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SATELLITE OFFICES

Testimony of Kristen Noelle Hatcher

Human Services Committee

**An Act Concerning Programs Administered by the Department of Social Services
Bill 251**

Thank you for this opportunity to provide testimony in support of Bill 251. I am the Managing Attorney of Connecticut Legal Services' benefits unit. Our organization provides civil legal services to the low-income residents of Connecticut, inclusive of all parts of the state except greater New Haven and the greater Hartford area. The benefits unit advocates both individually and systemically for access to food, monetary, employment, and healthcare benefits administered by the state. We work closely with the other legal services programs that cover the remainder of the state to ensure all residents have access to needed services.

DSS is working very hard to improve its system. DSS has addressed several hurdles that have risen, but the delay in the processing of benefits and the improper discontinuation of eligible individuals' benefits must be controlled. It is important to ensure that individuals seeking benefits from the DSS continue to receive their benefits and have their applications and redeterminations processed in a timely matter. Due to delays in the processing of documents, clients who submit applications for benefits are routinely delayed in receiving a decision, far in excess of the deadlines under federal law (30 days for regular SNAP, 45 days for most Medicaid applications). Already enrolled individuals who have timely submitted completed redetermination forms to DSS through the scanning center and who are still fully eligible for benefits have nevertheless had their benefits terminated for "failure to cooperate," because DSS has been unable to timely process all of the timely submitted redetermination forms by the renewal dates and the computers are programmed to automatically terminate anyone not affirmatively found to be eligible following a review of these forms. In some cases, eligible individuals have received inaccurate notices from DSS stating that their benefits will be or have been terminated when in fact their forms have been processed and the clients' benefits are no longer in jeopardy. In recent correspondence from DSS to legal services, the agency has indicated that redeterminations are scanned and placed in a specific work pool for the eligibility workers to process; however, at this date DSS is not prioritizing one work pool over another to ensure that no Medicaid enrollee who has timely submitted a completed redetermination form will be terminated at renewal because DSS has been unable to review and process the form on time.

Where benefits have been wrongly terminated, this has caused tremendous stress for clients and has delayed critical health care to clients and has left their basic needs



SOUTH NORWALK, CT 06854

unmet. In those cases where the benefits are not actually in jeopardy, but a termination notice is issued stating inaccurately that the individual “failed to cooperate,” countless hours have been spent by both the client and in some cases an advocate seeking a resolution to a perceived threat to the clients’ benefits, also consuming DSS staff time if the person is able to reach a DSS worker.

We have learned clients are being turned away from at least some DSS regional offices when they walk in for assistance with their benefits or to apply. In some instances, including the Bridgeport office particularly, people that are seeking assistance only with a Medicaid application are summarily turned away and told to go to an Access Health-CT navigator or assistor agency. In others, people are asked to take a ticket with a number and, after fifty numbers have been drawn, the remaining people are told to come back the next day.

This new practice is not consistent with the central Affordable Care Act concept of “no wrong door” for applying for health insurance, and is impermissible under long-standing federal Medicaid and SNAP law, as an application for these benefits must be accepted by the state agency the same day the individual seeks to apply. In addition, clients often take several busses, walk great distances, secure transportation from a friend or relative who has gone to great lengths to aid him or her, and may have overcome their own physical or mental health barriers to get to the DSS regional office.

Support and Proposal

It is critical that DSS accept applications when they are presented and that each document is dated according to its date of receipt. In addition, redetermination documents must also be dated by DSS and when such documents are timely received, an individual should not receive a notice of termination of benefits unless found ineligible after their documents have been reviewed by a DSS worker. The date an application is received is oft times a critical issue when assessing eligibility periods and the preservation/tracking of this date can determine whether someone will continue to receive their SNAP or medical care during a given month. The date will not only help DSS track each document as it comes in to ensure its timely processing, but it also provides critical evidence should an individual need to appeal a termination of benefits at an administrative hearing. This bill will provide critical protections for some of our state’s most vulnerable residents.

Last, I urge you to add the following subsections:

PROPOSED AMENDMENT TO RAISED BILL 251 PENDING BEFORE THE HUMAN SERVICES COMMITTEE

(c) The Commissioner of Social Services shall ensure that the department can readily identify (1) all redetermination forms which have been received for any program it administers and are waiting to be processed, and (2) which of these forms were received by the deadline provided by the department for their submission and which were submitted after that deadline.

(d) The Commissioner shall ensure that, for all benefit programs other than Supplemental Nutritional Assistance Program, no beneficiary who has timely submitted a redetermination form by the deadline provided by the department will be terminated from their benefits until a review of the redetermination form is completed and the individual is found to no longer be eligible based on what is stated on that form or obtained from other sources.

(e) The Commissioner shall ensure that all beneficiaries of the Supplemental Nutritional Assistance Program, who submit the redetermination form by the deadline provided by the department, are afforded an opportunity for an interview sufficiently before the end of the renewal period so that the redetermination can be timely processed.

Thank you very much for considering my testimony.