



General Assembly

February Session, 2022

Raised Bill No. 337

LCO No. 2466



Referred to Committee on VETERANS' AFFAIRS

Introduced by:
(VA)

***AN ACT CONCERNING FEDERAL VETERANS' BENEFITS AND
INCOME ELIGIBILITY DETERMINATIONS FOR CERTAIN 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 2022 supplement to
2 the general statutes is repealed and the following is substituted in lieu
3 thereof (*Effective July 1, 2022*):

4 (a) To the extent permissible by federal law, the Commissioner of
5 Social Services shall disregard all federal [Aid and Attendance pension]
6 benefits administered by the United States Department of Veterans
7 Affairs and granted to a veteran or the surviving spouse of such veteran
8 when determining income eligibility for the state's Medicare savings,
9 medical assistance and energy assistance programs administered under
10 section 17b-2. As used in this subsection, "veteran" has the same
11 meaning as provided in section 27-103.

12 Sec. 2. Subsection (a) of section 17b-104 of the 2022 supplement to the
13 general statutes is repealed and the following is substituted in lieu
14 thereof (*Effective July 1, 2022*):

15 (a) The Commissioner of Social Services shall administer the program
16 of state supplementation to the Supplemental Security Income Program
17 provided for by the Social Security Act and state law. The commissioner
18 may delegate any powers and authority to any deputy, assistant,
19 investigator or supervisor, who shall have, within the scope of the
20 power and authority so delegated, all of the power and authority of the
21 Commissioner of Social Services. The commissioner shall establish a
22 standard of need based on the cost of living in this state for the
23 temporary family assistance program and the state-administered
24 general assistance program. The commissioner shall make a
25 reinvestigation, at least every twelve months, of all cases receiving aid
26 from the state, except that such reinvestigation may be conducted every
27 twenty-four months for recipients of assistance to the elderly or disabled
28 with stable circumstances, and shall maintain all case records of the
29 several programs administered by the Department of Social Services so
30 that such records show, at all times, full information with respect to
31 eligibility of the applicant or recipient. In the determination of need
32 under any public assistance program, such income or earnings shall be
33 disregarded as federal law requires, and such income or earnings may
34 be disregarded as federal law permits. In determining eligibility, the
35 commissioner shall disregard from income (1) [Aid and Attendance
36 pension] all federal benefits administered by the United States
37 Department of Veterans Affairs and granted to a veteran, as defined
38 [under] in section 27-103, or the surviving spouse of such veteran, and
39 (2) any tax refund or advance payment with respect to a refundable
40 credit to the same extent such refund or advance payment would be
41 disregarded under 26 USC 6409 in any federal program or state or local
42 program financed in whole or in part with federal funds. The
43 commissioner shall encourage and promulgate such incentive earning
44 programs as are permitted by federal law and regulations.

45 Sec. 3. Subsection (c) of section 17b-191 of the 2022 supplement to the
46 general statutes is repealed and the following is substituted in lieu
47 thereof (*Effective July 1, 2022*):

48 (c) To be eligible for cash assistance under the program, a person shall

49 (1) be (A) eighteen years of age or older; (B) a minor found by a court to
50 be emancipated pursuant to section 46b-150; or (C) under eighteen years
51 of age and the commissioner determines good cause for such person's
52 eligibility, and (2) not have assets exceeding two hundred fifty dollars
53 or, if such person is married, such person and his or her spouse shall not
54 have assets exceeding five hundred dollars. In determining eligibility,
55 the commissioner shall [not consider as] disregard from income (A) [Aid
56 and Attendance pension] all federal benefits administered by the United
57 States Department of Veterans Affairs and granted to a veteran, as
58 defined in section 27-103, or the surviving spouse of such veteran; and
59 (B) any tax refund or advance payment with respect to a refundable
60 credit to the same extent such refund or advance payment would be
61 disregarded under 26 USC 6409 in any federal program or state or local
62 program financed in whole or in part with federal funds. No person who
63 is a substance abuser and refuses or fails to enter available, appropriate
64 treatment shall be eligible for cash assistance under the program until
65 such person enters treatment. No person whose benefits from the
66 temporary family assistance program have terminated as a result of
67 time-limited benefits or for failure to comply with a program
68 requirement shall be eligible for cash assistance under the program.

69 Sec. 4. Section 17b-256f of the general statutes is repealed and the
70 following is substituted in lieu thereof (*Effective July 1, 2022*):

71 The Commissioner of Social Services shall increase income disregards
72 used to determine eligibility by the Department of Social Services for the
73 federal Qualified Medicare Beneficiary, the Specified Low-Income
74 Medicare Beneficiary and the Qualifying Individual programs,
75 administered in accordance with the provisions of 42 USC 1396d(p), by
76 such amounts that shall result in persons with income that is (1) less
77 than two hundred eleven per cent of the federal poverty level qualifying
78 for the Qualified Medicare Beneficiary program, (2) at or above two
79 hundred eleven per cent of the federal poverty level but less than two
80 hundred thirty-one per cent of the federal poverty level qualifying for
81 the Specified Low-Income Medicare Beneficiary program, and (3) at or
82 above two hundred thirty-one per cent of the federal poverty level but

83 less than two hundred forty-six per cent of the federal poverty level
84 qualifying for the Qualifying Individual program. The commissioner
85 shall not apply an asset test for eligibility under the Medicare Savings
86 Program. The commissioner shall [not consider as] disregard from
87 income [Aid and Attendance pension] all federal benefits administered
88 by the United States Department of Veterans Affairs and granted to a
89 veteran, as defined in section 27-103, or the surviving spouse of such
90 veteran. The Commissioner of Social Services, pursuant to section 17b-
91 10, may implement policies and procedures to administer the provisions
92 of this section while in the process of adopting such policies and
93 procedures in regulation form, provided the commissioner prints notice
94 of the intent to adopt the regulations on the department's Internet web
95 site and the eRegulations System not later than twenty days after the
96 date of implementation. Such policies and procedures shall be valid
97 until the time final regulations are adopted.

98 Sec. 5. Subsection (a) of section 17b-261 of the 2022 supplement to the
99 general statutes is repealed and the following is substituted in lieu
100 thereof (*Effective July 1, 2022*):

101 (a) Medical assistance shall be provided for any otherwise eligible
102 person whose income, including any available support from legally
103 liable relatives and the income of the person's spouse or dependent
104 child, is not more than one hundred forty-three per cent, pending
105 approval of a federal waiver applied for pursuant to subsection (e) of
106 this section, of the benefit amount paid to a person with no income
107 under the temporary family assistance program in the appropriate
108 region of residence and if such person is an institutionalized individual
109 as defined in Section 1917 of the Social Security Act, 42 USC 1396p(h)(3),
110 and has not made an assignment or transfer or other disposition of
111 property for less than fair market value for the purpose of establishing
112 eligibility for benefits or assistance under this section. Any such
113 disposition shall be treated in accordance with Section 1917(c) of the
114 Social Security Act, 42 USC 1396p(c). Any disposition of property made
115 on behalf of an applicant or recipient or the spouse of an applicant or
116 recipient by a guardian, conservator, person authorized to make such

117 disposition pursuant to a power of attorney or other person so
118 authorized by law shall be attributed to such applicant, recipient or
119 spouse. A disposition of property ordered by a court shall be evaluated
120 in accordance with the standards applied to any other such disposition
121 for the purpose of determining eligibility. The commissioner shall
122 establish the standards for eligibility for medical assistance at one
123 hundred forty-three per cent of the benefit amount paid to a household
124 of equal size with no income under the temporary family assistance
125 program in the appropriate region of residence. In determining
126 eligibility, the commissioner shall [not consider as] disregard from
127 income [Aid and Attendance pension] all federal benefits administered
128 by the United States Department of Veterans Affairs and granted to a
129 veteran, as defined in section 27-103, or the surviving spouse of such
130 veteran. Except as provided in section 17b-277 and section 17b-292, the
131 medical assistance program shall provide coverage to persons under the
132 age of nineteen with household income up to one hundred ninety-six
133 per cent of the federal poverty level without an asset limit and to
134 persons under the age of nineteen, who qualify for coverage under
135 Section 1931 of the Social Security Act, with household income not
136 exceeding one hundred ninety-six per cent of the federal poverty level
137 without an asset limit, and their parents and needy caretaker relatives,
138 who qualify for coverage under Section 1931 of the Social Security Act,
139 with household income not exceeding one hundred fifty-five per cent of
140 the federal poverty level without an asset limit. Such levels shall be
141 based on the regional differences in such benefit amount, if applicable,
142 unless such levels based on regional differences are not in conformance
143 with federal law. Any income in excess of the applicable amounts shall
144 be applied as may be required by said federal law, and assistance shall
145 be granted for the balance of the cost of authorized medical assistance.
146 The Commissioner of Social Services shall provide applicants for
147 assistance under this section, at the time of application, with a written
148 statement advising them of (1) the effect of an assignment or transfer or
149 other disposition of property on eligibility for benefits or assistance, (2)
150 the effect that having income that exceeds the limits prescribed in this
151 subsection will have with respect to program eligibility, and (3) the

152 availability of, and eligibility for, services provided by the Connecticut
153 Home Visiting System, established pursuant to section 17b-751b. For
154 coverage dates on or after January 1, 2014, the department shall use the
155 modified adjusted gross income financial eligibility rules set forth in
156 Section 1902(e)(14) of the Social Security Act and the implementing
157 regulations to determine eligibility for HUSKY A, HUSKY B and
158 HUSKY D applicants, as defined in section 17b-290. Persons who are
159 determined ineligible for assistance pursuant to this section shall be
160 provided a written statement notifying such persons of their ineligibility
161 and advising such persons of their potential eligibility for one of the
162 other insurance affordability programs as defined in 42 CFR 435.4.

163 Sec. 6. Subsection (l) of section 17b-342 of the 2022 supplement to the
164 general statutes is repealed and the following is substituted in lieu
165 thereof (*Effective July 1, 2022*):

166 (l) In determining eligibility for the program described in this section,
167 the commissioner shall [not consider as] disregard from income (1) [Aid
168 and Attendance pension] all federal benefits administered by the United
169 States Department of Veterans Affairs and granted to a veteran, as
170 defined in section 27-103, or the surviving spouse of such veteran, and
171 (2) any tax refund or advance payment with respect to a refundable
172 credit to the same extent such refund or advance payment would be
173 disregarded under 26 USC 6409 in any federal program or state or local
174 program financed in whole or in part with federal funds.

175 Sec. 7. Subsection (a) of section 17b-801 of the general statutes is
176 repealed and the following is substituted in lieu thereof (*Effective July 1,*
177 *2022*):

178 (a) The Commissioner of Social Services shall administer a state-
179 appropriated fuel assistance program to provide, within available
180 appropriations, fuel assistance to elderly and disabled persons whose
181 household gross income is above the income eligibility guidelines for
182 the Connecticut energy assistance program but does not exceed two
183 hundred per cent of federal poverty guidelines. The income eligibility
184 guidelines for the state-appropriated fuel assistance program shall be

185 determined, annually, by the Commissioner of Social Services, in
 186 conjunction with the Secretary of the Office of Policy and Management.
 187 In determining eligibility, the commissioner shall [not consider as]
 188 disregard from income [Aid and Attendance pension] all federal
 189 benefits administered by the United States Department of Veterans
 190 Affairs and granted to a veteran, as defined [under] in section 27-103, or
 191 the surviving spouse of such veteran. The commissioner may adopt
 192 regulations, in accordance with the provisions of chapter 54, to
 193 implement the provisions of this subsection.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2022</i>	17b-28i(a)
Sec. 2	<i>July 1, 2022</i>	17b-104(a)
Sec. 3	<i>July 1, 2022</i>	17b-191(c)
Sec. 4	<i>July 1, 2022</i>	17b-256f
Sec. 5	<i>July 1, 2022</i>	17b-261(a)
Sec. 6	<i>July 1, 2022</i>	17b-342(l)
Sec. 7	<i>July 1, 2022</i>	17b-801(a)

Statement of Purpose:

To disregard federal veterans' benefits from income eligibility determinations for certain public assistance programs.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]