

**Proposed Substitute  
Bill No. 5403**

LCO No. 2828

**AN ACT EXCLUDING CERTAIN VETERANS' BENEFITS WHEN  
DETERMINING ELIGIBILITY FOR PUBLIC ASSISTANCE PROGRAMS.**

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

1 Section 1. Subsection (a) of section 17b-28i of the general statutes is  
2 repealed and the following is substituted in lieu thereof (*Effective July 1,*  
3 *2020*):

4 (a) To the extent permissible by federal law, the Commissioner of  
5 Social Services shall disregard federal (1) Aid and Attendance pension  
6 benefits granted to a veteran or the surviving spouse of such veteran,  
7 and (2) service-connected disability benefits granted to a veteran when  
8 determining income eligibility for the state's Medicare savings, medical  
9 assistance and energy assistance programs administered under section  
10 17b-2. As used in this subsection, "veteran" means any person [(1)] (A)  
11 honorably discharged from, or released under honorable conditions  
12 from active service in, the armed forces, as defined in section 27-103, or  
13 [(2)] (B) with a qualifying condition, as defined in said section, who has  
14 received a discharge other than bad conduct or dishonorable from active  
15 service in the armed forces.

16 Sec. 2. Subsection (a) of section 17b-104 of the 2020 supplement to the  
17 general statutes is repealed and the following is substituted in lieu  
18 thereof (*Effective July 1, 2020*):

19 (a) The Commissioner of Social Services shall administer the program  
20 of state supplementation to the Supplemental Security Income Program  
21 provided for by the Social Security Act and state law. The commissioner  
22 may delegate any powers and authority to any deputy, assistant,  
23 investigator or supervisor, who shall have, within the scope of the  
24 power and authority so delegated, all of the power and authority of the  
25 Commissioner of Social Services. The commissioner shall establish a  
26 standard of need based on the cost of living in this state for the  
27 temporary family assistance program and the state-administered  
28 general assistance program. The commissioner shall make a  
29 reinvestigation, at least every twelve months, of all cases receiving aid  
30 from the state, except that such reinvestigation may be conducted every  
31 twenty-four months for recipients of assistance to the elderly or disabled  
32 with stable circumstances, and shall maintain all case records of the  
33 several programs administered by the Department of Social Services so  
34 that such records show, at all times, full information with respect to  
35 eligibility of the applicant or recipient. In the determination of need  
36 under any public assistance program, such income or earnings shall be  
37 disregarded as federal law requires, and such income or earnings may  
38 be disregarded as federal law permits. In determining eligibility, the  
39 commissioner shall disregard from income federal (1) Aid and  
40 Attendance pension benefits granted to a veteran, as defined [under] in  
41 section 27-103, or the surviving spouse of such veteran, and (2) service-  
42 connected disability benefits granted to a veteran. The commissioner  
43 shall encourage and promulgate such incentive earning programs as are  
44 permitted by federal law and regulations.

45 Sec. 3. Section 17b-191 of the general statutes is repealed and the  
46 following is substituted in lieu thereof (*Effective July 1, 2020*):

47 (a) Notwithstanding the provisions of sections 17b-190, 17b-195 and  
48 17b-196, as amended by this act, the Commissioner of Social Services  
49 shall operate a state-administered general assistance program in  
50 accordance with this section and sections 17b-131, 17b-193, 17b-194, 17b-  
51 197 and 17b-198. Notwithstanding any provision of the general statutes,

52 on and after October 1, 2003, no town shall be reimbursed by the state  
53 for any general assistance medical benefits incurred after September 30,  
54 2003, and on and after March 1, 2004, no town shall be reimbursed by  
55 the state for any general assistance cash benefits or general assistance  
56 program administrative costs incurred after February 29, 2004.

57 (b) The state-administered general assistance program shall provide  
58 cash assistance of (1) two hundred dollars per month for an  
59 unemployable person upon determination of such person's  
60 unemployability; (2) two hundred dollars per month for a transitional  
61 person who is required to pay for shelter; and (3) fifty dollars per month  
62 for a transitional person who is not required to pay for shelter. The  
63 standard of assistance paid for individuals residing in rated boarding  
64 facilities shall remain at the level in effect on August 31, 2003. No person  
65 shall be eligible for cash assistance under the program if eligible for cash  
66 assistance under any other state or federal cash assistance program. The  
67 standards of assistance set forth in this subsection shall be subject to  
68 annual increases, as described in subsection (b) of section 17b-104.

69 (c) To be eligible for cash assistance under the program, a person shall  
70 (1) be (A) eighteen years of age or older; (B) a minor found by a court to  
71 be emancipated pursuant to section 46b-150; or (C) under eighteen years  
72 of age and the commissioner determines good cause for such person's  
73 eligibility, and (2) not have assets exceeding two hundred fifty dollars  
74 or, if such person is married, such person and his or her spouse shall not  
75 have assets exceeding five hundred dollars.

76 (d) In determining eligibility, the commissioner shall not consider as  
77 income federal (1) Aid and Attendance pension benefits granted to a  
78 veteran, as defined in section 27-103, or the surviving spouse of such  
79 veteran, or (2) service-connected disability benefits granted to a veteran.

80 (e) No person who is a substance abuser and refuses or fails to enter  
81 available, appropriate treatment shall be eligible for cash assistance  
82 under the program until such person enters treatment. No person whose  
83 benefits from the temporary family assistance program have terminated

84 as a result of time-limited benefits or for failure to comply with a  
85 program requirement shall be eligible for cash assistance under the  
86 program.

87 [(d)] (f) Prior to or upon discontinuance of assistance, a person  
88 previously determined to be a transitional person may petition the  
89 commissioner to review the determination of his or her status. In such  
90 review, the commissioner shall consider factors, including, but not  
91 limited to: (1) Age; (2) education; (3) vocational training; (4) mental and  
92 physical health; and (5) employment history and shall make a  
93 determination of such person's ability to obtain gainful employment.

94 Sec. 4. Section 17b-256f of the general statutes is repealed and the  
95 following is substituted in lieu thereof (*Effective July 1, 2020*):

96 The Commissioner of Social Services shall increase income disregards  
97 used to determine eligibility by the Department of Social Services for the  
98 federal Qualified Medicare Beneficiary, the Specified Low-Income  
99 Medicare Beneficiary and the Qualifying Individual programs,  
100 administered in accordance with the provisions of 42 USC 1396d(p), by  
101 such amounts that shall result in persons with income that is (1) less  
102 than two hundred eleven per cent of the federal poverty level qualifying  
103 for the Qualified Medicare Beneficiary program, (2) at or above two  
104 hundred eleven per cent of the federal poverty level but less than two  
105 hundred thirty-one per cent of the federal poverty level qualifying for  
106 the Specified Low-Income Medicare Beneficiary program, and (3) at or  
107 above two hundred thirty-one per cent of the federal poverty level but  
108 less than two hundred forty-six per cent of the federal poverty level  
109 qualifying for the Qualifying Individual program. The commissioner  
110 shall not apply an asset test for eligibility under the Medicare Savings  
111 Program. The commissioner shall not consider as income federal (A)  
112 Aid and Attendance pension benefits granted to a veteran, as defined in  
113 section 27-103 or the surviving spouse of such veteran, or (B) service-  
114 connected disability benefits granted to a veteran. The Commissioner of  
115 Social Services, pursuant to section 17b-10, may implement policies and

116 procedures to administer the provisions of this section while in the  
117 process of adopting such policies and procedures in regulation form,  
118 provided the commissioner prints notice of the intent to adopt the  
119 regulations on the department's Internet web site and the eRegulations  
120 System not later than twenty days after the date of implementation.  
121 Such policies and procedures shall be valid until the time final  
122 regulations are adopted.

123 Sec. 5. Subsection (a) of section 17b-261 of the 2020 supplement to the  
124 general statutes is repealed and the following is substituted in lieu  
125 thereof (*Effective July 1, 2020*):

126 (a) (1) Medical assistance shall be provided for any otherwise eligible  
127 person whose income, including any available support from legally  
128 liable relatives and the income of the person's spouse or dependent  
129 child, is not more than one hundred forty-three per cent, pending  
130 approval of a federal waiver applied for pursuant to subsection (e) of  
131 this section, of the benefit amount paid to a person with no income  
132 under the temporary family assistance program in the appropriate  
133 region of residence and if such person is an institutionalized individual  
134 as defined in Section 1917 of the Social Security Act, 42 USC 1396p(h)(3),  
135 and has not made an assignment or transfer or other disposition of  
136 property for less than fair market value for the purpose of establishing  
137 eligibility for benefits or assistance under this section. Any such  
138 disposition shall be treated in accordance with Section 1917(c) of the  
139 Social Security Act, 42 USC 1396p(c). Any disposition of property made  
140 on behalf of an applicant or recipient or the spouse of an applicant or  
141 recipient by a guardian, conservator, person authorized to make such  
142 disposition pursuant to a power of attorney or other person so  
143 authorized by law shall be attributed to such applicant, recipient or  
144 spouse. A disposition of property ordered by a court shall be evaluated  
145 in accordance with the standards applied to any other such disposition  
146 for the purpose of determining eligibility. The commissioner shall  
147 establish the standards for eligibility for medical assistance at one  
148 hundred forty-three per cent of the benefit amount paid to a household

149 of equal size with no income under the temporary family assistance  
150 program in the appropriate region of residence. In determining  
151 eligibility, the commissioner shall not consider as income federal (A)  
152 Aid and Attendance pension benefits granted to a veteran, as defined in  
153 section 27-103 or the surviving spouse of such veteran, or (B) service-  
154 connected disability benefits granted to a veteran. Except as provided in  
155 section 17b-277 and section 17b-292, the medical assistance program  
156 shall provide coverage to persons under the age of nineteen with  
157 household income up to one hundred ninety-six per cent of the federal  
158 poverty level without an asset limit and to persons under the age of  
159 nineteen, who qualify for coverage under Section 1931 of the Social  
160 Security Act, with household income not exceeding one hundred  
161 ninety-six per cent of the federal poverty level without an asset limit,  
162 and their parents and needy caretaker relatives, who qualify for  
163 coverage under Section 1931 of the Social Security Act, with household  
164 income not exceeding one hundred fifty-five per cent of the federal  
165 poverty level without an asset limit. Such levels shall be based on the  
166 regional differences in such benefit amount, if applicable, unless such  
167 levels based on regional differences are not in conformance with federal  
168 law. Any income in excess of the applicable amounts shall be applied as  
169 may be required by said federal law, and assistance shall be granted for  
170 the balance of the cost of authorized medical assistance.

171 (2) The Commissioner of Social Services shall provide applicants for  
172 assistance under this section, at the time of application, with a written  
173 statement advising them of [(1)] (A) the effect of an assignment or  
174 transfer or other disposition of property on eligibility for benefits or  
175 assistance, [(2)] (B) the effect that having income that exceeds the limits  
176 prescribed in this subsection will have with respect to program  
177 eligibility, and [(3)] (C) the availability of, and eligibility for, services  
178 provided by the Nurturing Families Network established pursuant to  
179 section 17b-751b. For coverage dates on or after January 1, 2014, the  
180 department shall use the modified adjusted gross income financial  
181 eligibility rules set forth in Section 1902(e)(14) of the Social Security Act  
182 and the implementing regulations to determine eligibility for HUSKY

183 A, HUSKY B and HUSKY D applicants, as defined in section 17b-290.  
184 Persons who are determined ineligible for assistance pursuant to this  
185 section shall be provided a written statement notifying such persons of  
186 their ineligibility and advising such persons of their potential eligibility  
187 for one of the other insurance affordability programs as defined in 42  
188 CFR 435.4.

189 Sec. 6. Subsection (l) of section 17b-342 of the general statutes is  
190 repealed and the following is substituted in lieu thereof (*Effective July 1,*  
191 *2020*):

192 (l) In determining eligibility for the program described in this section,  
193 the commissioner shall not consider as income federal (1) Aid and  
194 Attendance pension benefits granted to a veteran, as defined in section  
195 27-103 or the surviving spouse of such veteran, or (2) service-connected  
196 disability benefits granted to a veteran.

197 Sec. 7. Subsection (a) of section 17b-801 of the general statutes is  
198 repealed and the following is substituted in lieu thereof (*Effective July 1,*  
199 *2020*):

200 (a) The Commissioner of Social Services shall administer a state-  
201 appropriated fuel assistance program to provide, within available  
202 appropriations, fuel assistance to elderly and disabled persons whose  
203 household gross income is above the income eligibility guidelines for  
204 the Connecticut energy assistance program but does not exceed two  
205 hundred per cent of federal poverty guidelines. The income eligibility  
206 guidelines for the state-appropriated fuel assistance program shall be  
207 determined, annually, by the Commissioner of Social Services, in  
208 conjunction with the Secretary of the Office of Policy and Management.  
209 In determining eligibility, the commissioner shall not consider as  
210 income federal (1) Aid and Attendance pension benefits granted to a  
211 veteran, as defined [under] in section 27-103 or the surviving spouse of  
212 such veteran, or (2) service-connected disability benefits granted to a  
213 veteran. The commissioner may adopt regulations, in accordance with  
214 the provisions of chapter 54, to implement the provisions of this

215 subsection.

216 Sec. 8. Section 17b-196 of the general statutes is repealed and the  
217 following is substituted in lieu thereof (*Effective July 1, 2020*):

218 Notwithstanding the provisions of [subsection (c)] subsections (c) to  
219 (f), inclusive, of section 17b-191, as amended by this act, a person (1) at  
220 least eighteen years of age and under twenty-one years of age, (2) living  
221 with his or her family that is receiving benefits under the temporary  
222 family assistance program, and (3) who would be an eligible dependent  
223 in such program if under the age of eighteen shall be eligible for state-  
224 administered general assistance in the amount of assistance such person  
225 would be eligible for as a dependent in such family under the temporary  
226 family assistance program.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2020</i>	17b-28i(a)
Sec. 2	<i>July 1, 2020</i>	17b-104(a)
Sec. 3	<i>July 1, 2020</i>	17b-191
Sec. 4	<i>July 1, 2020</i>	17b-256f
Sec. 5	<i>July 1, 2020</i>	17b-261(a)
Sec. 6	<i>July 1, 2020</i>	17b-342(l)
Sec. 7	<i>July 1, 2020</i>	17b-801(a)
Sec. 8	<i>July 1, 2020</i>	17b-196