



General Assembly

**Substitute Bill No. 5476**

February Session, 2012

\* \_\_\_\_\_HB05476HS\_\_\_\_\_032612\_\_\_\_\_\*

**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:

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

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

19 (c) The commissioner shall establish the maximum allowable rate to

20 be paid for such services under the pilot program. The rate for  
 21 registered nurses shall be set at not less than eighty per cent of the  
 22 prevailing rate paid by the department to home health care agencies to  
 23 provide comparable care.

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

30 (e) Not later than January 1, 2015, the Commissioner of Social  
 31 Services shall submit a report, in accordance with section 11-4a of the  
 32 general statutes, to the joint standing committees of the General  
 33 Assembly having cognizance of matters relating to appropriations and  
 34 human services concerning the pilot program, including its cost-  
 35 effectiveness, and the continuity of care provided to participants.

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

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2012</i>	New section
Sec. 2	<i>October 1, 2012</i>	New section

**Statement of Legislative Commissioners:**

In section 1(c) "care" was inserted after "home health" for accuracy.

**HS**      *Joint Favorable Subst.*