



House of Representatives

File No. 287

General Assembly

January Session, 2009

(Reprint of File No. 60)

House Bill No. 6401
As Amended by House Amendment
Schedule "A"

Approved by the Legislative Commissioner
March 27, 2009

AN ACT CONCERNING THE FEDERAL SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM.

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

1 Section 1. Subsection (e) of section 4-66e of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective from*
3 *passage*):

4 (e) The self-sufficiency measurement shall not be used to: (1)
5 Analyze the success or failure of any program; (2) determine or
6 establish eligibility or benefit levels for any state or federal public
7 assistance program, including, but not limited to, temporary family
8 assistance, child care assistance, medical assistance, state administered
9 general assistance, [food stamps] supplemental nutrition assistance or
10 eligibility for the HUSKY plan; (3) determine whether a person subject
11 to time-limited benefits under the temporary family assistance
12 program qualifies for an extension of benefits under such program; or
13 (4) supplement the amount of benefits awarded under the temporary
14 family assistance program.

15 Sec. 2. Section 4-71c of the general statutes is repealed and the
16 following is substituted in lieu thereof (*Effective from passage*):

17 The Secretary of the Office of Policy and Management shall
18 annually compute the cost of an increase in assistance payments under
19 the state-administered general assistance program, state supplement
20 program, medical assistance program, temporary family assistance
21 program and [food stamp] supplemental nutrition assistance program
22 based on the percentage increase, if any, in the most recent calendar
23 year average in the consumer price index for urban consumers
24 provided if the increase in such index exceeds five per cent, the
25 computation shall be based on a five per cent increase.

26 Sec. 3. Section 9-23j of the general statutes is repealed and the
27 following is substituted in lieu thereof (*Effective from passage*):

28 As used in sections 9-7b and 9-12, subsection (a) of section 9-17,
29 sections 9-19b, 9-19e, 9-19g, 9-19h, 9-19i, 9-20, 9-21, 9-23a, 9-23g, 9-23h,
30 9-23k to 9-23o, inclusive, 9-26, 9-31a, 9-32, 9-35, 9-35b, 9-35c, 9-40a, 9-
31 42, 9-43, 9-50a, 9-56 and 9-59, "public assistance offices" means offices
32 of state agencies that administer or provide services under the [food
33 stamp] supplemental nutrition assistance, Medicaid, Women, Infants
34 and Children, and temporary family assistance programs.

35 Sec. 4. Subdivision (57) of section 12-412 of the general statutes is
36 repealed and the following is substituted in lieu thereof (*Effective from*
37 *passage*):

38 (57) Sales of any items purchased with [federal food stamp coupons,
39 subject to the provisions of section 12-412e] supplemental nutrition
40 assistance program benefits.

41 Sec. 5. Subsection (s) of section 12-574 of the general statutes is
42 repealed and the following is substituted in lieu thereof (*Effective from*
43 *passage*):

44 (s) Any person or business organization issued a license to conduct

45 dog racing pursuant to subsection (c) of section 12-574c shall employ
46 persons who, at the time of employment, are recipients of assistance
47 under the state-administered general assistance program, state
48 supplement program, medical assistance program, temporary family
49 assistance program or [food stamps] supplemental nutrition assistance
50 program to fill not less than twenty per cent of the positions created by
51 the conversion of a jai alai fronton to a dog race track if such persons
52 have been trained for such employment by public or publicly-funded
53 agencies in coordination with such licensee.

54 Sec. 6. Section 17b-2 of the general statutes is repealed and the
55 following is substituted in lieu thereof (*Effective from passage*):

56 The Department of Social Services is designated as the state agency
57 for the administration of (1) the child care development block grant
58 pursuant to the Child Care and Development Block Grant Act of 1990;
59 (2) the Connecticut energy assistance program pursuant to the Low
60 Income Home Energy Assistance Act of 1981; (3) programs for the
61 elderly pursuant to the Older Americans Act; (4) the state plan for
62 vocational rehabilitation services for the fiscal year ending June 30,
63 1994; (5) the refugee assistance program pursuant to the Refugee Act of
64 1980; (6) the legalization impact assistance grant program pursuant to
65 the Immigration Reform and Control Act of 1986; (7) the temporary
66 assistance for needy families program pursuant to the Personal
67 Responsibility and Work Opportunity Reconciliation Act of 1996; (8)
68 the Medicaid program pursuant to Title XIX of the Social Security Act;
69 (9) the [food stamp] supplemental nutrition assistance program
70 pursuant to the [Food Stamp Act of 1977] Food and Nutrition Act of
71 2008; (10) the state supplement to the Supplemental Security Income
72 Program pursuant to the Social Security Act; (11) the state child
73 support enforcement plan pursuant to Title IV-D of the Social Security
74 Act; and (12) the state social services plan for the implementation of
75 the social services block grants and community services block grants
76 pursuant to the Social Security Act. The Department of Social Services
77 is designated a public housing agency for the purpose of administering
78 the Section 8 existing certificate program and the housing voucher

79 program pursuant to the Housing Act of 1937.

80 Sec. 7. Section 17b-7a of the general statutes is repealed and the
81 following is substituted in lieu thereof (*Effective from passage*):

82 The Commissioner of Social Services shall develop a state-wide
83 fraud early detection system. The purpose of such system shall be to
84 identify, investigate and determine if an application for assistance
85 under programs administered by the department, including, but not
86 limited to, (1) the temporary family assistance program, (2) the [food
87 stamp] supplemental nutrition assistance program, (3) the child care
88 subsidy program, or (4) the Medicaid program pursuant to Title XIX of
89 the Social Security Act is fraudulent prior to granting assistance. The
90 commissioner shall adopt regulations, in accordance with chapter 54,
91 for the purpose of developing and implementing said system. The
92 commissioner shall submit quarterly reports concerning savings
93 realized through the implementation of the state-wide fraud early
94 detection system to the joint standing committees of the General
95 Assembly having cognizance of matters relating to human services and
96 appropriations and the budgets of state agencies.

97 Sec. 8. Section 17b-75 of the general statutes is repealed and the
98 following is substituted in lieu thereof (*Effective from passage*):

99 When used in reference to the state supplement program, medical
100 assistance program, temporary family assistance program or [food
101 stamps] supplemental nutrition assistance program, the following
102 terms have the meanings herein assigned: "Commissioner" means the
103 Commissioner of Social Services; "dependent child" means a needy
104 child under the age of eighteen, or under the age of nineteen and in
105 full-time attendance in a secondary school or in the equivalent level of
106 vocational or technical training if, before he attains age nineteen, he
107 may reasonably be expected to complete the program of such
108 secondary school or such training and who is living with his father,
109 mother, grandfather, grandmother, brother, sister, stepfather,
110 stepmother, stepbrother, stepsister, uncle or aunt, or any other relative

111 approved by the commissioner in a place of residence maintained by
112 one or more of such relatives as his or their own home; "beneficiary"
113 means any adult or minor child receiving assistance under the
114 provisions of said programs; "local officer" means the public official
115 charged with administration of public assistance in any town, city or
116 borough.

117 Sec. 9. Section 17b-76 of the general statutes is repealed and the
118 following is substituted in lieu thereof (*Effective from passage*):

119 The Commissioner of Social Services shall furnish forms for the use
120 of applicants under the state supplement program, medical assistance
121 program, temporary family assistance program and [food stamps]
122 supplemental nutrition assistance program, local officials and himself,
123 and shall establish and maintain a system of records and accounts
124 which shall show the number of applications and the disposition of the
125 same, the record of payments made to each recipient of aid and such
126 other information as may be necessary for the proper operation and
127 administration of said sections and as the rules and regulations of the
128 United States government require if the United States government
129 makes contributory allotments of federal funds to the state of
130 Connecticut for aid extended under the provisions of said programs.

131 Sec. 10. Section 17b-77 of the general statutes is repealed and the
132 following is substituted in lieu thereof (*Effective from passage*):

133 Application for aid under the state supplement program, medical
134 assistance program, temporary family assistance program and [food
135 stamps] supplemental nutrition assistance program, shall be made to
136 the Commissioner of Social Services. The name and address of each
137 such applicant shall be recorded with the commissioner. Such
138 application, in the case of temporary family assistance, shall be made
139 by the supervising relative, his authorized representative, or, in the
140 case of an individual who is incapacitated, someone acting responsibly
141 for him and shall contain the name and the exact residence of such
142 applicant, the name, place and date of birth of each dependent child,

143 the Social Security number of the supervising relative and of each
144 dependent child, and such other information as is required by the
145 commissioner. If such supervising relative or any such child does not
146 have a Social Security number, the commissioner shall assist in
147 obtaining a Social Security number for each such person seeking public
148 assistance and during the time required to obtain such Social Security
149 numbers the supervising relative and children shall not be precluded
150 from eligibility under this section. By such application, the applicant
151 shall assign to the commissioner the right of support, present, past and
152 future, due all persons seeking assistance and shall assist the
153 commissioner in pursuing support obligations due from the
154 noncustodial parent. On and after October 1, 2008, such assignment
155 under the temporary family assistance program shall apply only to
156 such support rights as accrue during the period of assistance, not to
157 exceed the total amount of assistance provided to the family under
158 said program. Notice of such assignment shall be conspicuously placed
159 on said application and shall be explained to the applicant at the time
160 of application. All information required to be provided to the
161 commissioner as a condition of such eligibility under federal law shall
162 be so provided by the applicant, provided, no person shall be
163 determined to be ineligible if the applicant has good cause for the
164 refusal to provide information concerning the noncustodial parent or if
165 the provision of such information would be against the best interests of
166 the dependent child or children, or any of them. The Commissioner of
167 Social Services shall adopt by regulation, in accordance with chapter
168 54, standards as to good cause and best interests of the child. Any
169 person aggrieved by a decision of the commissioner as to the
170 determination of good cause or the best interests of such child or
171 children may request a fair hearing in accordance with the provisions
172 of sections 17b-60 and 17b-61. All statements made by the applicant
173 concerning income, resources and any other matters pertaining to
174 eligibility shall be certified to by the applicant as true and correct
175 under penalty of false statement, and for any such certified statement
176 which is untrue or incorrect such applicant shall be subject to the
177 penalties provided for false statement under section 17b-97, as

178 amended by this act.

179 Sec. 11. Section 17b-79 of the general statutes is repealed and the
180 following is substituted in lieu thereof (*Effective from passage*):

181 No person shall be deemed ineligible to receive an award under the
182 state supplement program, medical assistance program, temporary
183 family assistance program, state-administered general assistance
184 program or [food stamps] supplemental nutrition assistance program
185 for himself or herself or for any person for whose support he or she is
186 liable by reason of having an interest in real property, maintained as
187 his or her home, provided the equity in such property shall not exceed
188 the limits established by the commissioner. The commissioner may
189 place a lien against any property to secure the claim of the state for all
190 amounts which it has paid or may thereafter pay to such person or in
191 such person's behalf under any such program, or to or on behalf of any
192 person for whose support he or she is liable, except for property
193 maintained as a home in aid to families of dependent children cases, in
194 which case such lien shall secure the state only for that portion of the
195 assistance grant awarded for amortization of a mortgage or other
196 encumbrance beginning with the fifth month after the original grant
197 for principal payment on any such encumbrance is made, and each
198 succeeding month of such grant thereafter. The claim of the state shall
199 be secured by filing a certificate in the land records of the town or
200 towns in which any such real estate is situated, describing such real
201 estate. Any such lien may, at any time during which the amount
202 secured by such lien remains unpaid, be foreclosed in an action
203 brought in a court of competent jurisdiction by the commissioner on
204 behalf of the state. Any real estate to which title has been taken by
205 foreclosure under this section, or which has been conveyed to the state
206 in lieu of foreclosure, may be sold, transferred or conveyed for the
207 state by the commissioner with the approval of the Attorney General,
208 and the commissioner may, in the name of the state, execute deeds for
209 such purpose. Such lien shall be released by the commissioner upon
210 payment of the amount secured by such lien, or an amount equal to
211 the value of the beneficiary's interest in such property if the value of

212 such interest is less than the amount secured by such lien, at the
213 commissioner's discretion, and with the advice and consent of the
214 Attorney General, upon a compromise of the amount due to the state.
215 At the discretion of the commissioner, the beneficiary, or, in the case of
216 a husband and wife living together, the survivor of them, as long as he
217 or she lives, or a dependent child or children, may be permitted to
218 occupy such real property.

219 Sec. 12. Subsection (a) of section 17b-80 of the general statutes is
220 repealed and the following is substituted in lieu thereof (*Effective from*
221 *passage*):

222 (a) The commissioner, upon receipt of an application for aid, shall
223 promptly and with due diligence make an investigation, such
224 investigation to be completed within forty-five days after receipt of the
225 application or within sixty days after receipt of the application in the
226 case of an application in which a determination of disability must be
227 made. If an application for an award is not acted on within forty-five
228 days after the filing of an application, or within sixty days in the case
229 of an application in which a determination of disability must be made,
230 the applicant may apply to the commissioner for a hearing in
231 accordance with sections 17b-60 and 17b-61. The commissioner shall
232 grant aid only if he finds the applicant eligible therefor, in which case
233 he shall grant aid in such amount, determined in accordance with
234 levels of payments established by the commissioner, as is needed in
235 order to enable the applicant to support himself, or, in the case of
236 temporary family assistance, to enable the relative to support such
237 dependent child or children and himself, in health and decency,
238 including the costs of such medical care as he deems necessary and
239 reasonable, not in excess of the amounts set forth in the various fee
240 schedules promulgated by the Commissioner of Social Services for
241 medical, dental and allied services and supplies or the charges made
242 for comparable services and supplies to the general public, whichever
243 is less, and the cost of necessary hospitalization as is provided in
244 section 17b-239, over and above hospital insurance or other such
245 benefits, including workers' compensation and claims for negligent or

246 wilful injury. The commissioner, subject to the provisions of subsection
247 (b) of this section, shall in determining need, take into consideration
248 any available income and resources of the individual claiming
249 assistance. The commissioner shall make periodic investigations to
250 determine eligibility and may, at any time, modify, suspend or
251 discontinue an award previously made when such action is necessary
252 to carry out the provisions of the state supplement program, medical
253 assistance program, temporary family assistance program, state-
254 administered general assistance program or [food stamps]
255 supplemental nutrition assistance program. The parent or parents of
256 any child for whom aid is received under the temporary family
257 assistance program and any beneficiary receiving assistance under the
258 state supplement program shall be conclusively presumed to have
259 accepted the provisions of sections 17b-93, 17b-94 and 17b-95.

260 Sec. 13. Section 17b-85 of the general statutes is repealed and the
261 following is substituted in lieu thereof (*Effective from passage*):

262 If any person receiving an award for the care of any dependent
263 child or children, or any person legally liable for the support of such
264 child or children, or any other person being supported wholly or in
265 part under the provisions of the state supplement program, medical
266 assistance program, temporary family assistance program, state-
267 administered general assistance program or [food stamps]
268 supplemental nutrition assistance program or any beneficiary under
269 said sections or any legally liable relative of such beneficiary, receives
270 property, wages, income or resources of any kind, such person or
271 beneficiary, within ten days after obtaining knowledge of or receiving
272 such property, wages, income or resources, shall notify the
273 commissioner thereof, orally or in writing, unless good cause is
274 established for failure to provide such notice, as determined by the
275 commissioner. No such person or beneficiary shall sell, assign,
276 transfer, encumber or otherwise dispose of any property without the
277 consent of the commissioner. The provisions of section 17b-137 shall be
278 applicable with respect to any person applying for or receiving an
279 award under said sections. Any change in the information which has

280 been furnished on an application form or a redetermination of
281 eligibility form shall also be reported to the commissioner, orally or in
282 writing, within ten days of the occurrence of such change, unless good
283 cause is established for failure to provide such notice, as determined
284 by the commissioner.

285 Sec. 14. Section 17b-86 of the general statutes is repealed and the
286 following is substituted in lieu thereof (*Effective from passage*):

287 Aid provided under the state supplement program, medical
288 assistance program, temporary family assistance program, state-
289 administered general assistance program or [food stamps]
290 supplemental nutrition assistance program shall be inalienable by
291 assignment, sale, attachment, execution or otherwise, and shall be
292 subject to the provisions of any amending or repealing act that may be
293 passed, and no beneficiary or other person shall have any vested right
294 to any such aid.

295 Sec. 15. Section 17b-88 of the general statutes is repealed and the
296 following is substituted in lieu thereof (*Effective from passage*):

297 If a beneficiary of assistance under the state supplement program,
298 medical assistance program, aid to families with dependent children
299 program, temporary family assistance program, state-administered
300 general assistance program, [or] food [stamps] stamp program or
301 supplemental nutrition assistance program receives any award or
302 grant over the amount to which he is entitled under the laws
303 governing eligibility, the Department of Social Services (1) shall
304 immediately initiate recoupment action and shall consult with the
305 Division of Criminal Justice to determine whether to refer such
306 overpayment, with full supporting information, to the state police, to a
307 prosecuting authority for prosecution or to the Attorney General for
308 civil recovery, or (2) shall take such other action as conforms to federal
309 regulations, including, but not limited to, conducting administrative
310 disqualification hearings for cases involving alleged fraud in the food
311 stamp program, supplemental nutrition assistance program, the aid to

312 families with dependent children program, the temporary family
313 assistance program or the state-administered general assistance
314 program.

315 Sec. 16. Section 17b-97 of the general statutes is repealed and the
316 following is substituted in lieu thereof (*Effective from passage*):

317 (a) Any food stamps or supplemental nutrition assistance furnished
318 or any sums paid to or on behalf of any person under the state
319 supplement program, medical assistance program, temporary family
320 assistance program, aid to families with dependent children program,
321 state-administered general assistance program, [or] food [stamps]
322 stamp program or supplemental nutrition assistance program as a
323 result of any false statement, misrepresentation or concealment of or
324 failure to disclose assets by him, or by any person legally liable for his
325 support, may be recovered in an action brought by the state against
326 such person or persons.

327 (b) Any person who, by means of an intentionally false statement or
328 misrepresentation or by impersonation or other fraudulent act or
329 device, obtains, or attempts to obtain, or aids or abets any person to
330 obtain, any monetary award under the state supplement program,
331 medical assistance program, temporary family assistance program, aid
332 to families with dependent children program, state-administered
333 general assistance program, [or] food [stamps] stamp program or
334 supplemental nutrition assistance program to which he is not entitled;
335 and any person who, with intent to defraud, buys or aids or abets in
336 buying or in any way disposing of the property of a person receiving
337 an award, and any person who, with intent to defraud, violates the
338 provisions of section 17b-85, as amended by this act, or any other
339 provision of said programs shall be subject to the penalties for larceny
340 under sections 53a-122 and 53a-123, depending on the amount
341 involved. When a person receiving assistance is convicted of an offense
342 involving an overpayment of public assistance under said sections, the
343 Commissioner of Social Services may discontinue his award or take
344 such other action as conforms to federal regulations.

345 (c) Repealed by P.A. 74-140, S. 3.

346 (d) Any person who, by means of an intentionally false statement or
347 misrepresentation or by impersonation or other fraudulent act or
348 device, obtains, or attempts to obtain, or aids or abets any person to
349 obtain, or who knowingly uses, transfers, acquires, alters, or attempts
350 to use, traffic in, forge or possess, any United States Department of
351 Agriculture food coupon, food stamp coupon authorization to
352 participate card, or Department of Social Services public assistance
353 photographic identification card or electronically coded identification
354 and debit card, shall be subject to the penalties for larceny under
355 sections 53a-122 and 53a-123, depending on the amount involved.

356 (e) Any person having duties in the administration of a state or
357 federally funded public assistance program who fraudulently
358 misappropriates, attempts to misappropriate, or aids and abets in the
359 misappropriation of any United States Department of Agriculture food
360 coupon, food stamp coupon authorization to participate card, or
361 Department of Social Services public assistance photographic
362 identification card or electronically coded identification and debit card,
363 shall be subject to the penalties for larceny under sections 53a-122 and
364 53a-123, depending on the amount involved and shall be subject to
365 discipline or discharge by the commissioner.

366 (f) Any person having duties in the administration of a state or
367 federally funded public assistance program who, directly or indirectly,
368 by himself or by another, solicits, accepts or agrees to accept from
369 another, any benefit for, because of or as consideration for, taking, or
370 promising to take, action which results, or is intended to result, in the
371 unlawful award, transfer or receipt of public assistance benefits or
372 United States Department of Agriculture food stamp or supplemental
373 nutrition assistance benefits shall be subject to the penalty provided for
374 bribe receiving under section 53a-148 and shall be subject to discipline
375 or discharge by the commissioner.

376 Sec. 17. Section 17b-98 of the general statutes is repealed and the

377 following is substituted in lieu thereof (*Effective from passage*):

378 The cost of aid furnished under the state supplement program,
379 medical assistance program, temporary family assistance program,
380 state-administered general assistance program and [food stamps]
381 supplemental nutrition assistance program as well as the cost of its
382 administration, shall be borne entirely by the state of Connecticut,
383 except to such extent as such cost to the state may be reduced by grants
384 from the federal government.

385 Sec. 18. Section 17b-105a of the general statutes is repealed and the
386 following is substituted in lieu thereof (*Effective from passage*):

387 (a) The Commissioner of Social Services shall seek a waiver from
388 federal law to allow persons who live in an area in which (1) the
389 unemployment rate is greater than ten per cent, or (2) there is an
390 insufficient number of jobs to provide such persons with employment,
391 to be exempt from the three-month participation limit of the [food
392 stamp] supplemental nutrition assistance program implemented
393 pursuant to the [Food Stamp Act of 1977] Food and Nutrition Act of
394 2008.

395 (b) The Commissioner of Social Services shall implement vehicle
396 evaluation provisions in accordance with 7 CFR 273.8(f)(4).

397 (c) The Commissioner of Social Services, pursuant to 7 USC
398 2014(e)(6), shall implement the federal option to mandate the use of a
399 standard utility allowance, to be used in place of actual utility costs, for
400 purposes of calculating the excess shelter deduction of applicants for,
401 or recipients of, [food stamp] supplemental nutrition assistance
402 program benefits. Pursuant to 7 USC 2014(e)(6)(C)(iii)(III), the
403 commissioner shall not prorate a standard utility allowance based
404 upon the fact that an assisted household shares the utility with an
405 individual who is not a member of the assisted household.

406 Sec. 19. Section 17b-105b of the general statutes is repealed and the
407 following is substituted in lieu thereof (*Effective from passage*):

408 The Department of Social Services shall be required to pursue the
409 maximum [food stamp] supplemental nutrition assistance benefit
410 extensions permitted by the Code of Federal Regulations Title 7, Part
411 273, Section 273.12, for those households leaving the temporary
412 assistance for needy families program.

413 Sec. 20. Section 17b-105c of the general statutes is repealed and the
414 following is substituted in lieu thereof (*Effective from passage*):

415 The Commissioner of Social Services, in accordance with federal
416 law, may implement policy to simplify program administration and
417 increase payment accuracy in the [food stamp] supplemental nutrition
418 assistance program, while in the process of adopting such policy as
419 regulation, provided notice of such policy is published in the
420 Connecticut Law Journal within twenty days of implementation.

421 Sec. 21. Section 17b-109 of the general statutes is repealed and the
422 following is substituted in lieu thereof (*Effective from passage*):

423 The Commissioner of Social Services may provide photo
424 identification cards to recipients of assistance under the temporary
425 family assistance program and to heads of households and their
426 authorized representatives in the [food stamp] supplemental nutrition
427 assistance program. The commissioner may contract with public or
428 private organizations for the provision of such cards.

429 Sec. 22. Subsection (f) of section 17b-112 of the general statutes is
430 repealed and the following is substituted in lieu thereof (*Effective from*
431 *passage*):

432 (f) A family leaving assistance at the end of (1) said twenty-one-
433 month time limit, including a family with income above the payment
434 standard, or (2) the sixty-month limit shall have an interview for the
435 purpose of being informed of services that may continue to be
436 available to such family, including employment services available
437 through the Labor Department. Said interview shall contain a
438 determination of benefits available to said family provided by the

439 Department of Social Services. Said interview shall also include a
440 determination of whether such family is eligible for [food stamps]
441 supplemental nutrition assistance or Medicaid. Information and
442 referrals shall be made to such a family for services and benefits
443 including, but not limited to, the earned income tax credit, rental
444 subsidies emergency housing, employment services and energy
445 assistance.

446 Sec. 23. Section 17b-112d of the general statutes is repealed and the
447 following is substituted in lieu thereof (*Effective from passage*):

448 A person convicted of any offense under federal or state law, on or
449 after August 22, 1996, which (1) is classified as a felony, and (2) has as
450 an element the possession, use or distribution of a controlled
451 substance, as defined in Subsection (6) of 21 USC 802, shall be eligible
452 for benefits pursuant to the temporary assistance for needy families
453 program or the [food stamp] supplemental nutrition assistance
454 program pursuant to the [Food Stamp Act of 1977] Food and Nutrition
455 Act of 2008, if such person has completed a sentence imposed by a
456 court. A person shall also be eligible for said benefits if such person is
457 satisfactorily serving a sentence of a period of probation or is in the
458 process of completing or has completed a sentence imposed by the
459 court of mandatory participation in a substance abuse treatment
460 program or mandatory participation in a substance abuse testing
461 program.

462 Sec. 24. Subsection (g) of section 17b-112g of the general statutes is
463 repealed and the following is substituted in lieu thereof (*Effective from*
464 *passage*):

465 (g) Nothing in this section shall prohibit a family receiving
466 diversion assistance from being eligible for other social service
467 programs administered by the Department of Social Services
468 including, but not limited to, [food stamps] supplemental nutrition
469 assistance, child care assistance, medical assistance and transitional
470 child care and medical assistance benefits.

471 Sec. 25. Subsection (a) of section 17b-125 of the general statutes is
472 repealed and the following is substituted in lieu thereof (*Effective from*
473 *passage*):

474 (a) No resident of a town shall be deemed to be ineligible to receive
475 relief from such town by reason of having an interest in real property,
476 provided such real property (1) is maintained as such resident's
477 primary home, or (2) would not be counted in determining eligibility
478 for assistance under the state supplement program, medical assistance
479 program, temporary family assistance program or [food stamps]
480 supplemental nutrition assistance program, and provided such
481 resident shall deliver to such town, through its board of selectmen, an
482 agreement executed and acknowledged in the form and manner
483 required for the transfer of an interest in real property to reimburse
484 such town for all amounts so paid to such resident or expended by
485 such town on his behalf for maintenance, care or support, with interest
486 at the rate of four per cent per annum. Such agreement shall describe
487 by metes and bounds, and by street number and lot number, if any, the
488 real property in which such beneficiary has an interest and shall be
489 recorded in the land records of the town or towns in which such real
490 property is located, and shall constitute a lien on such real property
491 which may, at any time during which such amounts remain unpaid, be
492 foreclosed in an action brought by such town in a court of competent
493 jurisdiction, and such lien shall have precedence over all subsequently
494 recorded encumbrances, except tax liens or other municipal liens of
495 such towns. Such lien shall be released by such town by its board of
496 selectmen upon payment of the amount, plus interest, by it secured.
497 The board of selectmen of such town is authorized to adjust, remit or
498 cancel, in whole or in part, any interest accruing under such lien,
499 provided such procedure shall be deemed necessary and beneficial to
500 such town by such selectmen and shall be so voted at a meeting of
501 such selectmen and a record of such vote entered in the minutes of the
502 meetings of such board. Such board of selectmen is also authorized to
503 release such lien without payment of the amount secured thereby, in
504 whole or in part, provided such procedure shall be deemed necessary

505 and beneficial to the town by such selectmen and shall be so voted at a
506 meeting of such selectmen and a record of such vote entered in the
507 minutes of the meetings of such board. Upon the sale, after foreclosure,
508 of such real estate, or any part thereof, and after complete satisfaction
509 to such town of the amount secured by such lien, plus interest,
510 together with all costs and expenses, any balance remaining shall be
511 paid over by such selectmen to such resident or, if he is deceased, to
512 his estate. The board of selectmen of such town is authorized to
513 execute, in behalf of the town, all releases, deeds and other instruments
514 necessary to carry out the provisions of this section. Upon written
515 request therefor, the selectmen shall forthwith issue to the applicant a
516 statement of the amount due to be paid to cancel such lien. No such
517 lien shall be valid and enforceable after the expiration of forty years
518 from the date it was recorded.

519 Sec. 26. Section 17b-292a of the general statutes is repealed and the
520 following is substituted in lieu thereof (*Effective from passage*):

521 The Commissioner of Social Services, in determining if an
522 individual continues to be eligible for the HUSKY Plan, Part A or Part
523 B, shall determine whether such individual is a recipient of a child care
524 subsidy under section 17b-749, [food stamps] supplemental nutrition
525 assistance under the [food stamp] supplemental nutrition assistance
526 program pursuant to the [Food Stamp Act of 1977] Food and Nutrition
527 Act of 2008 or benefits under any other program administered by the
528 Department of Social Services for the purpose of ascertaining whether
529 the department has information necessary for the redetermination of
530 eligibility under the HUSKY Plan. In the event such information is
531 available, the commissioner shall use such information in such
532 redetermination.

533 Sec. 27. Subsection (a) of section 17b-342 of the general statutes is
534 repealed and the following is substituted in lieu thereof (*Effective from*
535 *passage*):

536 (a) The Commissioner of Social Services shall administer the

537 Connecticut home-care program for the elderly state-wide in order to
538 prevent the institutionalization of elderly persons (1) who are
539 recipients of medical assistance, (2) who are eligible for such
540 assistance, (3) who would be eligible for medical assistance if residing
541 in a nursing facility, or (4) who meet the criteria for the state-funded
542 portion of the program under subsection (i) of this section. For
543 purposes of this section, a long-term care facility is a facility which has
544 been federally certified as a skilled nursing facility or intermediate care
545 facility. The commissioner shall make any revisions in the state
546 Medicaid plan required by Title XIX of the Social Security Act prior to
547 implementing the program. The annualized cost of the community-
548 based services provided to such persons under the program shall not
549 exceed sixty per cent of the weighted average cost of care in skilled
550 nursing facilities and intermediate care facilities. The program shall be
551 structured so that the net cost to the state for long-term facility care in
552 combination with the community-based services under the program
553 shall not exceed the net cost the state would have incurred without the
554 program. The commissioner shall investigate the possibility of
555 receiving federal funds for the program and shall apply for any
556 necessary federal waivers. A recipient of services under the program,
557 and the estate and legally liable relatives of the recipient, shall be
558 responsible for reimbursement to the state for such services to the
559 same extent required of a recipient of assistance under the state
560 supplement program, medical assistance program, temporary family
561 assistance program or [food stamps] supplemental nutrition assistance
562 program. Only a United States citizen or a noncitizen who meets the
563 citizenship requirements for eligibility under the Medicaid program
564 shall be eligible for home-care services under this section, except a
565 qualified alien, as defined in Section 431 of Public Law 104-193,
566 admitted into the United States on or after August 22, 1996, or other
567 lawfully residing immigrant alien determined eligible for services
568 under this section prior to July 1, 1997, shall remain eligible for such
569 services. Qualified aliens or other lawfully residing immigrant aliens
570 not determined eligible prior to July 1, 1997, shall be eligible for
571 services under this section subsequent to six months from establishing

572 residency. Notwithstanding the provisions of this subsection, any
573 qualified alien or other lawfully residing immigrant alien or alien who
574 formerly held the status of permanently residing under color of law
575 who is a victim of domestic violence or who has mental retardation
576 shall be eligible for assistance pursuant to this section. Qualified aliens,
577 as defined in Section 431 of Public Law 104-193, or other lawfully
578 residing immigrant aliens or aliens who formerly held the status of
579 permanently residing under color of law shall be eligible for services
580 under this section provided other conditions of eligibility are met.

581 Sec. 28. Section 17b-790 of the general statutes is repealed and the
582 following is substituted in lieu thereof (*Effective from passage*):

583 The department shall provide a program of nutrition education in
584 accordance with the [Food Stamp Act of 1977] Food and Nutrition Act
585 of 2008, as from time to time amended, and shall provide information
586 to participants and applicants on their rights and responsibilities under
587 the [food stamp] supplemental nutrition assistance program.

588 Sec. 29. Section 17b-790a of the general statutes is repealed and the
589 following is substituted in lieu thereof (*Effective from passage*):

590 (a) The Commissioner of Social Services, within available
591 appropriations, shall establish a food assistance program for
592 individuals entering the United States prior to April 1, 1998, whose
593 immigrant status meets the eligibility requirements of the federal
594 [Food Stamp Act of 1977] Food and Nutrition Act of 2008, as amended,
595 but who are no longer eligible for [food stamps] supplemental
596 nutrition assistance solely due to their immigrant status under Public
597 Law 104-193. Individuals who enter the United States after April 1,
598 1998, must have resided in the state for six months prior to becoming
599 eligible for the state program. The commissioner may administer such
600 program in accordance with the provisions of the federal [food stamp]
601 supplemental nutrition assistance program, except those pertaining to
602 the determination of immigrant status under Public Law 104-193.

603 (b) The commissioner shall provide assistance to an individual

604 under this section in an amount equal to seventy-five per cent of the
605 amount the individual would be eligible to receive under the federal
606 [Food Stamp Act of 1977] Food and Nutrition Act of 2008, as amended.

607 (c) The commissioner shall terminate assistance under this section to
608 any individual whose federal [food stamp] supplemental nutrition
609 assistance benefits have been restored.

610 (d) The commissioner shall implement the policies and procedures
611 necessary to carry out the provisions of this section while in the
612 process of adopting such policies and procedures in regulation form,
613 provided notice of intent to adopt the regulations is published in the
614 Connecticut Law Journal within twenty days after implementation.
615 Such policies and procedures shall be valid until the time final
616 regulations are effective.

617 Sec. 30. Subsection (e) of section 31-254 of the general statutes is
618 repealed and the following is substituted in lieu thereof (*Effective from*
619 *passage*):

620 (e) On a biweekly basis, the Department of Social Services shall
621 compile a list of individuals who are receiving public assistance under
622 the temporary assistance for needy families, Medicaid, [food stamp]
623 supplemental nutrition assistance, state supplement and state-
624 administered general assistance programs and shall transmit such list
625 to the Labor Department. The Labor Department shall promptly
626 identify any new employee who is such an individual and said
627 department shall transmit to the Department of Social Services the
628 name, address and Social Security number of each such new employee
629 and the name, address and state and federal tax registration or
630 identification numbers of the employer.

631 Sec. 31. Subsection (b) of section 52-259b of the general statutes is
632 repealed and the following is substituted in lieu thereof (*Effective from*
633 *passage*):

634 (b) There shall be a rebuttable presumption that a person is indigent

635 and unable to pay a fee or fees or the cost of service of process if (1)
636 such person receives public assistance, or (2) such person's income
637 after taxes, mandatory wage deductions and child care expenses is one
638 hundred twenty-five per cent or less of the federal poverty level. For
639 purposes of this subsection, "public assistance" includes, but is not
640 limited to, state-administered general assistance, temporary family
641 assistance, aid to the aged, blind and disabled, [food stamps]
642 supplemental nutrition assistance and Supplemental Security Income.

643 Sec. 32. Section 17b-105e of the general statutes is repealed and the
644 following is substituted in lieu thereof (*Effective from passage*):

645 As used in sections 17b-105e to 17b-105i, inclusive, as amended by
646 this act:

647 (1) "Poverty reduction strategies" means a coordinated set of actions
648 which may include, but is not limited to, job search and work
649 experience; education and training, including adult basic education,
650 high school equivalency preparation, adult literacy classes, vocational
651 training and post-secondary education; payment of tuition; case
652 management; related services that improve employability; income
653 safety net services; quality child care during work and job training;
654 family support; and reentry programs, that are based on best practices
655 and aimed at reducing poverty or the risk of poverty for individuals
656 and families (A) who are living in census tracts with high poverty
657 rates, (B) whose incomes are at or below two hundred per cent of the
658 federal poverty level, and (C) who are in one or more of the following
659 target populations: (i) Adolescent parents, (ii) older adolescents and
660 young adults, or (iii) low-income working families; and

661 (2) ["Food stamp] "Supplemental nutrition assistance employment
662 and training community collaborative" means a consortium of public
663 and private providers, established pursuant to section 17b-105g, as
664 amended by this act, to implement poverty reduction strategies.

665 Sec. 33. Section 17b-105f of the general statutes is repealed and the
666 following is substituted in lieu thereof (*Effective from passage*):

667 (a) The Department of Social Services shall administer a [food
668 stamp] supplemental nutrition assistance employment and training
669 program, authorized under the federal [Food Stamp Act of 1977] Food
670 and Nutrition Act of 2008, as amended from time to time, to provide
671 employment and training activities, support services and other
672 programs and services for recipients of the [food stamp] supplemental
673 nutrition assistance program. The program shall provide for the
674 receipt of federal matching funds to the state from the United States
675 Department of Agriculture for funds expended on behalf of [food
676 stamp] supplemental nutrition assistance recipients by state agencies,
677 local governments, nonprofit entities, institutions of higher education
678 and other eligible [food stamp] supplemental nutrition assistance
679 employment and training providers for employment and training
680 activities that qualify for such matching funds under federal law and
681 regulations. The department shall seek to maximize the use of the
682 federal matching funds provision under the program to the fullest
683 extent permitted by federal law.

684 (b) Federal grants received under the program shall be used in
685 accordance with federal law and regulations to fund [food stamp]
686 supplemental nutrition assistance employment and training activities.

687 (c) The department shall select providers whose employment and
688 training activities qualify for reimbursement under federal law and
689 regulations to participate in the federal matching funds provision of
690 the [food stamp] supplemental nutrition assistance employment and
691 training program. Providers shall be selected in a form and manner
692 prescribed by the Commissioner of Social Services. In selecting
693 providers, the department shall give priority to providers who are
694 members of a [food stamp] supplemental nutrition assistance
695 employment and training community collaborative and whose
696 strategies are aligned with the recommendations of the Child Poverty
697 and Prevention Council and its plan to reduce child poverty developed
698 pursuant to section 4-67x.

699 (d) The department shall distribute to providers pursuant to

700 subsection (c) of this section federal matching funds in accordance
701 with section 17b-105h, as amended by this act. Such funds shall be
702 used for poverty reduction strategies.

703 Sec. 34. Section 17b-105g of the general statutes is repealed and the
704 following is substituted in lieu thereof (*Effective from passage*):

705 (a) The Department of Social Services shall select among qualified
706 [food stamp] supplemental nutrition assistance employment and
707 training community collaboratives to receive federal matching funds in
708 accordance with section 17b-105h, as amended by this act. To be
709 considered for receipt of such funds, each collaborative shall
710 demonstrate its capacity to implement poverty reduction strategies to
711 the department in such form and in such manner as the Commissioner
712 of Social Services prescribes. Each collaborative shall identify (1) its
713 priorities for reducing child poverty in such municipality or region, (2)
714 how funds that are received by the collaborative will be utilized, (3)
715 community partners and resources utilized to support poverty
716 reduction strategies, and (4) its capacity to collect relevant data and
717 measure outcomes.

718 (b) Each [food stamp] supplemental nutrition assistance
719 employment and training community collaborative shall establish a
720 governance structure, determine membership and identify or establish
721 a fiscal agent. A collaborative shall consist of at least five member
722 entities representing institutions of higher education, regional
723 workforce development boards, social services nonprofit agencies,
724 business associations, philanthropic organizations, municipalities,
725 community action agencies or other community partners. A majority
726 of the membership of each collaborative shall be [food stamp]
727 supplemental nutrition assistance employment and training providers.

728 (c) Funds provided to a [food stamp] supplemental nutrition
729 assistance employment and training community collaborative shall be
730 used to implement poverty reduction strategies in a municipality or
731 region. Such strategies shall be aligned with the recommendations of

732 the Child Poverty and Prevention Council and its plan to reduce child
733 poverty developed pursuant to section 4-67x.

734 Sec. 35. Section 17b-105h of the general statutes is repealed and the
735 following is substituted in lieu thereof (*Effective from passage*):

736 (a) For the fiscal year ending June 30, 2009, the Department of Social
737 Services may use such funds from the federal matching funds received
738 by the state pursuant to section 17b-105f, as amended by this act, as are
739 needed for operating expenses and to employ one staff position for
740 purposes directly related to the administration of the matching funds
741 provision for the [food stamp] supplemental nutrition assistance
742 employment and training program, and for any fiscal year thereafter
743 may use such funds as is necessary to operate and administer said
744 program.

745 (b) The remaining federal matching funds received by the state
746 pursuant to section 17b-105f, as amended by this act, shall be used for
747 poverty reduction strategies and distributed in the following manner:
748 Seventy-five per cent of such remaining funds shall be provided to
749 [food stamp] supplemental nutrition assistance employment and
750 training providers whose expenditures generated the federal matching
751 funds on a pro-rata basis, pursuant to section 17b-105f, as amended by
752 this act; and twenty-five per cent of such remaining funds shall be
753 provided to [food stamp] supplemental nutrition assistance
754 employment and training community collaboratives selected pursuant
755 to section 17b-105g, as amended by this act, for implementation of
756 poverty reduction strategies.

757 Sec. 36. Section 17b-105i of the general statutes is repealed and the
758 following is substituted in lieu thereof (*Effective from passage*):

759 On or before January 15, 2009, and annually thereafter from January
760 15, 2010, to January 15, 2014, inclusive, the Commissioner of Social
761 Services shall report, in accordance with section 11-4a, to the joint
762 standing committees of the General Assembly having cognizance of
763 matters relating to human services and appropriations, and to the

764 Child Poverty and Prevention Council on the amount of federal
765 matching funds received by the state pursuant to section 17b-105f, as
766 amended by this act, the amount used by the Department of Social
767 Services for operating and administrative expenses, the amounts
768 distributed to providers and [food stamp] supplemental nutrition
769 assistance employment and training community collaboratives
770 pursuant to section 17b-105h, as amended by this act, the use of such
771 federal matching funds, including the population served, and the
772 programs' outcomes using a results-based accountability framework.

773 Sec. 37. Section 17b-105d of the general statutes is repealed and the
774 following is substituted in lieu thereof (*Effective from passage*):

775 The Department of Social Services, in conjunction with the member
776 agencies of the Child Poverty and Prevention Council, may work with
777 local governments, institutions of higher education, community action
778 agencies and other entities to continue and expand efforts, within
779 available appropriations, to enroll eligible individuals in the [food
780 stamp] supplemental nutrition assistance program and to enroll
781 eligible [food stamp] supplemental nutrition assistance participants in
782 education, employment and training activities.

783 Sec. 38. Subparagraph (A) of subdivision (12) of section 22-380e of
784 the general statutes is repealed and the following is substituted in lieu
785 thereof (*Effective from passage*):

786 (A) The [food stamp] supplemental nutrition assistance program
787 authorized by Title XIII of the federal Food and Agriculture Act of
788 1977, 7 USC 2011 et seq.

789 Sec. 39. Section 17b-791 of the general statutes is repealed and the
790 following is substituted in lieu thereof (*Effective from passage*):

791 The Department of Social Services shall establish a supplemental
792 nutrition commodities assistance program to provide funds for the
793 purchase of high protein or other nutritionally beneficial supplemental
794 foods, or both, for soup kitchens, food pantries and emergency

795 shelters. Such foods shall be purchased in bulk by the Connecticut
 796 Food Bank through in-state wholesalers or brokers, or both, and
 797 allotted to existing soup kitchens, food pantries and emergency
 798 shelters in accordance with the established policies of the Food Bank.
 799 Such soup kitchens, food pantries and emergency shelters shall pay a
 800 handling charge of five cents per pound in order to cover the costs
 801 incurred by the Connecticut Food Bank. The food shall be distributed
 802 free of charge by the soup kitchens, food pantries and emergency
 803 shelters.

804 Sec. 40. Section 12-412e of the general statutes is repealed. (*Effective*
 805 *from passage*)

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	4-66e(e)
Sec. 2	<i>from passage</i>	4-71c
Sec. 3	<i>from passage</i>	9-23j
Sec. 4	<i>from passage</i>	12-412(57)
Sec. 5	<i>from passage</i>	12-574(s)
Sec. 6	<i>from passage</i>	17b-2
Sec. 7	<i>from passage</i>	17b-7a
Sec. 8	<i>from passage</i>	17b-75
Sec. 9	<i>from passage</i>	17b-76
Sec. 10	<i>from passage</i>	17b-77
Sec. 11	<i>from passage</i>	17b-79
Sec. 12	<i>from passage</i>	17b-80(a)
Sec. 13	<i>from passage</i>	17b-85
Sec. 14	<i>from passage</i>	17b-86
Sec. 15	<i>from passage</i>	17b-88
Sec. 16	<i>from passage</i>	17b-97
Sec. 17	<i>from passage</i>	17b-98
Sec. 18	<i>from passage</i>	17b-105a
Sec. 19	<i>from passage</i>	17b-105b
Sec. 20	<i>from passage</i>	17b-105c
Sec. 21	<i>from passage</i>	17b-109
Sec. 22	<i>from passage</i>	17b-112(f)
Sec. 23	<i>from passage</i>	17b-112d

Sec. 24	<i>from passage</i>	17b-112g(g)
Sec. 25	<i>from passage</i>	17b-125(a)
Sec. 26	<i>from passage</i>	17b-292a
Sec. 27	<i>from passage</i>	17b-342(a)
Sec. 28	<i>from passage</i>	17b-790
Sec. 29	<i>from passage</i>	17b-790a
Sec. 30	<i>from passage</i>	31-254(e)
Sec. 31	<i>from passage</i>	52-259b(b)
Sec. 32	<i>from passage</i>	17b-105e
Sec. 33	<i>from passage</i>	17b-105f
Sec. 34	<i>from passage</i>	17b-105g
Sec. 35	<i>from passage</i>	17b-105h
Sec. 36	<i>from passage</i>	17b-105i
Sec. 37	<i>from passage</i>	17b-105d
Sec. 38	<i>from passage</i>	22-380e(12)(A)
Sec. 39	<i>from passage</i>	17b-791
Sec. 40	<i>from passage</i>	Repealer section

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

OFA Fiscal Note

State Impact: None

Municipal Impact: None

Explanation

This bill as amended makes statutory changes to reflect the name change of the federal Food Stamp program. These changes have no programmatic impact.

House "A" made several changes that clarified the technical intent of the underlying bill.

The Out Years

None

OLR Bill Analysis**HB 6401 (as amended by House "A")******AN ACT CONCERNING THE FEDERAL SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM.*****SUMMARY:**

This bill makes the statutory changes necessary to reflect the change in the federal Food Stamp program's name to the Supplemental Nutrition Assistance Program. The 2008 federal "Farm Bill" changed the program's name, effective October 1, 2008. This program provides federally funded food assistance to low-income individuals and families in the form of electronic benefits on a debit-type card. The Department of Social Services (DSS) administers Connecticut's program.

To avoid confusion, the bill changes the name of another DSS program. Currently, the Supplemental Nutrition Assistance Program is a state-funded program that provides funds for the purchase of high protein and other nutritionally beneficial supplemental foods for soup kitchens, food pantries, and emergency shelters. The bill renames this program the Supplemental Nutrition Commodities Assistance Program.

Finally, the bill removes obsolete language regarding sales tax for items purchased with Food Stamps. The law, unchanged by the bill, exempts these purchases from the state sales tax.

*House Amendment "A" restores references to the old Food Stamp and Aid to Families with Dependent Children programs, which could be needed were the state to pursue fraud and recoveries under either of those programs.

EFFECTIVE DATE: Upon passage

COMMITTEE ACTION

Human Services Committee

Joint Favorable

Yea 18 Nay 0 (02/26/2009)