

OFFICE OF FISCAL ANALYSIS

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sSB-247

AN ACT CONCERNING PROBATE COURT OPERATIONS. AMENDMENT

LCO No.: 4061

File Copy No.: 514

Senate Calendar No.: 318

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 19 \$	FY 20 \$
Social Services, Dept.; Attorney General; Children & Families, Dept.; Department of Developmental Services	GF - Potential Cost	See Below	See Below

Note: GF=General Fund

Municipal Impact: None

Explanation

The amendment requires state agencies to recognize, apply, and enforce any probate court orders, denials or decrees and may result in a cost to the state to represent agency interests in Probate Court proceedings. To the extent that agencies are not currently complying with such orders, this amendment may also result in a cost to the agencies to comply.

In addition, to the extent that the Probate Court order potentially violates federal law or jeopardizes federal funding, it is likely the affected agency, represented by the Office of the Attorney General, would appeal the decision. In accordance with federal law (42 USC 1396a(a)(5)), the Department of Social Services has been identified as the single state agency to determine Medicaid eligibility and therefore eligibility determination is outside the scope of the Probate Court and

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assumed unchanged by the amendment.

The preceding Fiscal Impact statement is prepared for the benefit of the members of the General Assembly, solely for the purposes of information, summarization and explanation and does 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.