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To: Senator Andres Ayala, Jr., Representative Joseph C. Serra, and Honorable Members of the Aging Committee

Re: H.B. No. 6461-- An Act Concerning Presumptive Medicaid Eligibility for the Connecticut Home Care Program

My name is Amy E. Todisco, and I am an elder law attorney with the law firm of Braunstein and Todisco, P.C. in Fairfield, Connecticut.

I am past-President of the Connecticut Chapter of the National Academy of Elder Law Attorneys, Inc., a chapter of the National Academy of Elder Law Attorneys, Inc. ("NAELA"). NAELA is a non-profit association whose mission is to provide legal advocacy, information and education to attorneys, bar associations and others who deal with the many specialized issues involving the elderly and individuals with special needs.

The Connecticut chapter of NAELA presents this written testimony in support of H.B. No. 6461, An Act Concerning Presumptive Medicaid Eligibility for the Connecticut Home Care Program for Elders.

The Connecticut Home Care Program for Elders ("CHCPE") helps individuals over 65 years of age, with monthly income below \$2,130.00, and with less than \$1,600.00 in assets, who are in need of community based long term care services, to remain in the community and forego more expensive nursing home care. CHCPE provides nursing, home health care, adult daycare, meals and medical transportation. However, applications for the Connecticut Home Care Program are taking in excess of six (6) months to be approved. Many long term care applications are filed when a person is in crisis or leaving a hospital. The time spent waiting for an eligibility decision is a dangerous time in terms of the client's health condition and the need for additional supports. If community-based services are not available due to eligibility delays, the client often re-enters critical care in either a hospital or nursing facility. An individual in need of immediate services is at a high level of risk and cannot wait six months for his/her application to be approved. The individual will ultimately have to be re-hospitalized or enter a nursing home.

H.B. 6461 would allow individuals in need of community based long term care services who meet basic screening criteria and who have completed an application for Medicaid to get

Senator Andres Ayala, Jr., Representative Joseph C. Serra, and Honorable Members of the Aging Committee

Page 2

immediate access to community-based long term care services without having to wait six months for his/her application to be approved. Individuals meeting "Presumptive Eligibility" requirements under this legislation would benefit from expedited applications for community based long term care services and be able to receive necessary long term care services at home.

H.B. 6461 is consistent with Governor Malloy's initiative to re-balance Medicaid expenditures from institutionalized care to community-based care. However, the only way to achieve such a re-balance is to expedite eligibility for community based long term care services for those at risk. Connecticut is in violation of the federally mandated Standard of Promptness which requires that a Medicaid eligibility decision to be rendered in 45 days; a lawsuit has been brought against the State for its delays in processing long term care applications. The enactment of H.B. 6461 would enable eligibility case workers to immediately grant such applications for long term care services and bring the State of Connecticut in compliance with federal regulations.

Annually, the Connecticut Home Care Program for Elders reviews applications from approximately 2,157 individuals. If H.B. 6461 was enacted, the State would save \$6,033.00 per month for each individual determined to be presumptively eligible for services under the CHCPE rather than paying for that individual to be in an institution. If only 25% of these 2,157 applicants were found to be able to receive such long term care services at home rather than in an institution, the State would save \$3,251,787.00.

Older persons requiring immediate long term care services in order to remain at home are at high risk of re-hospitalization or institutionalization if an applications to the CHCPE takes six months to be approved. H.B. 6461 would enable those individuals who are at high risk of being re-institutionalized to immediately receive the long term care services they need to allow them to remain at home.

Accordingly, on behalf of seniors in the State of Connecticut, I strongly urge the members of the Aging Committee to act favorably with regard to H.B. 6461.

Sincerely,
Braunstein and Todisco, P.C.



Amy E. Todisco