



General Assembly

January Session, 2013

Raised Bill No. 884

LCO No. 3199



Referred to Committee on AGING

Introduced by:
(AGE)

AN ACT INCREASING ELIGIBILITY FOR HOME AND COMMUNITY-BASED CARE FOR ELDERLY PERSONS AND THOSE WITH ALZHEIMER'S DISEASE.

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

1 Section 1. Subdivision (1) of subsection (c) of section 17b-349e of the
2 general statutes is repealed and the following is substituted in lieu
3 thereof (*Effective July 1, 2013*):

4 (c) (1) No individual with Alzheimer's disease may participate in the
5 program if such individual (A) has an annual income of more than
6 [forty-one] fifty thousand dollars or liquid assets of more than [one
7 hundred nine] one hundred eleven thousand dollars, or (B) is receiving
8 services under the Connecticut home-care program for the elderly. On
9 July 1, [2009] 2014, and annually thereafter, the commissioner shall
10 increase such income and asset eligibility criteria over that of the
11 previous fiscal year to reflect the annual cost of living adjustment in
12 Social Security income, if any.

13 Sec. 2. Subsection (i) of section 17b-342 of the general statutes is

14 repealed and the following is substituted in lieu thereof (*Effective July*
15 *1, 2013*):

16 (i) (1) On and after July 1, 1992, the Commissioner of Social Services
17 shall, within available appropriations, administer a state-funded
18 portion of the program for persons (A) who are sixty-five years of age
19 and older; (B) who are inappropriately institutionalized or at risk of
20 inappropriate institutionalization; (C) whose income is less than or
21 equal to the amount allowed under subdivision (3) of subsection (a) of
22 this section; and (D) whose assets, [if single, do not exceed the
23 minimum community spouse protected amount pursuant to Section
24 4022.05 of the department's uniform policy manual or, if married, the
25 couple's assets do not exceed one hundred fifty per cent of said
26 community spouse protected amount and on and after April 1, 2007,
27 whose assets, if single, do not exceed one hundred fifty per cent of the
28 minimum community spouse protected amount pursuant to Section
29 4022.05 of the department's uniform policy manual or, if married, the
30 couple's assets do not exceed two hundred per cent of said community
31 spouse protected amount] on and after July 1, 2013, if single, do not
32 exceed forty thousand dollars or, if married, do not exceed sixty-five
33 thousand dollars.

34 (2) Except for persons residing in affordable housing under the
35 assisted living demonstration project established pursuant to section
36 17b-347e, as provided in subdivision (3) of this subsection, any person
37 whose income is at or below two hundred per cent of the federal
38 poverty level and who is ineligible for Medicaid shall contribute
39 [seven] six per cent of the cost of his or her care. Any person whose
40 income exceeds two hundred per cent of the federal poverty level shall
41 contribute [seven] six per cent of the cost of his or her care in addition
42 to the amount of applied income determined in accordance with the
43 methodology established by the Department of Social Services for
44 recipients of medical assistance. Any person who does not contribute
45 to the cost of care in accordance with this subdivision shall be
46 ineligible to receive services under this subsection. Notwithstanding

47 any provision of the general statutes, the department shall not be
48 required to provide an administrative hearing to a person found
49 ineligible for services under this subsection because of a failure to
50 contribute to the cost of care.

51 (3) Any person who resides in affordable housing under the assisted
52 living demonstration project established pursuant to section 17b-347e
53 and whose income is at or below two hundred per cent of the federal
54 poverty level, shall not be required to contribute to the cost of care.
55 Any person who resides in affordable housing under the assisted
56 living demonstration project established pursuant to section 17b-347e
57 and whose income exceeds two hundred per cent of the federal
58 poverty level, shall contribute to the applied income amount
59 determined in accordance with the methodology established by the
60 Department of Social Services for recipients of medical assistance. Any
61 person whose income exceeds two hundred per cent of the federal
62 poverty level and who does not contribute to the cost of care in
63 accordance with this subdivision shall be ineligible to receive services
64 under this subsection. Notwithstanding any provision of the general
65 statutes, the department shall not be required to provide an
66 administrative hearing to a person found ineligible for services under
67 this subsection because of a failure to contribute to the cost of care.

68 (4) The annualized cost of services provided to an individual under
69 the state-funded portion of the program shall not exceed fifty per cent
70 of the weighted average cost of care in nursing homes in the state,
71 except an individual who received services costing in excess of such
72 amount under the Department of Social Services in the fiscal year
73 ending June 30, 1992, may continue to receive such services, provided
74 the annualized cost of such services does not exceed eighty per cent of
75 the weighted average cost of such nursing home care. The
76 commissioner may allow the cost of services provided to an individual
77 to exceed the maximum cost established pursuant to this subdivision
78 in a case of extreme hardship, as determined by the commissioner,
79 provided in no case shall such cost exceed that of the weighted cost of

80 such nursing home care.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2013</i>	17b-349e(c)(1)
Sec. 2	<i>July 1, 2013</i>	17b-342(i)

Statement of Purpose:

To expand eligibility for state-funded home and community-based care for the elderly and those with Alzheimer's disease.

[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.]