



General Assembly

**Substitute Bill No. 157**

February Session, 2018



**AN ACT REDUCING PARTICIPANT COSTS AND EXPANDING  
ELIGIBILITY FOR THE CONNECTICUT HOME-CARE PROGRAM FOR  
THE ELDERLY.**

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

1 Section 1. Subsection (i) of section 17b-342 of the general statutes is  
2 repealed and the following is substituted in lieu thereof (*Effective July*  
3 *1, 2018*):

4 (i) (1) On and after July 1, [2015] 2018, the Commissioner of Social  
5 Services shall, within available appropriations, administer a state-  
6 funded portion of the program for persons (A) who are sixty-five years  
7 of age and older; (B) who are inappropriately institutionalized or at  
8 risk of inappropriate institutionalization; (C) whose income is less than  
9 or equal to the amount allowed under subdivision (3) of subsection (a)  
10 of this section; and (D) whose assets, if single, do not exceed [one  
11 hundred fifty per cent of the federal minimum community spouse  
12 protected amount pursuant to 42 USC 1396r-5(f)(2) or, if married, the  
13 couple's assets do not exceed two hundred per cent of said community  
14 spouse protected amount] forty thousand dollars or, if married, sixty-  
15 five thousand dollars. For program applications received by the  
16 Department of Social Services for the fiscal years ending June 30, 2016,  
17 and June 30, 2017, only persons who require the level of care provided  
18 in a nursing home shall be eligible for the state-funded portion of the  
19 program, except for persons residing in affordable housing under the  
20 assisted living demonstration project established pursuant to section

21 17b-347e who are otherwise eligible in accordance with this section.

22 (2) Except for persons residing in affordable housing under the  
23 assisted living demonstration project established pursuant to section  
24 17b-347e, as provided in subdivision (3) of this subsection, any person  
25 whose income is at or below two hundred per cent of the federal  
26 poverty level and who is ineligible for Medicaid shall contribute [nine]  
27 seven per cent of the cost of his or her care. Any person whose income  
28 exceeds two hundred per cent of the federal poverty level shall  
29 contribute [nine] seven per cent of the cost of his or her care in  
30 addition to the amount of applied income determined in accordance  
31 with the methodology established by the Department of Social Services  
32 for recipients of medical assistance. Any person who does not  
33 contribute to the cost of care in accordance with this subdivision shall  
34 be ineligible to receive services under this subsection. Notwithstanding  
35 any provision of sections 17b-60 and 17b-61, the department shall not  
36 be required to provide an administrative hearing to a person found  
37 ineligible for services under this [subsection] subdivision because of a  
38 failure to contribute to the cost of care.

39 (3) Any person who resides in affordable housing under the assisted  
40 living demonstration project established pursuant to section 17b-347e  
41 and whose income is at or below two hundred per cent of the federal  
42 poverty level, shall not be required to contribute to the cost of care.  
43 Any person who resides in affordable housing under the assisted  
44 living demonstration project established pursuant to section 17b-347e  
45 and whose income exceeds two hundred per cent of the federal  
46 poverty level, shall contribute to the applied income amount  
47 determined in accordance with the methodology established by the  
48 Department of Social Services for recipients of medical assistance. Any  
49 person whose income exceeds two hundred per cent of the federal  
50 poverty level and who does not contribute to the cost of care in  
51 accordance with this subdivision shall be ineligible to receive services  
52 under this subsection. Notwithstanding any provision of sections 17b-  
53 60 and 17b-61, the department shall not be required to provide an

54 administrative hearing to a person found ineligible for services under  
55 this [subsection] subdivision because of a failure to contribute to the  
56 cost of care.

57 (4) The annualized cost of services provided to an individual under  
58 the state-funded portion of the program shall not exceed fifty per cent  
59 of the weighted average cost of care in nursing homes in the state,  
60 except an individual who received services costing in excess of such  
61 amount under the Department of Social Services in the fiscal year  
62 ending June 30, 1992, may continue to receive such services, provided  
63 the annualized cost of such services does not exceed eighty per cent of  
64 the weighted average cost of such nursing home care. The  
65 commissioner may allow the cost of services provided to an individual  
66 to exceed the maximum cost established pursuant to this subdivision  
67 in a case of extreme hardship, as determined by the commissioner,  
68 provided in no case shall such cost exceed that of the weighted cost of  
69 such nursing home care.

This act shall take effect as follows and shall amend the following sections:		
Section 1	July 1, 2018	17b-342(i)

**Statement of Legislative Commissioners:**

In Section 1, the effective date was changed to July 1, 2018, for consistency with other provisions of the section.

**AGE**      *Joint Favorable Subst. -LCO*