



General Assembly

January Session, 2007

**Raised Bill No. 7323**

LCO No. 4953

\*04953 \_\_\_\_\_ HS\_\*

Referred to Committee on Human Services

Introduced by:  
(HS)

**AN ACT CONCERNING LONG-TERM CARE.**

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

1 Section 1. (NEW) (*Effective July 1, 2007*) (a) The Commissioner of  
2 Social Services shall establish and operate a state-funded pilot program  
3 to allow no more than fifty persons with disabilities (1) who are age  
4 eighteen to sixty-four, inclusive, (2) who are inappropriately  
5 institutionalized or at risk of inappropriate institutionalization, and (3)  
6 whose assets, if single, do not exceed the minimum community spouse  
7 protected amount pursuant to 42 USC 1396r-5 or, if married, the  
8 couple's assets do not exceed one hundred fifty per cent of said  
9 community spouse protected amount to be eligible to receive the same  
10 services that are provided under the state-funded home care program  
11 for the elderly established pursuant to subsection (i) of section 17b-342  
12 of the general statutes. Such persons shall also be eligible to receive  
13 services that are necessary to meet their unique needs in order to avoid  
14 institutionalization.

15 (b) Any person participating in the pilot program whose income  
16 exceeds two hundred per cent of the federal poverty level shall  
17 contribute to the cost of care in accordance with the methodology

18 established for recipients of medical assistance pursuant to Sections  
19 5035.20 and 5035.25 of the department's uniform policy manual.

20 (c) The annualized cost of services provided to an individual under  
21 the pilot program shall not exceed fifty per cent of the weighted  
22 average cost of care in nursing homes in the state.

23 (d) Not later than January 1, 2009, the Commissioner of Social  
24 Services shall report, in accordance with section 11-4a of the general  
25 statutes, on the pilot program to the joint standing committees of the  
26 General Assembly having cognizance of matters relating to  
27 appropriations and the budgets of state agencies and human services.

28 Sec. 2. (NEW) (*Effective October 1, 2007*) (a) As used in this section:

29 (1) "Assisted living services agency" means an institution that  
30 provides, among other things, nursing services and assistance with  
31 activities of daily living to a population that is chronic and stable.

32 (2) "Managed residential community" means a facility consisting of  
33 private residential units that provides a managed group living  
34 arrangement, including housing and services for persons fifty-five  
35 years of age or older.

36 (b) The administrator of any managed residential community,  
37 served by an assisted living services agency, shall provide to each  
38 resident, at the time of admission to such residential managed  
39 community and to all current residents of such community, a written  
40 notice of the duties of the Office of the Long-Term Care Ombudsman,  
41 in a form and manner prescribed by the State Ombudsman. Such  
42 notice shall provide at a minimum: (1) A summary of the mission and  
43 statutory duties of the Office of the Long-Term Care Ombudsman, and  
44 (2) the name, address and telephone number of the ombudsman who  
45 serves the region in which such managed residential community is  
46 located. In addition, any assisted living services agency or managed  
47 residential community shall post or cause to be posted in a

48 conspicuous place a notice, in a form and manner prescribed by the  
49 State Ombudsman, that at a minimum contains the information  
50 required by subdivisions (1) and (2) of this subsection.

51 (c) Any person who knowingly violates subsection (b) of this section  
52 may be assessed a civil penalty in an amount not to exceed two  
53 hundred fifty dollars. Any amount recovered shall be deposited in the  
54 General Fund and credited to the appropriation to the Department of  
55 Public Health and used by the department to enforce the provisions of  
56 this section and to promote greater public awareness of the Office of  
57 the Long-Term Care Ombudsman, and the role of residents' advocates  
58 and private citizen advocacy groups.

59 (d) The Commissioner of Public Health, in consultation with the  
60 State Ombudsman, shall adopt regulations, in accordance with the  
61 provisions of chapter 54 of the general statutes, to implement the  
62 provisions of this section.

63 Sec. 3. (NEW) (*Effective July 1, 2007*) The Commissioner of Social  
64 Services shall, within available appropriations, establish and operate a  
65 pilot program that will allow not more than seventy-five persons with  
66 income that exceeds three hundred per cent of the federal  
67 supplemental security income limit who: (1) Reside in a residential  
68 care home, but are at risk for being displaced from such home because  
69 of income which exceeds threshold limits, or (2) are making  
70 application for residence at a residential care home to reside in such  
71 home. The commissioner shall ensure that the annual per recipient cost  
72 to the state for participation in the pilot program shall not exceed the  
73 annual per recipient cost to the state for placement of the same  
74 individuals in nursing home facilities under the Medicaid program.  
75 Cost savings realized by the state through implementation of the pilot  
76 program shall be used to provide health care coverage, including  
77 prescription drug coverage, to pilot program participants. Not later  
78 than January 1, 2009, the Commissioner of Social Services shall report,  
79 in accordance with section 11-4a of the general statutes, to the select

80 committee of the General Assembly having cognizance of matters  
81 relating to aging and to the joint standing committees of the General  
82 Assembly having cognizance of matters relating to human services and  
83 appropriations and the budgets of state agencies on such pilot  
84 program.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2007</i>	New section
Sec. 2	<i>October 1, 2007</i>	New section
Sec. 3	<i>July 1, 2007</i>	New section

**Statement of Purpose:**

To enhance the long-term care placement options available to individuals in the state.

*[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.]*