



Senate

General Assembly

File No. 49

February Session, 2016

Substitute Senate Bill No. 135

Senate, March 15, 2016

The Committee on Human Services reported through SEN. MOORE, M. of the 22nd Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

AN ACT CONCERNING REVISIONS TO HUSKY PLUS.

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

1 Section 1. Section 17b-294a of the 2016 supplement to the general
2 statutes is repealed and the following is substituted in lieu thereof
3 (*Effective from passage*):

4 (a) The commissioner shall, within available appropriations,
5 establish a supplemental health program to be known as HUSKY Plus
6 for [members of the subsidized portions of] HUSKY B members whose
7 medical needs cannot be accommodated within the basic benefit
8 package offered to members. The HUSKY Plus program shall
9 supplement coverage for those medically eligible members with
10 intensive physical health needs.

11 (b) Within available appropriations, the commissioner shall contract
12 with one or more entities to (1) administer and operate the HUSKY
13 Plus program, [. Such entities shall be the same entities that the
14 Department of Public Health contracts with to administer and operate

15 the program under Title V of the Social Security Act. The advisory
16 committee established by the Department of Public Health for Title V
17 of the Social Security Act shall be the steering committee for such
18 program, except that such committee shall include representatives of
19 the Departments of Social Services and Children and Families] and (2)
20 conduct an external quality review of the HUSKY Plus program not
21 later than July 1, 2017.

22 (c) [The acuity standards or diagnostic eligibility criteria, or both,
23 the service benefits package and the provider network for the HUSKY
24 Plus program shall be consistent with that of Title V of the Social
25 Security Act. Such] The service benefit package shall be supplemental
26 to HUSKY B services and shall include powered wheelchairs. If a
27 provider is not enrolled in the medical assistance program, the
28 provider shall accept the medical assistance program rates as payment
29 in full and such other conditions as the commissioner may specify.

30 (d) [The] Not later than July 1, 2017, the commissioner shall adopt
31 regulations, in accordance with chapter 54, to (1) establish criteria and
32 specify services for the HUSKY Plus program, and (2) establish a
33 procedure for the appeal of a denial of coverage under the HUSKY
34 Plus program. [Such regulations shall provide that (1) an appeal of a
35 denial of coverage for a medically eligible member shall be taken to the
36 steering committee, and (2) a medically eligible member may appeal
37 the decision of any such steering committee to the commissioner] Such
38 regulations shall state that the HUSKY Plus program shall give priority
39 in such program to members with household incomes at or below two
40 hundred forty-nine per cent of the federal poverty level.

41 [(e) The commissioner shall contract for an external quality review
42 of the HUSKY Plus program.]

43 [(f)] (e) On and after the date on which any medically eligible
44 member begins receiving benefits under the HUSKY Plus program,
45 such member shall not be eligible for services under Title V of the
46 Social Security Act, with the exception of respite care services.

47 [(g) The commissioner shall adopt regulations, in accordance with
 48 the provisions of chapter 54, to establish criteria and specify services
 49 for the HUSKY Plus program. Such regulations shall state that the
 50 HUSKY Plus program shall give priority in such program to members
 51 with household incomes at or below two hundred forty-nine per cent
 52 of the federal poverty level.]

53 [(h)] (f) As used in this section, "medically eligible member" means
 54 any member with intensive physical health needs [who meets the
 55 acuity standards or diagnostic eligibility criteria adopted by the
 56 commissioner regarding the acuity, diagnosis, functional impairment
 57 and intensive service needs of the member] whose medical needs
 58 cannot be met within the HUSKY B benefits offered to members.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	17b-294a

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:*** None***Municipal Impact:*** None***Explanation***

The bill makes various changes to the HUSKY Plus program administered by the Department of Social Services which do not result in a fiscal impact to the state or municipalities as they codify current practice.

The Out Years***State Impact:*** None***Municipal Impact:*** None

OLR Bill Analysis**sSB 135*****AN ACT CONCERNING REVISIONS TO HUSKY PLUS.*****SUMMARY:**

By law, HUSKY Plus is a supplemental health program for HUSKY B (i.e., the State Children's Health Insurance Program) members with intensive physical health needs that cannot be met through the basic benefit package. This bill makes several changes to the law governing this program, including:

1. requiring HUSKY Plus providers who are not enrolled Medicaid providers to accept (1) Medicaid rates as payment in full and (2) other conditions the commissioner may specify;
2. modifying the definition of "medically eligible member" for HUSKY Plus purposes;
3. allowing HUSKY Plus recipients to receive respite services under Title V of the Social Security Act (SSA); and
4. adding new regulation requirements and setting a deadline for the Department of Social Services (DSS) to adopt the regulations.

Additionally, current law requires DSS to contract for an external quality review of HUSKY Plus. The bill requires the review to be completed by July 1, 2017 and conducted within available appropriations.

Finally, the bill eliminates obsolete requirements that:

1. the HUSKY Plus program be led by a steering committee consisting of (1) an advisory council established by the Department of Public Health and (2) DSS and Department of

Children and Families representatives and

2. acuity standards or diagnostic eligibility criteria, the services benefit package, and the provider network for HUSKY Plus be consistent with Title V of the SSA. The bill instead specifies that the HUSKY Plus benefit package must be supplemental to HUSKY B services.

EFFECTIVE DATE: Upon passage

MEDICALLY ELIGIBLE MEMBER

The bill modifies the definition of “medically eligible member” to mean a member with intensive physical needs whose medical needs cannot be met within the HUSKY B benefits offered to members. Currently, such members are those with intensive physical needs who meet the acuity standards or diagnostic eligibility criteria adopted by the commissioner regarding the member’s acuity, diagnosis, functional impairment, and intensive service needs.

RESPITE SERVICES

Currently, when an eligible member begins receiving HUSKY Plus benefits, he or she is no longer eligible for services under Title V of the SSA. All such services are covered as HUSKY B services, with the exception of respite care (i.e., services that provide a caregiver temporary relief from his or her care responsibilities). The bill eliminates this exception for HUSKY Plus members by allowing them to receive respite care services under Title V.

HUSKY PLUS REGULATIONS

Current law requires DSS to adopt regulations establishing (1) an appeals procedure for a HUSKY Plus coverage denial and (2) criteria and specifying services for the HUSKY Plus program. The bill requires that DSS adopt these regulations by July 1, 2017 and eliminates obsolete provisions requiring the regulations pertaining to the appeals process provide that (1) appeals of coverage denials be taken to the program’s steering committee and (2) the applicant may appeal the committee’s decision to the DSS commissioner.

COMMITTEE ACTION

Human Services Committee

Joint Favorable Substitute

Yea 17 Nay 0 (03/03/2016)