consultation with the Commissioner of Mental Retardation,  
187 determines after a review of program and management costs, that a  
188 rate in excess of this amount is necessary for care and treatment of  
189 facility residents. For the fiscal year ending June 30, 2002, rate period,  
190 the Commissioner of Social Services shall increase the inflation  
191 adjustment for rates made in accordance with subsection (p) of section  
192 17-311-52 of the regulations of Connecticut state agencies to update  
193 allowable fiscal year 2000 costs to include a three and one-half per cent  
194 inflation factor. For the fiscal year ending June 30, 2003, rate period, the  
195 commissioner shall increase the inflation adjustment for rates made in  
196 accordance with subsection (p) of section 17-311-52 of the regulations  
197 of Connecticut state agencies to update allowable fiscal year 2001 costs  
198 to include a one and one-half per cent inflation factor, except that such  
199 increase shall be effective November 1, 2002, and such facility rate in  
200 effect for the fiscal year ending June 30, 2002, shall be paid for services  
201 provided until October 31, 2002, except any facility that would have  
202 been issued a lower rate effective July 1, 2002, than for the fiscal year  
203 ending June 30, 2002, due to interim rate status or agreement with the  
204 department shall be issued such lower rate effective July 1, 2002, and  
205 have such rate updated effective November 1, 2002, in accordance with  
206 applicable statutes and regulations. For the fiscal year ending June 30,  
207 2004, rates in effect for the period ending June 30, 2003, shall remain in  
208 effect, except any facility that would have been issued a lower rate  
209 effective July 1, 2003, than for the fiscal year ending June 30, 2003, due  
210 to interim rate status or agreement with the department shall be issued  
211 such lower rate effective July 1, 2003. For the fiscal year ending June  
212 30, 2005, rates in effect for the period ending June 30, 2004, shall  
213 remain in effect until September 30, 2004. Effective October 1, 2004,  
214 each facility shall receive a rate that is five per cent greater than the  
215 rate in effect September 30, 2004. Effective upon receipt of all the  
216 necessary federal approvals to secure federal financial participation  
217 matching funds associated with the rate increase provided in

218 subdivision (4) of subsection (f) of this section, but in no event earlier  
219 than October 1, 2005, and provided the user fee imposed under section  
220 17b-320 of the 2006 supplement to the general statutes is required to be  
221 collected, each facility shall receive a rate that is four per cent more  
222 than the rate the facility received in the prior fiscal year, except any  
223 facility that would have been issued a lower rate effective October 1,  
224 2005, than for the fiscal year ending June 30, 2005, due to interim rate  
225 status or agreement with the department, shall be issued such lower  
226 rate effective October 1, 2005. Such rate increase shall remain in effect  
227 unless: (A) The federal financial participation matching funds  
228 associated with the rate increase are no longer available; or (B) the user  
229 fee created pursuant to section 17b-320 of the 2006 supplement to the  
230 general statutes is not in effect. For the fiscal year ending June 30, 2007,  
231 rates in effect for the period ending June 30, 2006, shall remain in effect  
232 until September 30, 2006, except any facility that would have been  
233 issued a lower rate effective July 1, 2006, than for the fiscal year ending  
234 June 30, 2006, due to interim rate status or agreement with the  
235 department, shall be issued such lower rate effective July 1, 2006.  
236 Effective October 1, 2006, each facility shall receive a rate that is two  
237 per cent greater than the rate in effect September 30, 2006, except for  
238 any facility that would have been issued a lower rate effective October  
239 1, 2006, due to interim rate status or agreement with the department,  
240 shall be issued such lower rate effective October 1, 2006.

241 Sec. 3. Subdivision (1) of subsection (h) of section 17b-340 of the  
242 2006 supplement to the general statutes is repealed and the following  
243 is substituted in lieu thereof (*Effective July 1, 2006*):

244 (h) (1) For the fiscal year ending June 30, 1993, any residential care  
245 home with an operating cost component of its rate in excess of one  
246 hundred thirty per cent of the median of operating cost components of  
247 rates in effect January 1, 1992, shall not receive an operating cost  
248 component increase. For the fiscal year ending June 30, 1993, any  
249 residential care home with an operating cost component of its rate that  
250 is less than one hundred thirty per cent of the median of operating cost

251 components of rates in effect January 1, 1992, shall have an allowance  
252 for real wage growth equal to sixty-five per cent of the increase  
253 determined in accordance with subsection (q) of section 17-311-52 of  
254 the regulations of Connecticut state agencies, provided such operating  
255 cost component shall not exceed one hundred thirty per cent of the  
256 median of operating cost components in effect January 1, 1992.  
257 Beginning with the fiscal year ending June 30, 1993, for the purpose of  
258 determining allowable fair rent, a residential care home with allowable  
259 fair rent less than the twenty-fifth percentile of the state-wide  
260 allowable fair rent shall be reimbursed as having allowable fair rent  
261 equal to the twenty-fifth percentile of the state-wide allowable fair  
262 rent. Beginning with the fiscal year ending June 30, 1997, a residential  
263 care home with allowable fair rent less than three dollars and ten cents  
264 per day shall be reimbursed as having allowable fair rent equal to  
265 three dollars and ten cents per day. Property additions placed in  
266 service during the cost year ending September 30, 1996, or any  
267 succeeding cost year shall receive a fair rent allowance for such  
268 additions as an addition to three dollars and ten cents per day if the  
269 fair rent for the facility for property placed in service prior to  
270 September 30, 1995, is less than or equal to three dollars and ten cents  
271 per day. For the fiscal year ending June 30, 1996, and any succeeding  
272 fiscal year, the allowance for real wage growth, as determined in  
273 accordance with subsection (q) of section 17-311-52 of the regulations  
274 of Connecticut state agencies, shall not be applied. For the fiscal year  
275 ending June 30, 1996, and any succeeding fiscal year, the inflation  
276 adjustment made in accordance with subsection (p) of section  
277 17-311-52 of the regulations of Connecticut state agencies shall not be  
278 applied to real property costs. Beginning with the fiscal year ending  
279 June 30, 1997, minimum allowable patient days for rate computation  
280 purposes for a residential care home with twenty-five beds or less shall  
281 be eighty-five per cent of licensed capacity. Beginning with the fiscal  
282 year ending June 30, 2002, for the purposes of determining the  
283 allowable salary of an administrator of a residential care home with  
284 sixty beds or less the department shall revise the allowable base salary

285 to thirty-seven thousand dollars to be annually inflated thereafter in  
286 accordance with section 17-311-52 of the regulations of Connecticut  
287 state agencies. The rates for the fiscal year ending June 30, 2002, shall  
288 be based upon the increased allowable salary of an administrator,  
289 regardless of whether such amount was expended in the 2000 cost  
290 report period upon which the rates are based. Beginning with the fiscal  
291 year ending June 30, 2000, the inflation adjustment for rates made in  
292 accordance with subsection (p) of section 17-311-52 of the regulations  
293 of Connecticut state agencies shall be increased by two per cent, and  
294 beginning with the fiscal year ending June 30, 2002, the inflation  
295 adjustment for rates made in accordance with subsection (c) of said  
296 section shall be increased by one per cent. Beginning with the fiscal  
297 year ending June 30, 1999, for the purpose of determining the  
298 allowable salary of a related party, the department shall revise the  
299 maximum salary to twenty-seven thousand eight hundred fifty-six  
300 dollars to be annually inflated thereafter in accordance with section  
301 17-311-52 of the regulations of Connecticut state agencies and  
302 beginning with the fiscal year ending June 30, 2001, such allowable  
303 salary shall be computed on an hourly basis and the maximum  
304 number of hours allowed for a related party other than the proprietor  
305 shall be increased from forty hours to forty-eight hours per work week.  
306 For the fiscal year ending June 30, 2005, each facility shall receive a rate  
307 that is two and one-quarter per cent more than the rate the facility  
308 received in the prior fiscal year, except any facility that would have  
309 been issued a lower rate effective July 1, 2004, than for the fiscal year  
310 ending June 30, 2004, due to interim rate status or agreement with the  
311 department shall be issued such lower rate effective July 1, 2004.  
312 Effective upon receipt of all the necessary federal approvals to secure  
313 federal financial participation matching funds associated with the rate  
314 increase provided in subdivision (4) of subsection (f) of this section,  
315 but in no event earlier than October 1, 2005, and provided the user fee  
316 imposed under section 17b-320 of the 2006 supplement to the general  
317 statutes is required to be collected, each facility shall receive a rate that  
318 is determined in accordance with applicable law and subject to

319 appropriations, except any facility that would have been issued a  
320 lower rate effective October 1, 2005, than for the fiscal year ending June  
321 30, 2005, due to interim rate status or agreement with the department,  
322 shall be issued such lower rate effective October 1, 2005. Such rate  
323 increase shall remain in effect unless: (A) The federal financial  
324 participation matching funds associated with the rate increase are no  
325 longer available; or (B) the user fee created pursuant to section 17b-320  
326 of the 2006 supplement to the general statutes is not in effect. For the  
327 fiscal year ending June 30, 2007, rates in effect for the period ending  
328 June 30, 2006, shall remain in effect until September 30, 2006, except  
329 any facility that would have been issued a lower rate effective July 1,  
330 2006, than for the fiscal year ending June 30, 2006, due to interim rate  
331 status or agreement with the department, shall be issued such lower  
332 rate effective July 1, 2006. Effective October 1, 2006, each facility shall  
333 receive a rate that is two per cent greater than the rate in effect  
334 September 30, 2006, except for any facility that would have been issued  
335 a lower rate effective October 1, 2006, due to interim rate status or  
336 agreement with the department, shall be issued such lower rate  
337 effective October 1, 2006.

338 Sec. 4. Section 17b-605a of the general statutes is repealed and the  
339 following is substituted in lieu thereof (*Effective July 1, 2006*):

340 (a) The Commissioner of Social Services shall seek a waiver from  
341 federal law to establish a personal care assistance program for persons  
342 [ages eighteen through sixty-four] eighteen years of age or older with  
343 disabilities funded under the Medicaid program. Such a program shall  
344 be limited to a specified number of slots available for eligible program  
345 recipients and shall be operated by the Department of Social Services  
346 within available appropriations. Such a waiver shall be submitted to  
347 the joint standing committees of the General Assembly having  
348 cognizance of matters relating to appropriations and the budgets of  
349 state agencies and human services in accordance with section 17b-8 no  
350 later than January 1, 1996.

351 (b) The Commissioner of Social Services shall amend the waiver  
352 specified in subsection (a) of this section to enable persons eligible for  
353 or receiving medical assistance under section 17b-597 to receive  
354 personal care assistance. Such amendment shall not be subject to the  
355 provisions of section 17b-8 provided such amendment shall consist  
356 only of modifications necessary to extend personal care assistance to  
357 such persons.

358 Sec. 5. (*Effective July 1, 2006*) (a) Not later than January 1, 2007, the  
359 Department of Social Services shall amend the definition of "medically  
360 necessary" services utilized in the administration of the medical  
361 assistance program to conform the definition of said term to the  
362 definition provided in section 17b-192-2 of the regulations of  
363 Connecticut state agencies with respect to administration of the state-  
364 administered general assistance program.

365 (b) The Commissioner of Social Services, pursuant to section 17b-10  
366 of the general statutes, shall implement policies and procedures  
367 necessary to administer the provisions of this section while in the  
368 process of adopting such policies and procedures in regulation form,  
369 provided notice of intent to adopt regulations is published in the  
370 Connecticut Law Journal not later than twenty days after  
371 implementation. Such policies and procedures shall be valid until the  
372 time final regulations are effective.

373 Sec. 6. Section 17b-242a of the 2006 supplement to the general  
374 statutes is repealed and the following is substituted in lieu thereof  
375 (*Effective July 1, 2006*):

376 The Commissioner of Social Services shall establish prior  
377 authorization procedures under the Medicaid program for home  
378 health services, [such that prior authorization shall be required for  
379 skilled nursing visits that exceed two per week. Unless there are  
380 revisions to the prior authorization received during the month,  
381 providers shall not be required to submit prior authorization requests  
382 more than once a month] including, but not limited to, each episode of

383 care requiring skilled nursing visits and each request for more than  
384 fourteen hours per week of home health aide visits. The Commissioner  
385 of Social Services may contract with an entity for administration of any  
386 such aspect of prior authorization or may expand the scope of an  
387 existing contract with an entity that performs utilization review  
388 services on behalf of the department. The commissioner, pursuant to  
389 section 17b-10, may implement policies and procedures necessary to  
390 administer the provisions of this section while in the process of  
391 adopting such policies and procedures as regulation, provided the  
392 commissioner prints notice of intent to adopt regulations in the  
393 Connecticut Law Journal not later than twenty days after the date of  
394 implementation. Policies and procedures implemented pursuant to  
395 this section shall be valid until the time final regulations are adopted.

396 Sec. 7. (NEW) (*Effective July 1, 2006*) (a) The Commissioner of Social  
397 Services shall seek a waiver from federal law for the purpose of  
398 enhancing the enrollment of HUSKY Plan, Part A recipients in  
399 available employer sponsored private health insurance. Such a waiver  
400 shall include, but shall not be limited to, provisions that: (1) Require  
401 the enrollment of HUSKY Plan, Part A caretaker relatives and  
402 dependents in any available employer sponsored health insurance to  
403 the maximum extent of available coverage as a condition of eligibility  
404 when determined to be cost effective by the Department of Social  
405 Services; (2) require a subsidy to be paid directly to the HUSKY Plan,  
406 Part A caretaker relative in an amount equal to the premium payment  
407 requirements of any available employer sponsored health insurance  
408 paid by way of payroll deduction; and (3) assure HUSKY Plan, Part A  
409 coverage requirements for medical assistance not covered by any  
410 available employer sponsored health insurance.

411 (b) Notwithstanding any provision of the general statutes or any  
412 provision established in a contract between an employer and a health  
413 insurance carrier, no HUSKY Plan, Part A recipient, required to enroll  
414 in available employer sponsored health insurance under this section,  
415 shall be prohibited from enrollment due to limitations on enrollment of

416 employees in employer sponsored health insurance to open enrollment  
417 periods.

418 (c) The Commissioner of Social Services, pursuant to section 17b-10  
419 of the general statutes, may implement policies and procedures  
420 necessary to administer the provisions of this section while in the  
421 process of adopting such policies and procedures as regulation,  
422 provided the commissioner publishes notice of the intent to adopt the  
423 regulation in the Connecticut Law Journal not later than twenty days  
424 after the date of implementation. Policies and procedures implemented  
425 pursuant to this section shall be valid until the time final regulations  
426 are adopted.

This act shall take effect as follows and shall amend the following sections:		
Section 1	July 1, 2006	17b-340(f)(4)
Sec. 2	July 1, 2006	17b-340(g)
Sec. 3	July 1, 2006	17b-340(h)(1)
Sec. 4	July 1, 2006	17b-605a
Sec. 5	July 1, 2006	New section
Sec. 6	July 1, 2006	17b-242a
Sec. 7	July 1, 2006	New section

**Statement of Purpose:**

To implement the Governor's budget recommendations.

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