



General Assembly

February Session, 2012

Raised Bill No. 208

LCO No. 1290

01290_____HS_

Referred to Committee on Human Services

Introduced by:
(HS)

AN ACT CONCERNING REDUCING INMATE HEALTH CARE COSTS.

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

1 Section 1. Section 17b-250 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective July 1, 2012*):

3 When any person has been transferred from [the Connecticut
4 Correctional Institution, Somers, the Connecticut Correctional
5 Institution, Niantic, or its maximum security division, the John R.
6 Manson Youth Institution, Cheshire] a state correctional institution, or
7 a community correctional center to a state hospital, such person's
8 hospital expense prior to the termination of his sentence shall be
9 charged to the state. The Commissioner of Social Services and the
10 Commissioner of Correction shall permanently implement policies and
11 procedures to ensure that all inmates are screened for Medicaid
12 eligibility, enrolled for such coverage and that such status is not
13 discontinued during incarceration. The commissioners shall inform
14 hospitals and other medical service providers that they are required to
15 bill Medicaid for the expenses of such inmates. If any person,
16 transferred from a correctional institution or community correction

17 center is committed to or otherwise remains in a state hospital after the
18 expiration of his sentence, such person's hospital expense shall be paid
19 to the state in the manner provided for payment in sections 17b-122,
20 17b-124 to 17b-132, inclusive, 17b-136 to 17b-138, inclusive, 17b-194 to
21 17b-197, inclusive, 17b-222 to 17b-250, inclusive, 17b-256, 17b-263, 17b-
22 340 to 17b-350, inclusive, 17b-689b and 17b-743 to 17b-747, inclusive.

23 Sec. 2. Section 18-52a of the general statutes is repealed and the
24 following is substituted in lieu thereof (*Effective July 1, 2012*):

25 (a) Any person committed to the custody of the Commissioner of
26 Correction who is confined in a correctional facility and requires
27 hospitalization for medical care may be transferred by the department
28 to any hospital having facilities for such care. Pursuant to section 17b-
29 250, as amended by this act, the Commissioner of Correction, in
30 consultation with the Commissioner of Social Services, shall ensure
31 that inmates eligible for Medicaid are actively enrolled in said
32 programs at the time of hospitalization or treatment and that medical
33 providers bill Medicaid for the inmate's care.

34 (b) If such person is covered by a health insurance policy, as defined
35 in section 38a-469, and such policy provides coverage for such
36 hospitalization or medical care, such person shall be liable to the
37 hospital for all covered expenses, and (1) such person shall arrange to
38 have the carrier pay the amount of covered expenses to the hospital, or
39 (2) if such policy indemnifies the covered person for costs incurred,
40 such person shall pay the hospital for covered expenses. Each carrier
41 shall provide benefits for covered expenses without regard to whether
42 a person is committed to the custody of the Commissioner of
43 Correction. If such person is not covered by a health insurance policy,
44 the department shall reimburse the receiving hospital at a rate not to
45 exceed that established under the provisions of section 17b-239. As
46 used in this section, "carrier" means any insurance company, hospital
47 or medical service corporation, health care center, fraternal benefit
48 society or other entity which delivers, issues for delivery or renews a

49 health insurance policy in this state.

50 (c) The Commissioner of Correction shall cap noncontract payments
51 to correctional health care providers at one hundred ten per cent of the
52 federal Medicare reimbursement rate.

53 (d) The Commissioner of Correction shall implement electronic
54 processing of correctional health care claims and expenses along with
55 improper payment detection, prevention and recovery procedures.

56 Sec. 3. Section 18-81d of the general statutes is repealed and the
57 following is substituted in lieu thereof (*Effective July 1, 2012*):

58 (a) When he deems it in the best interest of any inmate under the
59 age of eighteen committed to the custody of the Commissioner of
60 Correction, the commissioner or his designee may authorize medical
61 or dental treatment, including surgery and oral surgery, to insure the
62 continued good health of such inmate. Any such authorization for
63 medical treatment or surgery shall be made on the advice of a
64 physician licensed to practice in the state under the provisions of
65 chapter 370, except that if any such surgery is not of an emergency
66 nature, the advice of two such physicians shall be required. Any such
67 authorization for dental treatment or oral surgery shall be made on the
68 advice of a dentist licensed to practice in the state under the provisions
69 of chapter 379, except that if any such oral surgery is not of an
70 emergency nature the advice of two such dentists shall be required.

71 (b) Prior to such authorization, the commissioner shall exercise due
72 diligence to obtain the consent of the parents or guardian of such
73 inmate for such treatment or surgery, and in all cases shall send notice
74 to the parents or guardian by letter to their last-known address
75 informing them of the actions taken, of their necessity and of the
76 outcome. In any case where the commissioner fails to notify such
77 parents or guardian, such failure will not affect the validity of the
78 authorization. All costs incurred for any such treatment or surgery
79 shall be paid by the state.

80 (c) The commissioner, pursuant to section 17b-250, as amended by
81 this act, shall ensure that any inmate eligible for Medicaid is enrolled
82 and that such enrollment is not discontinued during incarceration. The
83 commissioner shall inform hospitals and other medical and dental
84 service providers that they are required to bill Medicaid for the
85 expenses of such inmates.

86 Sec. 4. Subsection (b) of section 17b-90 of the 2012 supplement to the
87 general statutes is repealed and the following is substituted in lieu
88 thereof (*Effective July 1, 2012*):

89 (b) No person shall, except for purposes directly connected with the
90 administration of programs of the Department of Social Services and in
91 accordance with the regulations of the commissioner, solicit, disclose,
92 receive or make use of, or authorize, knowingly permit, participate in
93 or acquiesce in the use of, any list of the names of, or any information
94 concerning, persons applying for or receiving assistance from the
95 Department of Social Services or persons participating in a program
96 administered by said department, directly or indirectly derived from
97 the records, papers, files or communications of the state or its
98 subdivisions or agencies, or acquired in the course of the performance
99 of official duties. The Commissioner of Social Services shall disclose (1)
100 to any authorized representative of the Labor Commissioner such
101 information directly related to unemployment compensation,
102 administered pursuant to chapter 567 or information necessary for
103 implementation of sections 17b-688b, 17b-688c and 17b-688h and
104 section 122 of public act 97-2 of the June 18 special session, (2) to any
105 authorized representative of the Commissioner of Mental Health and
106 Addiction Services any information necessary for the implementation
107 and operation of the basic needs supplement program or the Medicaid
108 program for low-income adults, established pursuant to section 17b-
109 261n, (3) to any authorized representative of the Commissioner of
110 Administrative Services or the Commissioner of Emergency Services
111 and Public Protection such information as the Commissioner of Social
112 Services determines is directly related to and necessary for the

113 Department of Administrative Services or the Department of
114 Emergency Services and Public Protection for purposes of performing
115 their functions of collecting social services recoveries and
116 overpayments or amounts due as support in social services cases,
117 investigating social services fraud or locating absent parents of public
118 assistance recipients, (4) to any authorized representative of the
119 Commissioner of Children and Families necessary information
120 concerning a child or the immediate family of a child receiving services
121 from the Department of Social Services, including safety net services, if
122 the Commissioner of Children and Families or the Commissioner of
123 Social Services has determined that imminent danger to such child's
124 health, safety or welfare exists to target the services of the family
125 services programs administered by the Department of Children and
126 Families, (5) to a town official or other contractor or authorized
127 representative of the Labor Commissioner such information
128 concerning an applicant for or a recipient of assistance under state-
129 administered general assistance deemed necessary by said
130 commissioners to carry out their respective responsibilities to serve
131 such persons under the programs administered by the Labor
132 Department that are designed to serve applicants for or recipients of
133 state-administered general assistance, (6) to any authorized
134 representative of the Commissioner of Mental Health and Addiction
135 Services for the purposes of the behavioral health managed care
136 program established by section 17a-453, (7) to any authorized
137 representative of the Commissioner of Public Health to carry out his or
138 her respective responsibilities under programs that regulate child day
139 care services or youth camps, (8) to a health insurance provider, in IV-
140 D support cases, as defined in subdivision (13) of subsection (b) of
141 section 46b-231, information concerning a child and the custodial
142 parent of such child that is necessary to enroll such child in a health
143 insurance plan available through such provider when the noncustodial
144 parent of such child is under court order to provide health insurance
145 coverage but is unable to provide such information, provided the
146 Commissioner of Social Services determines, after providing prior

147 notice of the disclosure to such custodial parent and an opportunity for
148 such parent to object, that such disclosure is in the best interests of the
149 child, (9) to any authorized representative of the Department of
150 Correction, (A) in IV-D support cases, as defined in subdivision (13) of
151 subsection (b) of section 46b-231, information concerning noncustodial
152 parents that is necessary to identify inmates or parolees with IV-D
153 support cases who may benefit from Department of Correction
154 educational, training, skill building, work or rehabilitation
155 programming that will significantly increase an inmate's or parolee's
156 ability to fulfill such inmate's support obligation, and (B) information
157 concerning eligibility for and enrollment in any publicly-financed
158 health benefit plan for the purposes of health care billing, pursuant to
159 section 17b-250, as amended by this act, (10) to any authorized
160 representative of the Judicial Branch, in IV-D support cases, as defined
161 in subdivision (13) of subsection (b) of section 46b-231, information
162 concerning noncustodial parents that is necessary to: (A) Identify
163 noncustodial parents with IV-D support cases who may benefit from
164 educational, training, skill building, work or rehabilitation
165 programming that will significantly increase such parent's ability to
166 fulfill such parent's support obligation, (B) assist in the administration
167 of the Title IV-D child support program, or (C) assist in the
168 identification of cases involving family violence, or (11) to any
169 authorized representative of the State Treasurer, in IV-D support cases,
170 as defined in subdivision (13) of subsection (b) of section 46b-231,
171 information that is necessary to identify child support obligors who
172 owe overdue child support prior to the Treasurer's payment of such
173 obligors' claim for any property unclaimed or presumed abandoned
174 under part III of chapter 32. No such representative shall disclose any
175 information obtained pursuant to this section, except as specified in
176 this section. Any applicant for assistance provided through said
177 department shall be notified that, if and when such applicant receives
178 benefits, the department will be providing law enforcement officials
179 with the address of such applicant upon the request of any such
180 official pursuant to section 17b-16a.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2012</i>	17b-250
Sec. 2	<i>July 1, 2012</i>	18-52a
Sec. 3	<i>July 1, 2012</i>	18-81d
Sec. 4	<i>July 1, 2012</i>	17b-90(b)

Statement of Purpose:

To reduce correctional health care costs by ensuring maximum government reimbursement for eligible inmates and implementing account oversight measures.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]