

**Proposed Substitute  
Bill No. 1056**

January Session, 2021

LCO No. 6121

**AN ACT EXPANDING ACCESS TO MEDICAL ASSISTANCE.**

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

1 Section 1. Subsection (a) of section 17b-261 of the general statutes is  
2 repealed and the following is substituted in lieu thereof (*Effective July 1,*  
3 *2021*):

4 (a) [Medical] Except as provided in sections 17b-277 and 17b-292,  
5 medical assistance shall be provided for any otherwise eligible person  
6 whose income, including any available support from legally liable  
7 relatives and the income of the person's spouse or dependent child, is  
8 not more than [one hundred forty-three per cent, pending approval of a  
9 federal waiver applied for pursuant to subsection (e) of this section, of  
10 the benefit amount paid to a person with no income under the  
11 temporary family assistance program in the appropriate region of  
12 residence] two hundred per cent of the federal poverty level and if such  
13 person is an institutionalized individual as defined in Section 1917 of  
14 the Social Security Act, 42 USC 1396p(h)(3), and has not made an  
15 assignment or transfer or other disposition of property for less than fair  
16 market value for the purpose of establishing eligibility for benefits or  
17 assistance under this section. Any such disposition shall be treated in  
18 accordance with Section 1917(c) of the Social Security Act, 42 USC  
19 1396p(c). Any disposition of property made on behalf of an applicant or  
20 recipient or the spouse of an applicant or recipient by a guardian,  
21 conservator, person authorized to make such disposition pursuant to a  
22 power of attorney or other person so authorized by law shall be

23 attributed to such applicant, recipient or spouse. A disposition of  
24 property ordered by a court shall be evaluated in accordance with the  
25 standards applied to any other such disposition for the purpose of  
26 determining eligibility. [The commissioner shall establish the standards  
27 for eligibility for medical assistance at one hundred forty-three per cent  
28 of the benefit amount paid to a household of equal size with no income  
29 under the temporary family assistance program in the appropriate  
30 region of residence.] The commissioner shall amend the Medicaid state  
31 plan in accordance with Section 1902(a)(10)(A)(ii)(XX) of the Social  
32 Security Act, as amended from time to time, to provide medical  
33 assistance to persons under the age of sixty-five who are not otherwise  
34 qualified for medical assistance and whose income exceeds one hundred  
35 thirty-three per cent of the federal poverty level but does not exceed two  
36 hundred per cent of the federal poverty level. In determining eligibility,  
37 the commissioner shall not consider as income Aid and Attendance  
38 pension benefits granted to a veteran, as defined in section 27-103, or the  
39 surviving spouse of such veteran. [Except as provided in section 17b-  
40 277 and section 17b-292, the medical assistance program shall provide  
41 coverage to persons under the age of nineteen with household income  
42 up to one hundred ninety-six per cent of the federal poverty level  
43 without an asset limit and to persons under the age of nineteen, who  
44 qualify for coverage under Section 1931 of the Social Security Act, with  
45 household income not exceeding one hundred ninety-six per cent of the  
46 federal poverty level without an asset limit, and their parents and needy  
47 caretaker relatives, who qualify for coverage under Section 1931 of the  
48 Social Security Act, with household income not exceeding one hundred  
49 fifty-five per cent of the federal poverty level without an asset limit.  
50 Such levels shall be based on the regional differences in such benefit  
51 amount, if applicable, unless such levels based on regional differences  
52 are not in conformance with federal law.] Pursuant to Section 1902(r)(2)  
53 of the Social Security Act, 42 USC 1396a(r)(2), all countable income over  
54 one hundred per cent of the federal poverty level, up to two hundred  
55 per cent of the federal poverty level, shall be disregarded, after taking  
56 all other disregards, deductions and exclusions into account, for those

57 persons eligible for HUSKY C, as defined in section 17b-290, pursuant  
58 to this section. The commissioner shall amend the Medicaid state plan  
59 to implement this provision of this section. Any income in excess of the  
60 applicable amounts shall be applied as may be required by [said] federal  
61 law, and assistance shall be granted for the balance of the cost of  
62 authorized medical assistance. The Commissioner of Social Services  
63 shall provide applicants for assistance under this section, at the time of  
64 application, with a written statement advising them of (1) the effect of  
65 an assignment or transfer or other disposition of property on eligibility  
66 for benefits or assistance, (2) the effect that having income that exceeds  
67 the limits prescribed in this subsection will have with respect to  
68 program eligibility, and (3) the availability of, and eligibility for, services  
69 provided by the Nurturing Families Network established pursuant to  
70 section 17b-751b. For coverage dates on or after January 1, 2014, the  
71 department shall use the modified adjusted gross income financial  
72 eligibility rules set forth in Section 1902(e)(14) of the Social Security Act  
73 and the implementing regulations to determine eligibility for HUSKY  
74 A, HUSKY B and HUSKY D applicants, as defined in section 17b-290, as  
75 amended by this act. Persons who are determined ineligible for  
76 assistance pursuant to this section shall be provided a written statement  
77 notifying such persons of their ineligibility and advising such persons  
78 of their potential eligibility for one of the other insurance affordability  
79 programs as defined in 42 CFR 435.4.

80 Sec. 2. Subsection (a) of section 17b-292 of the general statutes is  
81 repealed and the following is substituted in lieu thereof (*Effective July 1,*  
82 *2021*):

83 (a) A child who resides in a household with household income which  
84 exceeds [one hundred ninety-six] two hundred per cent of the federal  
85 poverty level and does not exceed three hundred eighteen per cent of  
86 the federal poverty level may be eligible for benefits under HUSKY B.

87 Sec. 3. Subdivision (16) of section 17b-290 of the general statutes is  
88 repealed and the following is substituted in lieu thereof (*Effective July 1,*

89 2021):

90 (16) "HUSKY D" or "Medicaid Coverage for the Lowest Income  
91 Populations program" means Medicaid provided to nonpregnant low-  
92 income adults who are (A) age eighteen to sixty-four, as authorized  
93 pursuant to section 17b-8a, and (B) have income not exceeding two  
94 hundred per cent of the federal poverty level;

This act shall take effect as follows and shall amend the following sections:		
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Section 1	<i>July 1, 2021</i>	17b-261(a)
Sec. 2	<i>July 1, 2021</i>	17b-292(a)
Sec. 3	<i>July 1, 2021</i>	17b-290(16)