

DEPARTMENT OF SOCIAL SERVICES
NOTICE OF INTENT TO AMEND REGULATIONS

In accordance with the provisions of subsection (a) of section 4-168 of the Connecticut General Statutes, as amended, notice is hereby given that the Commissioner of Social Services, under the authority of section 17b-423 of the Connecticut General Statutes, proposes to amend section 17b-423-8 of the Regulations of Connecticut State Agencies. The proposed amendment modifies the qualifications of respite care providers under the National Family Caregiver Support Program to allow certain family members to qualify as respite care providers.

Statement of Purpose: (A) The purpose of the proposed regulation is to increase the flexibility of the National Family Caregiver Support Program by permitting a self-directed care option under which caregivers may hire personal care assistants to provide respite services.

(B) The main provisions of the regulation: (1) amend the provider qualifications to clarify that the spouse or the conservator of the care recipient shall not qualify to be respite care provider; (2) provide that a relative of the conservator of the care recipient may only qualify to be a respite care provider if first approved by the Department; (3) add the self-directed care option, under which personal care assistants may be hired by the caregiver to provide respite care services; and (4) makes several technical changes to bring the state regulations into compliance with the 2006 Reauthorization of the Older Americans Act.

The problems, issues or circumstances that the regulation proposes to address: Under the current program certain family members are not permitted to be paid to provide necessary respite services. The proposed amendment creates more flexibility regarding who may provide respite services by offering a self-directed care option and allowing personal care assistants to be service providers.

(C) The legal effects of the regulation, including all of the ways that the regulation would change existing regulations or other laws: The proposed amendment updates the regulations to be in compliance with changes made by the 2006 Reauthorization of the Older Americans Act that expands eligibility for care recipients

A copy of the complete text of this regulation is available, at no cost, upon request from the Office of Legal Counsel, Regulations and Administrative Hearings, Department of Social Services, 25 Sigourney Street, Hartford, Connecticut 06106; email: patricia.pion@ct.gov.

All written comments, questions, and concerns regarding this regulation may be submitted within 30 days of the publication of this notice to the Department of Social Services, Office of Legal Counsel, Regulations & Administrative Hearings, 25 Sigourney Street, Hartford, Connecticut, 06106. Attention: Brenda Parrella, Director. A hearing will be scheduled on the proposed regulation if requested by fifteen persons, by a governmental subdivision of an agency or by an association having not less than fifteen

members, if notice of the request is received by the Department within fourteen days after the date of publication of this notice.

When submitting correspondence, please refer to Regulation Control Number 11-07/RG.