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## **OLR Bill Analysis**

### **sSB 174**

#### ***AN ACT CONCERNING FAIRNESS IN MEDICAID ELIGIBILITY DETERMINATIONS FOR HOME-CARE CLIENTS.***

#### **SUMMARY:**

This bill requires the social services commissioner to provide, in accordance with federal Medicaid regulations, retroactive assistance to participants in the Connecticut Home Care Program for Elders (CHCPE) for up to three months before the date of application. Under current law, assistance is provided after an application has been approved.

The bill applies to all Medicaid eligible services. In practice and pursuant to federal law, the Department of Social Services already makes such retroactive payments for other Medicaid-eligible services, including long-term care services. This bill extends retroactive coverage to home care services.

The bill also institutes a look-back provision in accordance with federal law. If an applicant has transferred assets for less than fair market value in the 60 months prior to applying for assistance, the commissioner must enforce a penalty period before an applicant may receive assistance. The penalty period starts on the later of (1) the date of the transfer that resulted in the penalty, or (2) the date an otherwise eligible applicant applied for medical assistance. The penalty period (in months) is calculated by dividing:

1. the value of all assets transferred within the 60 months before application, by
2. the average monthly cost to a private patient of nursing facility services.

EFFECTIVE DATE: July 1, 2014

**BACKGROUND**

***Connecticut Home Care Program For Elders***

CHCPE is a Medicaid waiver and state-funded program that provides home- and community-based services for eligible individuals age 65 and older who are at risk of institutionalization. Services include care management, adult day care, homemaker services, transportation, meals-on-wheels, minor home modifications, and certain personal care and assisted living services.

**COMMITTEE ACTION**

Aging Committee

Joint Favorable Change of Reference

Yea 12 Nay 0 (03/11/2014)

Human Services Committee

Joint Favorable Substitute

Yea 17 Nay 0 (03/20/2014)