

# **Legislative Regulation Review Committee**

2009-051

Department of Social Services

**TRANSPLANTS**

CONNECTICUT DEPARTMENT OF SOCIAL SERVICES  
UNIFORM POLICY MANUAL

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Date	Transmittal: UP-	8070.15
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Section:	Type:
Special Programs	POLICY

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Chapter:	Program:
Connecticut Assistance for Organ Transplant Patients	ConnTRANS

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Subject:
Standards of Assistance

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8070.15 A. Basic Provisions

ConnTRANS pays benefits to individuals who have insufficient resources to pay for the medical or ancillary expenses related to an organ transplant including maintenance costs associated with a successful transplant.

B. Limits to Assistance - Certification Period

1. The benefit paid to each individual is subject to the discretion of the Department and the availability of funds and is based on family size and income and asset limits established by the Department. (Cross Reference: 8070.30 and 8070.45)
2. The maximum benefit is determined by the amount of medical expenses of the individual and ancillary expenses of the individual and members of his or her family and the organ donor which are related to the transplant and which are not covered or payable by any other source of payment such as medical insurance, private donations, etc.
3. On any occasion assistance is granted, the period of assistance shall not exceed twelve months and the maximum payable benefit cannot exceed one-half of the available funds in the ConnTRANS account.

C. Covered Medical and Ancillary Services

ConnTRANS will pay all or part of medical or ancillary services needed by an individual and ancillary expenses of an individual's family and the organ donor when the individual is a candidate for or a recipient of an organ transplant as determined by the Department. Covered services include but are not limited to the following:

1. Medical Services
  - a. physician services;
  - b. hospital services;
  - c. x-ray and laboratory services;
  - d. prescription drugs; and
  - e. medical expenses of [a] an organ donor.

8070.15 C. Covered Medical and Ancillary Services (continued)

2. Ancillary Services

- a. transportation costs including fees for parking for the patient, [and] family and organ donor;
- b. child care expenses related to treatment of an eligible individual;
- c. lodging for the patient, [and] family and organ donor related to treatment of an eligible individual;
- d. non-prescription drug; [and]
- e. health insurance premiums[.] ; and
- f. lost wages of the organ donor due to participation in the transplant.

CONNECTICUT DEPARTMENT OF SOCIAL SERVICES  
UNIFORM POLICY MANUAL

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Date:	Transmittal: UP-	8070.50
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Section:	Type:
Special Programs	POLICY

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Chapter:	Program:
Connecticut Assistance for Organ Transplant Recipients	ConnTRANS

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Subject:
Determination of Payment

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8070.50      Determination of Payment

Once income eligibility is determined, payments to assist the individual to pay the expenses associated with the transplant are authorized. The [amount] amounts of the payments are based on all of the following factors:

1. the applied income for the family; [and]
  2. the incurred or anticipated medical and ancillary expenses of the individual; [and]
  3. the incurred or anticipated medical and ancillary expenses of the organ donor;
- [3.] 4. the incurred or anticipated ancillary expenses of the family; and
- [4.] 5. the availability of funds.

CONNECTICUT DEPARTMENT OF [INCOME MAINTENANCE] SOCIAL SERVICES  
UNIFORM POLICY MANUAL

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Date: Transmittal: 3015.10

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Section: Technical Eligibility Requirements Type: POLICY

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Chapter: Institutional Status Program: AABD  
MA

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Subject: Change in Status

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- 3015.10
- A. A change in institutional status during the month which affects eligibility is not implemented until the end of the month provided eligibility existed on the first of the month.
  - B. An individual on conditional release or convalescent leave from an institution for mental diseases is not considered a patient during the period of release provided absence is for at least 24 hours.
  - C. An individual age 21 or over, but under age 22, who is eligible based on the receipt of psychiatric services prior to age 21:
    - 1. continues to be eligible during a period of conditional release or convalescent leave from an institution for mental diseases;
    - 2. becomes ineligible on the earlier of the following:
      - a. age 22; or
      - b. unconditional release from the institution.
  - D. An institutionalized individual who qualifies for MA limited durational eligibility (Cross-reference 3015.05 C):
    - 1. has eligibility for payment of medical services suspended beginning the month following the month of institutionalization, for a maximum period of twenty-four months; and
    - 2. if released from the public institution within the twenty-four month period, eligibility for payment of medical services is reinstated without a reapplication beginning the month of release; or
    - 3. if not released from the public institution by the end of the twenty-four month period, eligibility is discontinued.

*IMPORTANT: Read instructions on bottom of Certification Page before completing this form. Failure to comply with instructions may cause disapproval of proposed Regulations.*

# REGULATION

OF

NAME OF AGENCY

Department of Social Services

Concerning

SUBJECT MATTER OF REGULATION

Costs Associated with Organ Donation

SECTION \_\_\_\_\_

Statement of Purpose: The purpose of the regulation is to amend sections 8070.15 and 8070.50 of the UPM. The regulation proposes to provide payment to an organ donor for all or part of any costs associated with an organ donation made to a resident of the state. Prior to Public Act 08-184, the Department of Social Services payment to organ donors was limited to medical costs associated with the donation.

The main provisions of the regulation allow for the payment of the ancillary services of an organ donor, in addition to the medical expenses that the department now covers when an organ donation is made to a resident of the state.

The legal effect of the regulation is to comply with Public Act 08-184 by assisting individuals who have donated an organ to a resident of the state by paying all or part of any costs associated with the organ donation, including, but not limited to, costs of transportation, accommodation and lost wages.

The proposed regulation also proposes to update section 3515.10 of the UPM to reflect changes made to the UPM regarding the application policy for institutionalized individuals. This proposed amendment adds a class of institutionalized individuals who may qualify for Medicaid under certain circumstances.

**CERTIFICATION**

R-39 REV. 1/77

Be it known that the foregoing:

Regulations       Emergency Regulations

Are:

Adopted       Amended as hereinabove stated       Repealed

By the aforesaid agency pursuant to:

Sections \_\_\_\_\_ of the General Statutes.

Section \_\_\_\_\_ of the General Statutes, as amended by Public Act No. \_\_\_\_\_ of the \_\_\_\_\_ Public Acts.

Public Act No. 08-184(52) of the Public Acts.

After publication in the Connecticut Law Journal on April 7, 2009, of the notice of the proposal to:

Adopt       Amend       Repeal      such regulations

(If applicable):       And the holding of an advertised public hearing on \_\_\_\_\_ day of \_\_\_\_\_

WHEREFORE, the foregoing regulations are hereby:

Adopted       Amended as hereinabove stated       Repealed

Effective:

When filed with the Secretary of the State.

(OR)

The \_\_\_\_\_ day of \_\_\_\_\_

In Witness Whereof:	Date <u>5-20-09</u>	SIGNED (Head of Board, Agency or Commission) <i>Frances A. Freer</i>	OFFICIAL TITLE, DULY AUTHORIZED <i>Acting Deputy Commissioner</i>
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Approved by the Attorney General as to legal sufficiency in accordance with sec. 4-169, as amended C.G.S.	SIGNED <i>Will B NK</i> <u>7/22/09</u>	OFFICIAL TITLE, DULY AUTHORIZED ASSOC. ATTY. GENERAL
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- Approved
- Disapproved
- Disapproved in part, (Indicate Section Numbers disapproved only)
- Rejected without prejudice

By the Legislative Regulation Review Committee in accordance with Sec. 4-170, as amended, of the General Statutes.	Date	SIGNED (Clerk of the Legislative Regulation Review Committee)
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Two certified copies received and filed, and one such copy forwarded to the Commission in Official Legal Publications in accordance with Section 4-172, as amended, of the General Statutes.

DATE	SIGNED (Secretary of the State.)	BY
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**INSTRUCTIONS**

- One copy of all regulations for adoption, amendment or repeal, except emergency regulations, must be presented to the Attorney General for his determination of legal sufficiency. Section 4-169 of the General Statutes.
- Seventeen copies of all regulations for adoption, amendment or repeal, except emergency regulations, must be presented to the standing Legislative Regulation Review Committee for its approval. Section 4-170 of the General Statutes.

Each regulation must be in the form intended for publication and must include the appropriate regulation section number and section heading. Section 4-172 of the General Statutes.

- Indicate by "(NEW)" in heading if new regulation. Amended regulations must contain new language in capital letters and deleted language in brackets. Section 4-170 of the General Statutes.