



**Substitute House Bill No. 5476**

**Public Act No. 12-91**

**AN ACT EXPANDING CONSUMER CHOICE FOR LIFE SUPPORT CARE AT HOME.**

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

Section 1. (NEW) (*Effective October 1, 2012*) (a) The Commissioner of Social Services shall, within available appropriations, establish and operate a two-year, state-funded pilot program for not more than ten ventilator-dependent Medicaid recipients who receive medical care at home and reside in Fairfield County. Such pilot program shall permit such recipients to directly hire registered nurses, licensed pursuant to the provisions of chapter 378 of the general statutes, and respiratory therapists, licensed pursuant to chapter 381a of the general statutes, to assist with the care of such recipients.

(b) The Department of Social Services shall, at least annually, screen each Medicaid recipient participating in the pilot program to determine his or her ability to manage his or her care. Each participant shall certify, in writing, that he or she, or his or her authorized representative, assumes responsibility for his or her plan of care. The care plan shall be directed by a physician and approved by the department. Each such plan shall include a protocol for ensuring the provision of care when the registered nurse or respiratory therapist hired by the participant is unavailable.

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(c) The commissioner shall establish the maximum allowable rate to be paid for such services under the pilot program. The rate for registered nurses shall be set at not less than eighty per cent of the prevailing rate paid by the department to home health care agencies to provide comparable care.

(d) As a condition of providing care to a participant in the pilot program, each registered nurse and respiratory therapist shall (1) submit to a criminal history background check, and (2) certify, in writing, that he or she will not terminate care of the participant without at least two weeks written notice, except in the case of an emergency.

(e) Not later than January 1, 2015, the Commissioner of Social Services shall submit a report, 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 appropriations and human services concerning the pilot program, including its cost-effectiveness, and the continuity of care provided to participants.

Sec. 2. (*Effective October 1, 2012*) Not later than July 1, 2013, the commissioner shall conduct a survey of Medicaid recipients who are receiving continuous skilled care at home to determine (1) the number of recipients receiving such care; (2) the number of times each recipient's care has been terminated by a licensed home health care agency over the two years preceding such survey and the reason for each such termination; and (3) consumer satisfaction with the quality of care provided by such agencies. Not later than January 1, 2014, the commissioner shall submit a report, in accordance with the provisions of section 11-4a of the general statutes, on the survey results to the joint standing committee of the General Assembly having cognizance of matters relating to human services.