
OLR Bill Analysis

sHB 5037

AN ACT IMPLEMENTING THE GOVERNOR'S BUDGET RECOMMENDATIONS CONCERNING PUBLIC HEALTH.

SUMMARY:

This bill authorizes the state to recover the cost of caring for an individual committed to a state institution after being found not guilty of a crime by reason of a mental illness. It authorizes the state to follow existing statutory collection methods. (Presumably, recoveries will be made in a similar manner to those for residents of state humane institutions.) Current law requires the state to be charged for these costs.

EFFECTIVE DATE: July 1, 2012

BACKGROUND

Recoveries of State Humane Institution Care Costs

By law, current or former residents of state humane institutions, including the Department of Mental Health and Addiction Services facilities, are liable to repay the state the cost of their care. If the resident is unable to pay, the state can recover all or part of the cost from legally liable relatives (e.g., spouse or minor's parent), based on their ability to pay. The state comptroller sets the maximum amount the state can collect.

The state generally recovers these costs from either (1) the individual's estate after he or she dies or (2) windfalls, such as inheritances or lawsuit proceeds. If the individual owns a home, the state may place a lien on it to make a recovery.

COMMITTEE ACTION

Public Health Committee

Joint Favorable Substitute

Yea 26 Nay 0 (03/26/2012)