



House of Representatives

General Assembly

File No. 151

February Session, 2016

Substitute House Bill No. 5441

House of Representatives, March 23, 2016

The Committee on Human Services reported through REP. ABERCROMBIE of the 83rd Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

***AN ACT CONCERNING CONVEYANCES OF PROPERTY BY
RECIPIENTS OF PUBLIC ASSISTANCE.***

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

1 Section 1. Section 17b-85 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective July 1, 2016*):

3 If any person receiving an award for the care of any dependent
4 child or children, or any person legally liable for the support of such
5 child or children, or any other person being supported wholly or in
6 part under the provisions of the state supplement program, medical
7 assistance program, temporary family assistance program or state-
8 administered general assistance program or any beneficiary under
9 such provisions or any legally liable relative of such beneficiary,
10 receives property, wages, income or resources of any kind, such person
11 or beneficiary, within ten days after obtaining knowledge of or
12 receiving such property, wages, income or resources, shall notify the
13 commissioner thereof, orally or in writing, unless good cause is

14 established for failure to provide such notice, as determined by the
 15 commissioner. No such person or beneficiary shall sell, assign,
 16 transfer, encumber or otherwise dispose of any property without [the
 17 consent of] notifying the commissioner in writing by mail postmarked
 18 not later than seven business days after such sale, assignment, transfer,
 19 encumbrance or disposal of the property. The provisions of section
 20 17b-137 shall be applicable with respect to any person applying for or
 21 receiving an award under such provisions. Except for the
 22 supplemental nutrition assistance program, any change in the
 23 information which has been furnished on an application form or a
 24 redetermination of eligibility form shall also be reported to the
 25 commissioner, orally or in writing, within ten days of the occurrence of
 26 such change, unless good cause is established for failure to provide
 27 such notice, as determined by the commissioner. For participants in
 28 the supplemental nutrition assistance program, the commissioner shall
 29 establish reporting requirements regarding such changes in
 30 information in accordance with applicable federal law, as may be
 31 amended from time to time.

This act shall take effect as follows and shall amend the following sections:		
Section 1	July 1, 2016	17b-85

HS *Joint Favorable Subst.*

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 17 \$	FY 18 \$
Social Services, Dept.	GF - Cost	Potential	Potential

Note: GF=General Fund

Municipal Impact: None

Explanation

There may be a cost to the state's Medicaid program to the extent the provisions of the bill impact Medicaid eligibility redeterminations and allow an individual to be deemed Medicaid eligible when they otherwise would not be. The cost will depend on the following, (1) the number of individuals who remain Medicaid eligible who otherwise would not be, (2) how long they remain eligible and (3) the Medicaid services they receive during that time frame, which is uncertain. Currently, when there is a change in an individual's assets due to actions concerning property the Department of Social Services automatically redetermines the individual's eligibility for Medicaid.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to the number of individuals impacted by the bill.

OLR Bill Analysis**sHB 5441*****AN ACT CONCERNING CONVEYANCES OF PROPERTY BY RECIPIENTS OF PUBLIC ASSISTANCE.*****SUMMARY:**

This bill eliminates a requirement that state medical or financial assistance recipients or their legally liable relatives get consent from the Department of Social Services (DSS) before selling, assigning, transferring, encumbering, or otherwise disposing of property. It instead requires these individuals to mail the commissioner written notice within seven business days of taking such action. By law, these individuals must report promptly to DSS (1) any increase in income or acquisition of property and (2) various other changes to their finances.

EFFECTIVE DATE: July 1, 2016

RELATED BILL

SB 407, favorably reported by the Banking Committee, prevents a previously recorded interest in property from losing its priority to an unrecorded or subsequently recorded claim or lien by the state against a person for repayment of state aid.

COMMITTEE ACTION

Human Services Committee

Joint Favorable Substitute

Yea 16 Nay 0 (03/10/2016)