



**Substitute Senate Bill No. 561**

**Public Act No. 08-180**

**AN ACT CONCERNING THE MONEY FOLLOWS THE PERSON PROJECT AND OTHER LONG-TERM CARE INITIATIVES.**

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

Section 1. Section 17b-369 of the 2008 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

The Commissioner of Social Services, pursuant to Section 6071 of the Deficit Reduction Act of 2005, [may] shall submit an application to the Secretary of Health and Human Services to establish a Money Follows the Person demonstration project. Such project shall serve not more than [seven hundred] five thousand persons and shall be designed to achieve the objectives set forth in Section 6071(a) of the Deficit Reduction Act of 2005. Services available under the demonstration project shall include, but not be limited to, personal care assistance services. The commissioner may apply for a Medicaid research and demonstration waiver under Section 1115 of the Social Security Act, if such waiver is necessary to implement the demonstration project. The commissioner may, if necessary, modify any existing Medicaid home or community-based waiver if such modification is required to implement the demonstration project.

**Substitute Senate Bill No. 561**

Sec. 2. (NEW) (*Effective July 1, 2008*) (a) The Commissioner of Social Services shall develop a plan to establish and administer a demonstration project to provide home and community-based long-term care services for persons who are eighteen years of age or older, who are institutionalized or at risk of institutionalization, and who meet the financial and level of care eligibility criteria established in regulations adopted for the Connecticut home-care program for the elderly pursuant to section 17b-342 of the general statutes. Services provided under the demonstration project shall be modeled after services provided under the Money Follows the Person demonstration project pursuant to section 17b-369 of the 2008 supplement to the general statutes.

(b) The plan developed pursuant to subsection (a) of this section shall detail the structure of the demonstration project, persons served, services to be provided and how they will be provided. The plan shall include a timetable for implementation of the demonstration project on or after July 1, 2009. The plan shall ensure that the demonstration project includes, but is not limited to, the provision of the following services through a Medicaid state plan amendment, a new Medicaid waiver or modification of an existing home and community-based Medicaid waiver: Personal care assistance services, twenty-four-hour care, occupational therapy, homemaker services, companion services, meals on wheels, adult day care, transportation, mental health counseling, care management, elderly foster care, minor home modifications, assistive technology and assisted living services. The plan shall ensure that a person participating in the demonstration project receives the level of care and services appropriate to maintain such person in such person's home or community.

(c) The plan shall identify (1) any federal Medicaid waivers or state Medicaid plan amendments necessary to implement the demonstration project, and (2) any costs or savings associated with such project. In

**Substitute Senate Bill No. 561**

developing the plan for the demonstration project, the commissioner shall consider the consolidation of existing waivers, demonstration projects and state-funded programs to promote the efficient administration of such other programs and the demonstration project developed under this section.

(d) Not later than January 1, 2009, the commissioner shall submit, in accordance with section 11-4a of the general statutes, to the joint standing committees of the General Assembly having cognizance of matters relating to human services and appropriations and the budgets of state agencies the plan developed pursuant to subsection (a) of this section along with recommendations for legislation and funding necessary to implement the plan. Not later than sixty days after the date of receipt of such plan, said joint standing committees of the General Assembly shall advise the commissioner of their approval, denial or modifications, if any, of the plan, and if such plan is approved by said committees, such plan shall be implemented on or after July 1, 2009, subject to available appropriations.

Sec. 3. (NEW) (*Effective July 1, 2008*) (a) There is established within the General Fund, a separate, nonlapsing account which shall be known as the "Long-Term Care Reinvestment account". The account shall contain any moneys required by law and this section to be deposited in the account. Any funds resulting from the enhanced federal medical assistance percentage received by the state under the Money Follows the Person demonstration project pursuant to Section 6071 of the Deficit Reduction Act of 2005 shall be deposited in the account.

(b) Money held in the account shall be expended by the Commissioner of Social Services, in consultation with the Secretary of the Office of Policy and Management, in accordance with this subsection and the plan developed pursuant to subsection (c) of this section, to:

***Substitute Senate Bill No. 561***

(1) Provide funds for programs and services that provide cost-effective home and community-based alternatives to institutional care in nursing home facilities, including, but not limited to, occupational therapy, homemaker services, companion services, meals on wheels, adult day care, personal care services, transportation, mental health counseling, care management, elderly foster care, minor home modifications and assisted living services;

(2) Provide funds for rate increases (A) for home health agencies and other providers of home care services that are in addition to any rate increases authorized pursuant to sections 17b-242 and 17b-343 of the general statutes to meet the actual costs of care, and (B) for increased wages for transition coordinators under the Money Follows the Person demonstration project;

(3) Provide funds to develop, improve and increase the long-term care services workforce, including, but not limited to, training, education and other incentives;

(4) Provide funds to improve information technology and systems used to track costs and savings associated with the provision of home and community-based services and to improve access to information on long-term care programs and services for the elderly and disabled;

(5) Encourage the purchase of precertified long-term care insurance through the Connecticut Partnership for Long-Term Care by covering the costs of the premiums of individuals for six months;

(6) Pay the cost of relocating nursing home residents to other facilities if necessary to protect the health and safety of such residents, maintaining and operating a facility pending correction of deficiencies or closure, and reimbursing residents for the loss of funds in personal fund accounts pursuant to subsection (b) of section 17b-106 of the 2008 supplement to the general statutes;

***Substitute Senate Bill No. 561***

(7) Provide grants to existing nursing home facilities to make facility changes, improvements and modifications to support home and community-based services and programs; or

(8) Provide grants to promote the adoption of building designs and principles of alternative nursing homes, such as Eden Alternative, Green House or Small House nursing homes, to improve the quality of life for long-term care facility residents.

(c) The Commissioner of Social Services, in consultation with the Secretary of the Office of Policy and Management, shall develop and implement a written plan for purposes of the allocation of funds pursuant to subsection (b) of this section, including, but not limited to, application procedures and establishment of eligibility criteria and requirements for recipients of assistance. The commissioner shall submit a copy of the written plan to the joint standing committee of the General Assembly having cognizance of matters relating to human services and appropriations and the budgets of state agencies.

(d) On or before January 1, 2009, and annually thereafter, the Commissioner of Social Services shall submit a report, in accordance with section 11-4a of the general statutes, to the Governor and to the joint standing committees of the General Assembly having cognizance of matters relating to human services and appropriations and the budgets of state agencies concerning the long-term care reinvestment account established under this section. The report shall include financial information concerning the money in the account, including, but not limited to, information on the number, amount and type of expenditures from the fund during the prior calendar year and estimates of the impact of the fund on present and future Medicaid expenditures.

Approved June 12, 2008