House of Representatives

General Assembly

File No. 344

February Session, 2014

Substitute House Bill No. 5296

House of Representatives, April 3, 2014

The Committee on Public Health reported through REP. JOHNSON of the 49th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

AN ACT CONCERNING ADMISSIONS TO THE VETERANS' HOME OR TO A HOSPITAL.

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

Section 1. Section 27-108 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2014*):

(a) Any veteran, as defined in subsection (a) of section 27-103, who meets active military, naval or air service requirements, as **[**defined**]** described in 38 USC 101, may apply for admission to the home; and any such veteran who has no adequate means of support, and who, from disease, wounds or accident, needs medical or surgical care and treatment or who has become mentally ill, **[**and who has no adequate means of support,**]** may be admitted to any hospital and receive necessary food, clothing, care and treatment therein, at the expense of the state. **[**, unless other funds or means of payment are available.**]** Whenever a person is admitted to a hospital, such person shall be asked if he or she is a veteran. When a hospital submits a bill for services pursuant to this section, such hospital shall certify that it has

taken sufficient steps to determine that no other funds or means of payment are available to cover the cost of services rendered to the veteran. The Department of Veterans' Affairs shall make available to hospitals a general list of funds or means of payment available to cover hospital costs of veterans.

(b) Any member or former member of the armed forces, as defined in subsection (a) of section 27-103, who is a resident of this state and is entitled to retirement pay under 10 USC Chapter 1223, may apply for admission to the home.

(c) Any such veteran desiring care or treatment under the provisions of this chapter shall make application under oath to the Commissioner of Veterans' Affairs; but, if, by reason of his or her physical condition, he or she is unable to make such application, some other veteran may make such application in his or her behalf. Said commissioner, or his or her designee, shall have sole power to determine whether such veteran is entitled to admission to the home. [or to a hospital, and such] Such veteran, if admitted to the home, or to a hospital as provided in subsection (a) of this section, may, upon application to the commissioner, receive transportation at the expense of the state from his or her place of residence to the home or such hospital. No veteran so admitted shall be discharged from the home except upon the approval of the commissioner or his or her designee. [The commissioner shall have sole power to remove any veteran whose care and treatment is paid for by the state from any hospital to another and shall appoint] In the case of veterans admitted to a hospital as provided in subsection (a) of this section, the commissioner may designate such agents as are necessary to [see that veterans admitted to hospitals] determine if such veterans are receiving necessary food, clothing, care and treatment. Any veteran admitted to a hospital as provided in this section shall execute a release permitting the commissioner or his or her agents to determine if the veteran has received the necessary food, clothing, care and treatment.

(d) Such veterans who are able to pay in whole or in part for such

48 program or services, as determined by the applicable fee schedule
49 adopted pursuant to subsection (d) of section 27-102*l*, shall receive a
50 monthly bill for such services rendered.

51 (e) In the event that a bill of a veteran remains unpaid and past due,
52 the chief fiscal officer, with the approval of the commissioner, shall
53 require the veteran to assign his or her right to receive payment of
54 income, from whatever source, to the commissioner until (1) such
55 account is made current, and (2) the veteran demonstrates to the
56 satisfaction of the commissioner a reasonable likelihood of more
57 prudent financial management for the future. Any veteran shall be
58 provided an opportunity for a hearing when an order of assignment is
59 issued.

60 (f) Payment of amounts determined by the commissioner as
61 provided by subsection **[**(c)**]** (d) of this section shall be deposited in the
62 institutional general welfare fund of the Veterans' Home established in
63 accordance with sections 4-56 to 4-58, inclusive, and shall be available
64 for expenditure from said fund for the operation of the Veterans'
65 Home in accordance with procedures prescribed by the commissioner
66 and the Comptroller.

67 (g) In the event that a veteran dies, still owing money for services
68 rendered, the commissioner, with the aid of the Attorney General's
69 office, may submit a claim against such veteran's estate and any
70 amounts collected shall be deposited in the institutional general
71 welfare fund in accordance with section 4-56.

72 Sec. 2. Section 27-109 of the general statutes is repealed. (*Effective*
73 *October 1, 2014*)

This act shall take effect as follows and shall amend the following sections:		
Section 1	*October 1, 2014*	27-108
Sec. 2	*October 1, 2014*	Repealer section

Statement of Legislative Commissioners:

In section 1(f), the reference to subsection (c) was changed to (d) for accuracy.

VA	*Joint Favorable Subst. C/R*	PH
PH	*Joint Favorable Subst.-LCO*	

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 15 $	FY 16 $
Department of Veterans' Affairs	GF - Potential Cost	Indeterminate	Indeterminate
Department of Veterans' Affairs	GF - Cost	124,000	124,000
State Comptroller - Fringe Benefits[1]	GF - Cost	45,458	45,458

Municipal Impact: None

Explanation

The bill eliminates a statutory requirement that hospitals must first use alternative funding sources for hospital care for veterans before billing the state which may result in a potential cost to the Department of Veterans Affairs. Currently, there are approximately 275,000 veterans in Connecticut.

The bill also requires: (1) The Department of Veterans Affairs (DVA) to provide information on available funding sources for every veteran admitted to a hospital in Connecticut and (2) hospitals to question every patient who is admitted if they are a veteran. DVA currently does not have staff that provides this service to hospitals and it is anticipated that DVA will need two additional positions to handle the provisions of the bill. This results in an estimated cost of $169,458 ($124,000 for two salaries and $45,458 for fringe benefits) in FY 15 based on the cost of an existing fiscal administrator position.

[1]The fringe benefit costs for most state employees are budgeted centrally in accounts administered by the Comptroller. The estimated active employee fringe benefit cost associated with most personnel changes is 36.66% of payroll in FY 15 and FY 16.

The Out Years

The annualized ongoing funding for two staff positions and costs to DVA for hospital services for veterans identified above would continue into the future subject to inflation.

OLR Bill Analysis

sHB 5296

AN ACT CONCERNING ADMISSIONS TO THE VETERANS' HOME OR TO A HOSPITAL.

SUMMARY:

By law, mentally ill veterans and veterans needing medical or surgical care or treatment may apply for admission to certain hospitals and receive necessary food, clothing, care, and treatment at the state's expense if they do not have adequate means of support. Under current law, the state bears the expense only if no other funds or means of payment are available. This bill eliminates (1) this limitation, requiring the state to pay whether or not other means of payment are available, and (2) the requirement that hospitals provide necessary food, clothing, care, and treatment, at state expense, to veterans the veterans' affairs commissioner determines are entitled to admission.

The bill requires hospitals (1) to ask a patient, on admission, if he or she is a veteran and (2) when submitting a bill (presumably to the state), certify they have taken sufficient steps to determine that no other funds or means of payment are available to cover the cost of the rendered services. (Although a hospital must certify that it has taken sufficient steps to determine that no other payment options are available, the bill eliminates the provision requiring these funds be used first.)

The bill requires the Department of Veterans' Affairs to make available to hospitals a general list of funds or means of payment available to cover veterans' hospital costs.

Under the bill, a veteran who is admitted to a hospital must execute a release allowing the veterans' affairs commissioner or her agents to determine if the veteran has received necessary food, clothing, care,

and treatment.

The bill also eliminates the (1) veterans' admission preference to hospitals and (2) commissioner's sole authority to (a) determine whether a veteran is entitled to a hospital admission and (b) move the veteran from one hospital to another, if the care and treatment is paid by the state.

The bill applies to an incorporated hospital or tuberculosis sanatorium, chronic disease hospital, and mental hospital or training school for people with mental retardation. A "veteran" is anyone honorably discharged from, or released under honorable conditions from, active service in the armed forces, who meets active military requirements.

EFFECTIVE DATE: October 1, 2014

COMMITTEE ACTION

Veterans' Affairs Committee

Joint Favorable Substitute Change of Reference
Yea 14 Nay 0 (03/11/2014)

Public Health Committee

Joint Favorable
Yea 24 Nay 2 (03/21/2014)