



General Assembly

Substitute Bill No. 6587

January Session, 2011

* _____HB06587HS_APP032311_____*

**AN ACT CONCERNING THE DEPARTMENT OF SOCIAL SERVICES'
ESTABLISHMENT OF A BASIC HEALTH PROGRAM.**

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

1 Section 1. Subsection (a) of section 17b-261 of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective from*
3 *passage*):

4 (a) Medical assistance shall be provided for any otherwise eligible
5 person whose income, including any available support from legally
6 liable relatives and the income of the person's spouse or dependent
7 child, is not more than one hundred forty-three per cent, pending
8 approval of a federal waiver applied for pursuant to subsection (e) of
9 this section, of the benefit amount paid to a person with no income
10 under the temporary family assistance program in the appropriate
11 region of residence and if such person is an institutionalized
12 individual, as defined in Section 1917(c) of the Social Security Act, 42
13 USC 1396p(c), and has not made an assignment or transfer or other
14 disposition of property for less than fair market value for the purpose
15 of establishing eligibility for benefits or assistance under this section.
16 Any such disposition shall be treated in accordance with Section
17 1917(c) of the Social Security Act, 42 USC 1396p(c). Any disposition of
18 property made on behalf of an applicant or recipient or the spouse of
19 an applicant or recipient by a guardian, conservator, person

20 authorized to make such disposition pursuant to a power of attorney
21 or other person so authorized by law shall be attributed to such
22 applicant, recipient or spouse. A disposition of property ordered by a
23 court shall be evaluated in accordance with the standards applied to
24 any other such disposition for the purpose of determining eligibility.
25 The commissioner shall establish the standards for eligibility for
26 medical assistance at one hundred forty-three per cent of the benefit
27 amount paid to a family unit of equal size with no income under the
28 temporary family assistance program in the appropriate region of
29 residence. Except as provided in section 17b-277, the medical
30 assistance program shall provide coverage to persons under the age of
31 nineteen with family income up to one hundred eighty-five per cent of
32 the federal poverty level without an asset limit and to persons under
33 the age of nineteen and their parents and needy caretaker relatives,
34 who qualify for coverage under Section 1931 of the Social Security Act,
35 with family income up to one hundred eighty-five per cent of the
36 federal poverty level without an asset limit. Such levels shall be based
37 on the regional differences in such benefit amount, if applicable, unless
38 such levels based on regional differences are not in conformance with
39 federal law. Any income in excess of the applicable amounts shall be
40 applied as may be required by said federal law, and assistance shall be
41 granted for the balance of the cost of authorized medical assistance.
42 The Commissioner of Social Services shall provide applicants for
43 assistance under this section, at the time of application, with a written
44 statement advising them of (1) the effect of an assignment or transfer
45 or other disposition of property on eligibility for benefits or assistance,
46 (2) the effect that having income that exceeds the limits prescribed in
47 this subsection will have with respect to program eligibility, and (3)
48 the availability of, and eligibility for, services provided by the
49 Nurturing Families Network established pursuant to section 17b-751b.
50 Persons who are determined ineligible for assistance pursuant to this
51 section shall be provided a written statement notifying such persons of
52 their ineligibility and advising such persons of the availability of
53 HUSKY Plan, Part B health insurance benefits. On and after January 1,
54 2014, the Commissioner of Social Services shall establish a basic health

55 program in accordance with the Affordable Care Act. On and after
56 January 1, 2014, all individuals under sixty-five years of age with
57 family income up to two hundred per cent of the federal poverty level,
58 as determined in accordance with Section 1331 of the Patient
59 Protection and Affordable Care Act, P.L. 111-148, and who are
60 ineligible for medical assistance pursuant to Title XIX of the Social
61 Security Act, shall be eligible for medical assistance under a basic
62 health program. Medical assistance provided through the basic health
63 program shall include all benefits, limits on cost-sharing and other
64 consumer safeguards that apply to medical assistance provided in
65 accordance with Title XIX of the Social Security Act. Individuals
66 enrolled in the basic health program shall include, but not be limited
67 to, parents and other relative caregivers with incomes above one
68 hundred thirty-three per cent of the federal poverty level, but not
69 exceeding two hundred per cent of the federal poverty level as
70 determined under Section 1331 of the Patient Protection and
71 Affordable Care Act, P.L. 111-148, who would otherwise qualify for
72 HUSKY Plan, Part A and individuals described in section 17b-257b. To
73 the extent that federal funds received pursuant to the basic health
74 program exceed the cost of medical assistance that would otherwise be
75 provided to such enrollees pursuant to Title XIX of the Social Security
76 Act, the excess of such federal funds shall be used to increase
77 reimbursement rates for providers serving individuals receiving
78 benefits pursuant to this section. The Commissioner of Social Services
79 shall take all necessary actions to maximize federal funding received in
80 connection with the establishment of a basic health program.

81 Sec. 2. (NEW) (*Effective from passage*) There is established an account
82 to be known as the "basic health program account" which shall be a
83 separate, nonlapsing account within the General Fund. The account
84 shall contain any moneys required by law to be deposited in the
85 account. Moneys in the account shall be expended by the
86 Commissioner of Social Services for the purposes of operating a basic
87 health program in conformance with Section 1331 of the Patient
88 Protection and Affordable Care Act, P.L. 111-148.

This act shall take effect as follows and shall amend the following sections:

Section 1	<i>from passage</i>	17b-261(a)
Sec. 2	<i>from passage</i>	New section

HS

Joint Favorable Subst. C/R

APP