



General Assembly

Amendment

January Session, 2023

LCO No. 7674



Offered by:

REP. GILCHREST, 18th Dist.

SEN. LESSER, 9th Dist.

To: Subst. House Bill No. 6665

File No. 688

Cal. No. 460

**"AN ACT CONCERNING THE GOVERNOR'S BUDGET
RECOMMENDATIONS FOR HEALTH AND HUMAN SERVICES."**

1 Strike everything after the enacting clause and substitute the
2 following in lieu thereof:

3 "Section 1. (NEW) (*Effective July 1, 2023*) (a) The Office of Policy and
4 Management shall serve as the lead agency to coordinate, where
5 possible, with the state agencies that have responsibility for providing
6 services to persons diagnosed with autism spectrum disorder.

7 (b) The Office of Policy and Management may examine and make
8 recommendations regarding the delivery of appropriate and necessary
9 services and programs for all residents of the state with autism spectrum
10 disorder. Such services and programs may include, but need not be
11 limited to: (1) Autism-specific early intervention services for any child
12 under the age of three diagnosed with autism spectrum disorder; (2)
13 education, recreation, habilitation, vocational and transition services for

14 individuals age three to twenty-one, inclusive, diagnosed with autism
15 spectrum disorder; (3) services for adults over the age of twenty-one
16 diagnosed with autism spectrum disorder; (4) housing assistance for
17 individuals diagnosed with autism spectrum disorder; (5) services that
18 address the intersection of autism services and the criminal justice
19 system; (6) coverage of autism services under commercial insurance and
20 by other payors; (7) workforce training specific to autism spectrum
21 disorder; and (8) related autism spectrum disorder services deemed
22 necessary by the Secretary of the Office of Policy and Management.

23 (c) The Office of Policy and Management shall serve as the lead state
24 agency for the purpose of the federal Combating Autism Act, P.L. 109-
25 416, as amended from time to time, and for applying for and receiving
26 funds and performing any related responsibilities concerning autism
27 spectrum disorder that are authorized pursuant to any state or federal
28 law.

29 (d) The Office of Policy and Management may make
30 recommendations to the Governor and the joint standing committees of
31 the General Assembly having cognizance of matters relating to human
32 services, public health and appropriations and the budgets of state
33 agencies concerning legislation and funding required to provide
34 necessary services to persons diagnosed with autism spectrum disorder.

35 (e) The Office of Policy and Management shall research and locate
36 possible funding streams for the continued development and
37 implementation of services for persons diagnosed with autism spectrum
38 disorder.

39 Sec. 2. (NEW) (*Effective July 1, 2023*) (a) There shall be an Autism
40 Spectrum Disorder Advisory Council which shall consist of the
41 following members: (1) The Commissioner of Social Services, or the
42 commissioner's designee; (2) the Commissioner of Children and
43 Families, or the commissioner's designee; (3) the Commissioner of
44 Education, or the commissioner's designee; (4) the Commissioner of
45 Mental Health and Addiction Services, or the commissioner's designee;

46 (5) the Commissioner of Public Health, or the commissioner's designee;
47 (6) the Commissioner of Aging and Disability Services, or the
48 commissioner's designee; (7) the Commissioner of Developmental
49 Services, or the commissioner's designee; (8) the Commissioner of Early
50 Childhood, or the commissioner's designee; (9) the Secretary of the
51 Office of Policy and Management, or the secretary's designee; (10) two
52 persons with autism spectrum disorder, one each appointed by the
53 Governor and the speaker of the House of Representatives; (11) two
54 persons who are parents or guardians of a child with autism spectrum
55 disorder, one each appointed by the Governor and the minority leader
56 of the Senate; (12) two persons who are parents or guardians of an adult
57 with autism spectrum disorder, one each appointed by the president pro
58 tempore of the Senate and the majority leader of the House of
59 Representatives; (13) two persons who are advocates for persons with
60 autism spectrum disorder, one each appointed by the Governor and the
61 speaker of the House of Representatives; (14) two persons who are
62 licensed professionals working in the field of autism spectrum disorder,
63 one each appointed by the Governor and the majority leader of the
64 Senate; (15) two persons who provide services for persons with autism
65 spectrum disorder, one each appointed by the Governor and the
66 minority leader of the House of Representatives; (16) two persons who
67 shall be representatives of an institution of higher education in the state
68 with experience in the field of autism spectrum disorder, one each
69 appointed by the Governor and the president pro tempore of the Senate;
70 (17) the executive director of the nonprofit entity designated by the
71 Governor in accordance with section 46a-10b of the general statutes to
72 serve as the Connecticut protection and advocacy system for persons
73 with disabilities, or the executive director's designee; and (18) one
74 person who is a physician who treats or diagnoses persons with autism
75 spectrum disorder, appointed by the Governor.

76 (b) The council shall have three chairpersons who shall be elected by
77 the members of the council, provided not less than two of the persons
78 elected as chairpersons by the members of the council shall be: (1) A
79 person with autism spectrum disorder appointed pursuant to

80 subdivision (10) of subsection (a) of this section, (2) a parent or guardian
81 of a child with autism spectrum disorder appointed pursuant to
82 subdivision (11) of subsection (a) of this section, or (3) a parent or
83 guardian of an adult with autism spectrum disorder appointed
84 pursuant to subdivision (12) of subsection (a) of this section.

85 (c) The council shall be within the Office of Policy and Management
86 for administrative purposes only.

87 (d) The council shall make rules for the conduct of its affairs. The
88 council shall meet not less than four times per year and at such other
89 times as requested by the chairpersons. Council members shall serve
90 without compensation.

91 (e) The council shall advise the Secretary of the Office of Policy and
92 Management concerning policies and programs for persons with autism
93 spectrum disorder and recommendations to improve coordination and
94 address gaps in autism services.

95 Sec. 3. Section 17a-215c of the general statutes is repealed and the
96 following is substituted in lieu thereof (*Effective July 1, 2023*):

97 (a) There is established a Division of Autism Spectrum Disorder
98 Services within the Department of Social Services to oversee the
99 operation of Medicaid state plan services and the Medicaid waiver
100 program for autism spectrum disorder services.

101 (b) The Department of Social Services may adopt regulations, in
102 accordance with chapter 54, to define the term "autism spectrum
103 disorder", establish eligibility standards and criteria for the receipt of
104 services by any resident of the state diagnosed with autism spectrum
105 disorder, regardless of age, and data collection, maintenance and
106 reporting processes. The Commissioner of Social Services may
107 implement policies and procedures necessary to administer the
108 provisions of this section prior to adoption of such regulations,
109 provided the commissioner shall publish notice of intent to adopt such
110 regulations not later than twenty days after implementation of such

111 policies and procedures. Any such policies and procedures shall be
112 valid until such regulations are adopted.

113 [(c) The Division of Autism Spectrum Disorder Services may, within
114 available appropriations, research, design and implement the delivery
115 of appropriate and necessary services and programs for all residents of
116 the state with autism spectrum disorder. Such services and programs
117 may include the creation of: (1) Autism-specific early intervention
118 services for any child under the age of three diagnosed with autism
119 spectrum disorder; (2) education, recreation, habilitation, vocational
120 and transition services for individuals age three to twenty-one,
121 inclusive, diagnosed with autism spectrum disorder; (3) services for
122 adults over the age of twenty-one diagnosed with autism spectrum
123 disorder; and (4) related autism spectrum disorder services deemed
124 necessary by the Commissioner of Social Services.

125 (d) The Department of Social Services shall serve as the lead state
126 agency for the purpose of the federal Combating Autism Act, P.L. 109-
127 416, as amended from time to time, and for applying for and receiving
128 funds and performing any related responsibilities concerning autism
129 spectrum disorder which are authorized pursuant to any state or federal
130 law.

131 (e) The Department of Social Services may make recommendations to
132 the Governor and the joint standing committee of the General Assembly
133 having cognizance of matters relating to human services concerning
134 legislation and funding required to provide necessary services to
135 persons diagnosed with autism spectrum disorder.

136 (f) The Division of Autism Spectrum Disorder Services shall research
137 and locate possible funding streams for the continued development and
138 implementation of services for persons diagnosed with autism spectrum
139 disorder but not with intellectual disability. The division shall take all
140 necessary action to secure Medicaid reimbursement for home and
141 community-based individualized support services for adults diagnosed
142 with autism spectrum disorder but not with intellectual disability. Such

143 action may include applying for a Medicaid waiver pursuant to Section
144 1915(c) of the Social Security Act, as amended from time to time, in order
145 to secure the funding for such services.

146 (g) The Division of Autism Spectrum Disorder Services shall, within
147 available appropriations: (1) Design and implement a training initiative
148 that shall include training to develop a workforce; and (2) develop a
149 curriculum specific to autism spectrum disorder in coordination with
150 the Board of Regents for Higher Education.]

151 [(h)] (c) The case records of the Division of Autism Spectrum Disorder
152 Services maintained by the division for any purpose authorized
153 pursuant to [subsections (b) to (g), inclusive, of] this section shall be
154 subject to the same confidentiality requirements, under state and federal
155 law, that govern all client records maintained by the Department of
156 Social Services.

157 [(i)] (d) The Commissioner of Social Services may seek approval of an
158 amendment to the [state] Medicaid state plan or a waiver from federal
159 law, whichever is sufficient and most expeditious, to establish and
160 implement a Medicaid-financed home and community-based program
161 to provide community-based services and, if necessary, housing
162 assistance, to adults diagnosed with autism spectrum disorder but not
163 with intellectual disability.

164 [(j)] On or before January 1, 2008, and annually thereafter, the
165 Commissioner of Social Services, in accordance with the provisions of
166 section 11-4a, shall submit a report to the joint standing committee of
167 the General Assembly having cognizance of matters relating to human
168 services, on the status of any amendment to the state Medicaid plan or
169 waiver from federal law as described in subsection (i) of this section and
170 on the establishment and implementation of the program authorized
171 pursuant to subsection (i) of this section.

172 (k) The Autism Spectrum Disorder Advisory Council, established
173 pursuant to section 17a-215d, shall advise the Commissioner of Social
174 Services on all matters relating to autism.]

175 [(l)] (e) The Commissioner of Social Services, in consultation with the
176 Autism Spectrum Disorder Advisory Council, shall designate services
177 and interventions that demonstrate, in accordance with medically
178 established and research-based best practices, empirical effectiveness
179 for the treatment of autism spectrum disorder. The commissioner shall
180 update such designations periodically and whenever the commissioner
181 deems it necessary to conform to changes generally recognized by the
182 relevant medical community in evidence-based practices or research.

183 Sec. 4. Section 17b-112 of the general statutes is repealed and the
184 following is substituted in lieu thereof (*Effective from passage*):

185 (a) The Department of Social Services shall administer a temporary
186 family assistance program under which cash assistance shall be
187 provided to eligible families in accordance with the temporary
188 assistance for needy families program, established pursuant to the
189 Personal Responsibility and Work Opportunity Reconciliation Act of
190 1996. The Commissioner of Social Services may operate portions of the
191 temporary family assistance program as a solely state-funded program,
192 separate from the federal temporary assistance for needy families
193 program, if the commissioner determines that doing so will enable the
194 state to avoid fiscal penalties under the temporary assistance for needy
195 families program. Families receiving assistance under the solely state-
196 funded portion of the temporary family assistance program shall be
197 subject to the same conditions of eligibility as those receiving assistance
198 under the federal temporary assistance for needy families program.
199 Under the temporary family assistance program, benefits shall be
200 provided to a family for not longer than [twenty-one] thirty-six months,
201 except as provided in subsections (b) and (c) of this section. For the
202 purpose of calculating said [twenty-one-month] thirty-six-month time
203 limit, months of assistance received on and after January 1, 1996,
204 pursuant to time limits under the aid to families with dependent
205 children program, shall be included. For purposes of this section,
206 "family" means one or more individuals who apply for or receive
207 assistance together under the temporary family assistance program. If
208 the commissioner determines that federal law allows individuals not

209 otherwise in an eligible covered group for the temporary family
210 assistance program to become covered, such family may also, at the
211 discretion of the commissioner, be composed of (1) a pregnant woman,
212 or (2) a parent, both parents or other caretaker relative and at least one
213 child who is under the age of eighteen, or who is under the age of
214 nineteen and a full-time student in a secondary school or its equivalent.
215 A caretaker relative shall be related to the child or children by blood,
216 marriage or adoption or shall be the legal guardian of such a child or
217 pursuing legal proceedings necessary to achieve guardianship. If the
218 commissioner elects to allow state eligibility consistent with any change
219 in federal law, the commissioner may administratively transfer any
220 qualifying family cases under the cash assistance portion of the state-
221 administered general assistance program to the temporary family
222 assistance program without regard to usual eligibility and enrollment
223 procedures. If such families become an ineligible coverage group under
224 the federal law, the commissioner shall administratively transfer such
225 families back to the cash assistance portion of the state-administered
226 general assistance program without regard to usual eligibility and
227 enrollment procedures to the degree that such families are eligible for
228 the state program.

229 (b) The Commissioner of Social Services shall exempt a family from
230 such time-limited benefits for circumstances including, but not limited
231 to: (1) A family with a needy caretaker relative who is incapacitated or
232 of an advanced age, as defined by the commissioner, if there is no other
233 nonexempt caretaker relative in the household; (2) a family with a needy
234 caretaker relative who is needed in the home because of the incapacity
235 of another member of the household, if there is no other nonexempt
236 caretaker relative in the household; (3) a family with a caretaker relative
237 who is not legally responsible for the dependent children in the
238 household if such relative's needs are not considered in calculating the
239 amount of the benefit and there is no other nonexempt caretaker relative
240 in the household; (4) a family with a caretaker relative caring for a child
241 who is under one year of age if there is no other nonexempt caretaker
242 relative in the household; (5) a family with a pregnant or postpartum

243 caretaker relative if a physician has indicated that such relative is unable
244 to work and there is no other nonexempt caretaker relative in the
245 household; (6) a family with a caretaker relative determined by the
246 commissioner to be unemployable and there is no other nonexempt
247 caretaker relative in the household; and (7) minor parents attending and
248 satisfactorily completing high school or high school equivalency
249 programs.

250 (c) A family who is subject to time-limited benefits may petition the
251 Commissioner of Social Services for six-month extensions of such
252 benefits. The commissioner shall grant not more than two extensions to
253 such family who has made a good faith effort to comply with the
254 requirements of the program and despite such effort has a total family
255 income [at a level below the payment standard] below one hundred per
256 cent of the federal poverty level, or has encountered circumstances
257 preventing employment including, but not limited to: (1) Domestic
258 violence or physical harm to such family's children; or (2) other
259 circumstances beyond such family's control. The commissioner shall
260 disregard ninety dollars of earned income in determining applicable
261 family income. The commissioner may grant a subsequent six-month
262 extension if each adult in the family meets one or more of the following
263 criteria: (A) The adult is precluded from engaging in employment
264 activities due to domestic violence or another reason beyond the adult's
265 control; (B) the adult has two or more substantiated barriers to
266 employment including, but not limited to, the lack of available child
267 care, substance abuse or addiction, severe mental or physical health
268 problems, one or more severe learning disabilities, domestic violence or
269 a child who has a serious physical or behavioral health problem; or (C)
270 [the adult is working thirty-five or more hours per week, is earning at
271 least the minimum wage and continues to earn less than the family's
272 temporary family assistance payment standard; or (D)] the adult is
273 employed and works less than thirty-five hours per week due to (i) a
274 documented medical impairment that limits the adult's hours of
275 employment, provided the adult works the maximum number of hours
276 that the medical condition permits, or (ii) the need to care for a disabled

277 member of the adult's household, provided the adult works the
278 maximum number of hours the adult's caregiving responsibilities
279 permit. Families receiving temporary family assistance shall be notified
280 by the department of the right to petition for such extensions.
281 Notwithstanding the provisions of this section, the commissioner shall
282 not provide benefits under the state's temporary family assistance
283 program to a family that is subject to the [twenty-one] thirty-six month
284 benefit limit and has received benefits beginning on or after October 1,
285 1996, if such benefits result in that family's receiving more than sixty
286 months of time-limited benefits unless that family experiences domestic
287 violence, as defined in Section 402(a)(7)(B), P.L. 104-193. For the purpose
288 of calculating said sixty-month limit: (I) A month shall count toward the
289 limit if the family receives assistance for any day of the month, provided
290 any months of temporary family assistance received during the public
291 health emergency declared by Governor Ned Lamont related to the
292 COVID-19 pandemic shall not be included, and (II) a month in which a
293 family receives temporary assistance for needy families benefits that are
294 issued from a jurisdiction other than Connecticut shall count toward the
295 limit.

296 (d) (1) Under said program, no family shall be eligible that has total
297 gross earnings exceeding the federal poverty level, however, in the
298 calculation of the benefit amount for eligible families and previously
299 eligible families that become ineligible temporarily because of receipt of
300 workers' compensation benefits by a family member who subsequently
301 returns to work immediately after the period of receipt of such benefits,
302 earned income shall be disregarded up to the federal poverty level. On
303 and after October 1, 2023, the commissioner shall not deny a family
304 assistance under said program on the basis of such family's assets unless
305 such assets exceed six thousand dollars. Except when determining
306 eligibility for a six-month extension of benefits pursuant to subsection
307 (c) of this section, the commissioner shall disregard the first fifty dollars
308 per month of income attributable to current child support that a family
309 receives in determining eligibility and benefit levels for temporary
310 family assistance. Any current child support in excess of fifty dollars per

311 month collected by the department on behalf of an eligible child shall be
312 considered in determining eligibility but shall not be considered when
313 calculating benefits and shall be taken as reimbursement for assistance
314 paid under this section, except that when the current child support
315 collected exceeds the family's monthly award of temporary family
316 assistance benefits plus fifty dollars, the current child support shall be
317 paid to the family and shall be considered when calculating benefits.

318 (2) Notwithstanding the provisions of subdivision (1) of this
319 subsection, on and after January 1, 2024, in the first month in which a
320 family's total gross earnings exceed one hundred per cent of the federal
321 poverty level and for a period not to exceed six consecutive months, the
322 department shall disregard, for purposes of eligibility, a family's total
323 gross earnings in an amount not to exceed two hundred thirty per cent
324 of the federal poverty level. If a family's total gross earnings are an
325 amount between one hundred seventy-one per cent and two hundred
326 thirty per cent of the federal poverty level, the department shall reduce
327 the household's benefit by twenty per cent for the months in which
328 earnings are between one hundred seventy-one per cent and two
329 hundred thirty per cent of the federal poverty level.

330 (e) A family receiving assistance under said program shall cooperate
331 with child support enforcement, under title IV-D of the Social Security
332 Act. A family shall be ineligible for benefits for failure to cooperate with
333 child support enforcement.

334 (f) A family leaving assistance at the end of (1) said [twenty-one-
335 month] thirty-six-month time limit, including a family with income
336 above the payment standard, or (2) the sixty-month limit shall have an
337 interview for the purpose of being informed of services that may
338 continue to be available to such family, including employment services
339 available through the Labor Department. Such interview shall include
340 (A) a determination of benefits available to the family provided by the
341 Department of Social Services; and (B) a determination of whether such
342 family is eligible for supplemental nutrition assistance or Medicaid.
343 Information and referrals shall be made to such a family for services and

344 benefits including, but not limited to, the earned income tax credit,
345 rental subsidies emergency housing, employment services and energy
346 assistance.

347 [(g) Notwithstanding section 17b-104, commencing on July 1, 2023,
348 the Commissioner of Social Services shall provide an annual cost-of-
349 living adjustment in temporary family assistance benefits equal to the
350 most recent percentage increase in the consumer price index for urban
351 consumers whenever funds appropriated for temporary family
352 assistance lapse at the close of any fiscal year and such adjustment has
353 not otherwise been included in the budget for the assistance program,
354 provided the increase would not create a budget deficiency in
355 succeeding years. The commissioner shall provide a prorated benefit
356 increase from such available lapsed funds in any fiscal year when such
357 funds are not sufficient to cover a cost-of-living adjustment in
358 accordance with this subsection.]

359 [(h)] (g) An applicant or recipient of temporary family assistance who
360 is adversely affected by a decision of the Commissioner of Social
361 Services may request and shall be provided a hearing in accordance
362 with section 17b-60.

363 Sec. 5. Subsection (a) of section 17b-112b of the general statutes is
364 repealed and the following is substituted in lieu thereof (*Effective from*
365 *passage*):

366 (a) An applicant or recipient who is a past or present victim of
367 domestic violence or at risk of further domestic violence, pursuant to
368 subsection (c) of section 17b-112a, shall, for good cause: (1) Be excused
369 from failing to participate in a work activity; or (2) be exempted from
370 child support enforcement requirements pursuant to subsection (e) of
371 section 17b-112, as amended by this act. Such an applicant or recipient
372 may, for good cause, be granted an extension of cash assistance beyond
373 [twenty-one] thirty-six months, provided the domestic violence
374 experienced is of sufficient magnitude to reasonably render the
375 individual unable to obtain or maintain employment.

376 Sec. 6. Section 17b-112e of the general statutes is repealed and the
377 following is substituted in lieu thereof (*Effective from passage*):

378 (a) The Department of Social Services shall provide safety net services
379 for certain families identified as having significant barriers to
380 employment and families who are at risk of losing benefits under the
381 temporary family assistance program or no longer receiving program
382 benefits. To be eligible for safety net services, such families shall: (1)
383 Have been identified as having significant barriers to employment
384 during the initial assessment by the department's eligibility worker or
385 during the first twelve months of employment services by an
386 employment services case manager; (2) have made a good faith effort to
387 seek and maintain employment but have not been able to do so or be at
388 risk of failing to complete the employment services program; (3) have
389 exhausted their eligibility for temporary family assistance program
390 benefits; or (4) not be eligible for six-month extensions of temporary
391 family assistance benefits due to: (A) The receipt of two sanctions from
392 the department during the first [twenty] ~~thirty-five~~ months of the
393 [twenty-one-month] ~~thirty-six-month~~ time limit of said temporary
394 family assistance program; or (B) the determination by the department
395 that such a family has not made a good faith effort to seek and maintain
396 employment.

397 (b) Said safety net shall consist of services provided through the
398 existing community service delivery network with additional resources
399 provided by the Department of Social Services. Services shall be
400 provided in-kind or through vendor or voucher payment. Services may
401 include the following: (1) Food, shelter, clothing and employment
402 assistance; (2) eviction prevention; (3) an in-depth family needs
403 assessment; (4) intensive case management that includes visits to the
404 family's home; (5) continuous monitoring for child abuse or neglect; and
405 (6) for families at risk of losing benefits under the temporary family
406 assistance program, individual performance contracts administered by
407 the Labor Department that require job training, job searching, volunteer
408 work, participation in parenting programs or counseling or any other
409 requirements deemed necessary by the Labor Commissioner.

410 (c) Families successfully meeting the program requirements
411 established by the individual performance contracts in subdivision (6)
412 of subsection (b) of this section prior to the end of the [twenty-one-
413 month] thirty-six-month time limit shall be considered to have made a
414 good faith effort to comply with the requirements of the program for the
415 purposes of qualifying for a six-month extension, provided they have
416 made a good faith effort to comply with the individual performance
417 contract or have not incurred a sanction subsequent to completing the
418 individual performance contract.

419 (d) The Commissioner of Social Services shall implement policies and
420 procedures necessary for the purposes of this section while in the
421 process of adopting such policies and procedures in regulation form,
422 provided the commissioner prints notice of intention to adopt the
423 regulations in the Connecticut Law Journal within twenty days of
424 implementing such policies and procedures. Policies and procedures
425 implemented pursuant to this subsection shall be valid until the time
426 final regulations are effective.

427 Sec. 7. Subsection (d) of section 17b-112g of the general statutes is
428 repealed and the following is substituted in lieu thereof (*Effective from*
429 *passage*):

430 (d) A family receiving diversion assistance shall be ineligible to
431 receive monthly temporary family assistance payments for a period of
432 three months from the date of application for temporary family
433 assistance, except that such family shall be eligible to receive temporary
434 family assistance payments within such period if the Commissioner of
435 Social Services, or the commissioner's designee, in the commissioner's
436 sole discretion, determines that the family has experienced undue
437 hardship. A family that is subject to the [twenty-one-month] thirty-six-
438 month benefit limit under temporary family assistance shall have
439 diversion assistance count as three months toward such limit. Nothing
440 in this section shall prohibit a family receiving diversion assistance that
441 later qualifies for temporary family assistance from qualifying for a six-
442 month extension available to recipients of temporary family assistance

443 who did not receive diversion assistance.

444 Sec. 8. Subsection (c) of section 17b-191 of the general statutes is
445 repealed and the following is substituted in lieu thereof (*Effective October*
446 *1, 2023*):

447 (c) To be eligible for cash assistance under the program, a person shall
448 (1) be (A) eighteen years of age or older; (B) a minor found by a court to
449 be emancipated pursuant to section 46b-150; or (C) under eighteen years
450 of age and the commissioner determines good cause for such person's
451 eligibility, and (2) not have assets exceeding [two hundred fifty] five
452 hundred dollars or, if such person is married, such person and his or her
453 spouse shall not have assets exceeding [five hundred] one thousand
454 dollars. In determining eligibility, the commissioner shall not consider
455 as income (A) Aid and Attendance pension benefits granted to a
456 veteran, as defined in section 27-103, or the surviving spouse of such
457 veteran; and (B) any tax refund or advance payment with respect to a
458 refundable credit to the same extent such refund or advance payment
459 would be disregarded under 26 USC 6409 in any federal program or
460 state or local program financed in whole or in part with federal funds.
461 No person who is a substance abuser and refuses or fails to enter
462 available, appropriate treatment shall be eligible for cash assistance
463 under the program until such person enters treatment. No person whose
464 benefits from the temporary family assistance program have terminated
465 as a result of time-limited benefits or for failure to comply with a
466 program requirement shall be eligible for cash assistance under the
467 program.

468 Sec. 9. Section 17b-601 of the general statutes is repealed and the
469 following is substituted in lieu thereof (*Effective October 1, 2023*):

470 The Commissioner of Social Services shall adopt regulations in
471 accordance with the provisions of chapter 54 establishing the method by
472 which payments are made for recipients of the state supplement
473 program who are residents of licensed residential care homes, as
474 defined in section 19a-490, and a rated housing facility, as defined in

475 section 17b-82. Such regulations shall provide for the safeguarding of
476 residents' personal funds with respect to any homes, or rated housing
477 facilities that handle such funds. Regulations concerning payment for
478 residents shall provide for payment to the licensed residential care home
479 or rated housing facility for the period during which the recipient makes
480 such home or facility his or her residence, without regard to periods
481 during which the recipient is absent, provided (1) the recipient's bed at
482 the home or facility would otherwise be available during such absence,
483 and (2) the recipient can reasonably be expected to return to the home
484 or facility before the end of the month following the month in which the
485 recipient leaves the home or facility. If the department determines that
486 a resident of a home or rated housing facility who applies for state
487 supplement benefits is eligible for such benefits, the department shall
488 pay the home or facility at a per diem or monthly rate less any applied
489 income due from the resident. The start date of eligibility for state
490 supplement benefits for an individual residing in a home or facility shall
491 be the date the person became a resident in such home or facility and
492 met all eligibility criteria for the state supplement program, but in no
493 event shall the start date be more than ninety days prior to the date the
494 department received the application for assistance. Any retroactive
495 adjustment to the rate of such a home or facility by the commissioner
496 that results in money due to such home or facility shall be made to such
497 home or facility directly, and any such adjustment that results in an
498 overpayment to the home or facility shall be paid by the home or facility
499 to the department. If a retroactive adjustment to the rate of such home
500 or facility results in a current resident becoming eligible for state
501 supplement benefits, and such resident applies for state supplement
502 benefits, the department may determine the start date of eligibility for
503 state supplement benefits to be the later of the resident's admission date
504 or the date ninety days prior to the date the department receives the
505 application.

506 Sec. 10. Subsection (a) of section 17b-244 of the general statutes is
507 repealed and the following is substituted in lieu thereof (*Effective July 1,*
508 *2023*):

509 (a) The room and board component of the rates to be paid by the state
510 to private facilities and facilities operated by regional education service
511 centers which are licensed to provide residential care pursuant to
512 section 17a-227, but not certified to participate in the Title XIX Medicaid
513 program as intermediate care facilities for individuals with intellectual
514 disabilities, shall be determined annually by the Commissioner of Social
515 Services, except that rates effective April 30, 1989, shall remain in effect
516 through October 31, 1989. Any facility with real property other than
517 land placed in service prior to July 1, 1991, shall, for the fiscal year
518 ending June 30, 1995, receive a rate of return on real property equal to
519 the average of the rates of return applied to real property other than land
520 placed in service for the five years preceding July 1, 1993. For the fiscal
521 year ending June 30, 1996, and any succeeding fiscal year, the rate of
522 return on real property for property items shall be revised every five
523 years. The commissioner shall, upon submission of a request by such
524 facility, allow actual debt service, comprised of principal and interest,
525 on the loan or loans in lieu of property costs allowed pursuant to section
526 17-313b-5 of the regulations of Connecticut state agencies, whether
527 actual debt service is higher or lower than such allowed property costs,
528 provided such debt service terms and amounts are reasonable in
529 relation to the useful life and the base value of the property. In the case
530 of facilities financed through the Connecticut Housing Finance
531 Authority, the commissioner shall allow actual debt service, comprised
532 of principal, interest and a reasonable repair and replacement reserve
533 on the loan or loans in lieu of property costs allowed pursuant to section
534 17-313b-5 of the regulations of Connecticut state agencies, whether
535 actual debt service is higher or lower than such allowed property costs,
536 provided such debt service terms and amounts are determined by the
537 commissioner at the time the loan is entered into to be reasonable in
538 relation to the useful life and base value of the property. The
539 commissioner may allow fees associated with mortgage refinancing
540 provided such refinancing will result in state reimbursement savings,
541 after comparing costs over the terms of the existing proposed loans. For
542 the fiscal year ending June 30, 1992, the inflation factor used to
543 determine rates shall be one-half of the gross national product

544 percentage increase for the period between the midpoint of the cost year
545 through the midpoint of the rate year. For fiscal year ending June 30,
546 1993, the inflation factor used to determine rates shall be two-thirds of
547 the gross national product percentage increase from the midpoint of the
548 cost year to the midpoint of the rate year. For the fiscal years ending
549 June 30, 1996, and June 30, 1997, no inflation factor shall be applied in
550 determining rates. The Commissioner of Social Services shall prescribe
551 uniform forms on which such facilities shall report their costs. Such rates
552 shall be determined on the basis of a reasonable payment for necessary
553 services. Any increase in grants, gifts, fund-raising or endowment
554 income used for the payment of operating costs by a private facility in
555 the fiscal year ending June 30, 1992, shall be excluded by the
556 commissioner from the income of the facility in determining the rates to
557 be paid to the facility for the fiscal year ending June 30, 1993, provided
558 any operating costs funded by such increase shall not obligate the state
559 to increase expenditures in subsequent fiscal years. Nothing contained
560 in this section shall authorize a payment by the state to any such facility
561 in excess of the charges made by the facility for comparable services to
562 the general public. The service component of the rates to be paid by the
563 state to private facilities and facilities operated by regional education
564 service centers which are licensed to provide residential care pursuant
565 to section 17a-227, but not certified to participate in the Title XIX
566 Medicaid programs as intermediate care facilities for individuals with
567 intellectual disabilities, shall be determined annually by the
568 Commissioner of Developmental Services in accordance with section
569 17b-244a. For the fiscal year ending June 30, 2008, no facility shall receive
570 a rate that is more than two per cent greater than the rate in effect for
571 the facility on June 30, 2007, except any facility that would have been
572 issued a lower rate effective July 1, 2007, due to interim rate status or
573 agreement with the department, shall be issued such lower rate effective
574 July 1, 2007. For the fiscal year ending June 30, 2009, no facility shall
575 receive a rate that is more than two per cent greater than the rate in effect
576 for the facility on June 30, 2008, except any facility that would have been
577 issued a lower rate effective July 1, 2008, due to interim rate status or
578 agreement with the department, shall be issued such lower rate effective

579 July 1, 2008. For the fiscal years ending June 30, 2010, and June 30, 2011,
580 rates in effect for the period ending June 30, 2009, shall remain in effect
581 until June 30, 2011, except that (1) the rate paid to a facility may be higher
582 than the rate paid to the facility for the period ending June 30, 2009, if a
583 capital improvement required by the Commissioner of Developmental
584 Services for the health or safety of the residents was made to the facility
585 during the fiscal years ending June 30, 2010, or June 30, 2011, and (2) any
586 facility that would have been issued a lower rate for the fiscal year
587 ending June 30, 2010, or June 30, 2011, due to interim rate status or
588 agreement with the department, shall be issued such lower rate. For the
589 fiscal year ending June 30, 2012, rates in effect for the period ending June
590 30, 2011, shall remain in effect until June 30, 2012, except that (A) the
591 rate paid to a facility may be higher than the rate paid to the facility for
592 the period ending June 30, 2011, if a capital improvement required by
593 the Commissioner of Developmental Services for the health or safety of
594 the residents was made to the facility during the fiscal year ending June
595 30, 2012, and (B) any facility that would have been issued a lower rate
596 for the fiscal year ending June 30, 2012, due to interim rate status or
597 agreement with the department, shall be issued such lower rate. Any
598 facility that has a significant decrease in land and building costs shall
599 receive a reduced rate to reflect such decrease in land and building costs.
600 The rate paid to a facility may be increased if a capital improvement
601 approved by the Department of Developmental Services, in consultation
602 with the Department of Social Services, for the health or safety of the
603 residents was made to the facility during the fiscal year ending June 30,
604 2014, or June 30, 2015, only to the extent such increases are within
605 available appropriations. For the fiscal years ending June 30, 2016, and
606 June 30, 2017, rates shall not exceed those in effect for the period ending
607 June 30, 2015, except the rate paid to a facility may be higher than the
608 rate paid to the facility for the period ending June 30, 2015, if a capital
609 improvement approved by the Department of Developmental Services,
610 in consultation with the Department of Social Services, for the health or
611 safety of the residents was made to the facility during the fiscal year
612 ending June 30, 2016, or June 30, 2017, to the extent such rate increases
613 are within available appropriations. For the fiscal years ending June 30,

614 2016, and June 30, 2017, and each succeeding fiscal year, any facility that
615 would have been issued a lower rate, due to interim rate status, a change
616 in allowable fair rent or agreement with the department, shall be issued
617 such lower rate. For the fiscal years ending June 30, 2018, and June 30,
618 2019, rates shall not exceed those in effect for the period ending June 30,
619 2017, except the rate paid to a facility may be higher than the rate paid
620 to the facility for the period ending June 30, 2017, if a capital
621 improvement approved by the Department of Developmental Services,
622 in consultation with the Department of Social Services, for the health or
623 safety of the residents was made to the facility during the fiscal year
624 ending June 30, 2018, or June 30, 2019, to the extent such rate increases
625 are within available appropriations. For the fiscal years ending June 30,
626 2020, and June 30, 2021, rates shall not exceed those in effect for the fiscal
627 year ending June 30, 2019, except the rate paid to a facility may be higher
628 than the rate paid to the facility for the fiscal year ending June 30, 2019,
629 if a capital improvement approved by the Department of
630 Developmental Services, in consultation with the Department of Social
631 Services, for the health or safety of the residents was made to the facility
632 during the fiscal year ending June 30, 2020, or June 30, 2021, to the extent
633 such rate increases are within available appropriations. For the fiscal
634 years ending June 30, 2022, and June 30, 2023, rates shall be based upon
635 rates in effect for the fiscal year ending June 30, 2021, inflated by the
636 gross domestic product deflator applicable to each rate year, except the
637 commissioner may, in the commissioner's discretion and within
638 available appropriations, provide pro rata fair rent increases to facilities
639 which have documented fair rent additions placed in service in the cost
640 report years ending September 30, 2020, and September 30, 2021, that
641 are not otherwise included in rates issued, or if a rate adjustment for a
642 capital improvement approved by the Department of Developmental
643 Services, in consultation with the Department of Social Services, for the
644 health or safety of the residents was made to the facility during the fiscal
645 year ending June 30, 2022, or June 30, 2023. For the fiscal years ending
646 June 30, 2024, and June 30, 2025, rates shall not exceed those in effect for
647 the fiscal year ending June 30, 2023, except the rate paid to a facility may
648 be higher than the rate paid to the facility for the fiscal year ending June

649 30, 2023, if a capital improvement approved by the Department of
650 Developmental Services, in consultation with the Department of Social
651 Services, for the health or safety of the residents was made to the facility
652 during the fiscal year ending June 30, 2024, or June 30, 2025, to the extent
653 such rate increases are within available appropriations.

654 Sec. 11. Subsection (h) of section 17b-340 of the general statutes is
655 repealed and the following is substituted in lieu thereof (*Effective July 1,*
656 *2023*):

657 (h) For the fiscal year ending June 30, 1993, any intermediate care
658 facility for individuals with intellectual disabilities with an operating
659 cost component of its rate in excess of one hundred forty per cent of the
660 median of operating cost components of rates in effect January 1, 1992,
661 shall not receive an operating cost component increase. For the fiscal
662 year ending June 30, 1993, any intermediate care facility for individuals
663 with intellectual disabilities with an operating cost component of its rate
664 that is less than one hundred forty per cent of the median of operating
665 cost components of rates in effect January 1, 1992, shall have an
666 allowance for real wage growth equal to thirty per cent of the increase
667 determined in accordance with subsection (q) of section 17-311-52 of the
668 regulations of Connecticut state agencies, provided such operating cost
669 component shall not exceed one hundred forty per cent of the median
670 of operating cost components in effect January 1, 1992. Any facility with
671 real property other than land placed in service prior to October 1, 1991,
672 shall, for the fiscal year ending June 30, 1995, receive a rate of return on
673 real property equal to the average of the rates of return applied to real
674 property other than land placed in service for the five years preceding
675 October 1, 1993. For the fiscal year ending June 30, 1996, and any
676 succeeding fiscal year, the rate of return on real property for property
677 items shall be revised every five years. The commissioner shall, upon
678 submission of a request, allow actual debt service, comprised of
679 principal and interest, in excess of property costs allowed pursuant to
680 section 17-311-52 of the regulations of Connecticut state agencies,
681 provided such debt service terms and amounts are reasonable in
682 relation to the useful life and the base value of the property. For the fiscal

683 year ending June 30, 1995, and any succeeding fiscal year, the inflation
684 adjustment made in accordance with subsection (p) of section 17-311-52
685 of the regulations of Connecticut state agencies shall not be applied to
686 real property costs. For the fiscal year ending June 30, 1996, and any
687 succeeding fiscal year, the allowance for real wage growth, as
688 determined in accordance with subsection (q) of section 17-311-52 of the
689 regulations of Connecticut state agencies, shall not be applied. For the
690 fiscal year ending June 30, 1996, and any succeeding fiscal year, no rate
691 shall exceed three hundred seventy-five dollars per day unless the
692 commissioner, in consultation with the Commissioner of
693 Developmental Services, determines after a review of program and
694 management costs, that a rate in excess of this amount is necessary for
695 care and treatment of facility residents. For the fiscal year ending June
696 30, 2002, rate period, the Commissioner of Social Services shall increase
697 the inflation adjustment for rates made in accordance with subsection
698 (p) of section 17-311-52 of the regulations of Connecticut state agencies
699 to update allowable fiscal year 2000 costs to include a three and one-half
700 per cent inflation factor. For the fiscal year ending June 30, 2003, rate
701 period, the commissioner shall increase the inflation adjustment for
702 rates made in accordance with subsection (p) of section 17-311-52 of the
703 regulations of Connecticut state agencies to update allowable fiscal year
704 2001 costs to include a one and one-half per cent inflation factor, except
705 that such increase shall be effective November 1, 2002, and such facility
706 rate in effect for the fiscal year ending June 30, 2002, shall be paid for
707 services provided until October 31, 2002, except any facility that would
708 have been issued a lower rate effective July 1, 2002, than for the fiscal
709 year ending June 30, 2002, due to interim rate status or agreement with
710 the department shall be issued such lower rate effective July 1, 2002, and
711 have such rate updated effective November 1, 2002, in accordance with
712 applicable statutes and regulations. For the fiscal year ending June 30,
713 2004, rates in effect for the period ending June 30, 2003, shall remain in
714 effect, except any facility that would have been issued a lower rate
715 effective July 1, 2003, than for the fiscal year ending June 30, 2003, due
716 to interim rate status or agreement with the department shall be issued
717 such lower rate effective July 1, 2003. For the fiscal year ending June 30,

718 2005, rates in effect for the period ending June 30, 2004, shall remain in
719 effect until September 30, 2004. Effective October 1, 2004, each facility
720 shall receive a rate that is five per cent greater than the rate in effect
721 September 30, 2004. Effective upon receipt of all the necessary federal
722 approvals to secure federal financial participation matching funds
723 associated with the rate increase provided in subdivision (4) of
724 subsection (f) of this section, but in no event earlier than October 1, 2005,
725 and provided the user fee imposed under section 17b-320 is required to
726 be collected, each facility shall receive a rate that is four per cent more
727 than the rate the facility received in the prior fiscal year, except any
728 facility that would have been issued a lower rate effective October 1,
729 2005, than for the fiscal year ending June 30, 2005, due to interim rate
730 status or agreement with the department, shall be issued such lower rate
731 effective October 1, 2005. Such rate increase shall remain in effect unless:
732 (1) The federal financial participation matching funds associated with
733 the rate increase are no longer available; or (2) the user fee created
734 pursuant to section 17b-320 is not in effect. For the fiscal year ending
735 June 30, 2007, rates in effect for the period ending June 30, 2006, shall
736 remain in effect until September 30, 2006, except any facility that would
737 have been issued a lower rate effective July 1, 2006, than for the fiscal
738 year ending June 30, 2006, due to interim rate status or agreement with
739 the department, shall be issued such lower rate effective July 1, 2006.
740 Effective October 1, 2006, no facility shall receive a rate that is more than
741 three per cent greater than the rate in effect for the facility on September
742 30, 2006, except any facility that would have been issued a lower rate
743 effective October 1, 2006, due to interim rate status or agreement with
744 the department, shall be issued such lower rate effective October 1, 2006.
745 For the fiscal year ending June 30, 2008, each facility shall receive a rate
746 that is two and nine-tenths per cent greater than the rate in effect for the
747 period ending June 30, 2007, except any facility that would have been
748 issued a lower rate effective July 1, 2007, than for the rate period ending
749 June 30, 2007, due to interim rate status, or agreement with the
750 department, shall be issued such lower rate effective July 1, 2007. For the
751 fiscal year ending June 30, 2009, rates in effect for the period ending June
752 30, 2008, shall remain in effect until June 30, 2009, except any facility that

753 would have been issued a lower rate for the fiscal year ending June 30,
754 2009, due to interim rate status or agreement with the department, shall
755 be issued such lower rate. For the fiscal years ending June 30, 2010, and
756 June 30, 2011, rates in effect for the period ending June 30, 2009, shall
757 remain in effect until June 30, 2011, except any facility that would have
758 been issued a lower rate for the fiscal year ending June 30, 2010, or the
759 fiscal year ending June 30, 2011, due to interim rate status or agreement
760 with the department, shall be issued such lower rate. For the fiscal year
761 ending June 30, 2012, rates in effect for the period ending June 30, 2011,
762 shall remain in effect until June 30, 2012, except any facility that would
763 have been issued a lower rate for the fiscal year ending June 30, 2012,
764 due to interim rate status or agreement with the department, shall be
765 issued such lower rate. For the fiscal years ending June 30, 2014, and
766 June 30, 2015, rates shall not exceed those in effect for the period ending
767 June 30, 2013, except the rate paid to a facility may be higher than the
768 rate paid to the facility for the period ending June 30, 2013, if a capital
769 improvement approved by the Department of Developmental Services,
770 in consultation with the Department of Social Services, for the health or
771 safety of the residents was made to the facility during the fiscal year
772 ending June 30, 2014, or June 30, 2015, to the extent such rate increases
773 are within available appropriations. Any facility that would have been
774 issued a lower rate for the fiscal year ending June 30, 2014, or the fiscal
775 year ending June 30, 2015, due to interim rate status or agreement with
776 the department, shall be issued such lower rate. For the fiscal years
777 ending June 30, 2016, and June 30, 2017, rates shall not exceed those in
778 effect for the period ending June 30, 2015, except the rate paid to a
779 facility may be higher than the rate paid to the facility for the period
780 ending June 30, 2015, if a capital improvement approved by the
781 Department of Developmental Services, in consultation with the
782 Department of Social Services, for the health or safety of the residents
783 was made to the facility during the fiscal year ending June 30, 2016, or
784 June 30, 2017, to the extent such rate increases are within available
785 appropriations. For the fiscal years ending June 30, 2016, and June 30,
786 2017, and each succeeding fiscal year, any facility that would have been
787 issued a lower rate, due to interim rate status, a change in allowable fair

788 rent or agreement with the department, shall be issued such lower rate.
789 For the fiscal years ending June 30, 2018, and June 30, 2019, rates shall
790 not exceed those in effect for the period ending June 30, 2017, except the
791 rate paid to a facility may be higher than the rate paid to the facility for
792 the period ending June 30, 2017, if a capital improvement approved by
793 the Department of Developmental Services, in consultation with the
794 Department of Social Services, for the health or safety of the residents
795 was made to the facility during the fiscal year ending June 30, 2018, or
796 June 30, 2019, only to the extent such rate increases are within available
797 appropriations. For the fiscal years ending June 30, 2020, and June 30,
798 2021, rates shall not exceed those in effect for the fiscal year ending June
799 30, 2019, except the rate paid to a facility may be higher than the rate
800 paid to the facility for the fiscal year ending June 30, 2019, if a capital
801 improvement approved by the Department of Developmental Services,
802 in consultation with the Department of Social Services, for the health or
803 safety of the residents was made to the facility during the fiscal year
804 ending June 30, 2020, or June 30, 2021, only to the extent such rate
805 increases are within available appropriations. For the fiscal year ending
806 June 30, 2022, rates shall not exceed those in effect for the fiscal year
807 ending June 30, 2021, except the commissioner may, in the
808 commissioner's discretion and within available appropriations, provide
809 pro rata fair rent increases to facilities that have documented fair rent
810 additions placed in service in the cost report year ending September 30,
811 2020, that are not otherwise included in rates issued. For the fiscal year
812 ending June 30, 2023, rates shall not exceed those in effect for the fiscal
813 year ending June 30, 2022, except the commissioner may, in the
814 commissioner's discretion and within available appropriations, provide
815 pro rata fair rent increases to facilities which have documented fair rent
816 additions placed in service in the cost report year ending September 30,
817 2021, that are not otherwise included in rates issued. For the fiscal years
818 ending June 30, 2022, and June 30, 2023, a facility may receive a rate
819 increase for a capital improvement approved by the Department of
820 Developmental Services, in consultation with the Department of Social
821 Services, for the health or safety of the residents during the fiscal year
822 ending June 30, 2022, or June 30, 2023, only to the extent such rate

823 increases are within available appropriations. For the fiscal year ending
824 June 30, 2024, rates shall not exceed those in effect for the fiscal year
825 ending June 30, 2023, except the commissioner may, in the
826 commissioner's discretion and within available appropriations, provide
827 pro rata fair rent increases to facilities that have documented fair rent
828 additions placed in service in the cost report year ending September 30,
829 2022, that are not otherwise included in rates issued. For the fiscal year
830 ending June 30, 2025, rates shall not exceed those in effect for the fiscal
831 year ending June 30, 2024, except the commissioner may, in the
832 commissioner's discretion and within available appropriations, provide
833 pro rata fair rent increases to facilities that have documented fair rent
834 additions placed in service in the cost report year ending September 30,
835 2023, that are not otherwise included in rates issued. For the fiscal years
836 ending June 30, 2024, and June 30, 2025, a facility may receive a rate
837 increase for a capital improvement approved by the Department of
838 Developmental Services, in consultation with the Department of Social
839 Services, for the health or safety of the residents during the fiscal year
840 ending June 30, 2024, or June 30, 2025, only to the extent such rate
841 increases are within available appropriations. Any facility that has a
842 significant decrease in land and building costs shall receive a reduced
843 rate to reflect such decrease in land and building costs. For the fiscal
844 years ending June 30, 2012, June 30, 2013, June 30, 2014, June 30, 2015,
845 June 30, 2016, June 30, 2017, June 30, 2018, June 30, 2019, June 30, 2020,
846 June 30, 2021, June 30, 2022, [and] June 30, 2023, June 30, 2024, and June
847 30, 2025, the Commissioner of Social Services may provide fair rent
848 increases to any facility that has undergone a material change in
849 circumstances related to fair rent and has an approved certificate of need
850 pursuant to section 17b-352, 17b-353, 17b-354 or 17b-355.
851 Notwithstanding the provisions of this section, the Commissioner of
852 Social Services may, within available appropriations, increase or
853 decrease rates issued to intermediate care facilities for individuals with
854 intellectual disabilities to reflect a reduction in available appropriations
855 as provided in subsection (a) of this section. For the fiscal years ending
856 June 30, 2014, and June 30, 2015, the commissioner shall not consider
857 rebasing in determining rates. Notwithstanding the provisions of this

858 subsection, effective July 1, 2021, and July 1, 2022, the commissioner
859 shall, within available appropriations, increase rates for the purpose of
860 wage and benefit enhancements for employees of intermediate care
861 facilities. Facilities that receive a rate adjustment for the purpose of wage
862 and benefit enhancements but do not provide increases in employee
863 salaries as described in this subsection on or before July 31, 2021, and
864 July 31, 2022, respectively, may be subject to a rate decrease in the same
865 amount as the adjustment by the commissioner.

866 Sec. 12. Section 17b-340d of the general statutes is repealed and the
867 following is substituted in lieu thereof (*Effective July 1, 2023*):

868 (a) The Commissioner of Social Services shall implement an acuity-
869 based methodology for Medicaid reimbursement of nursing home
870 services effective July 1, 2022. Notwithstanding section 17b-340, as
871 amended by this act, for the fiscal year ending June 30, 2023, and
872 annually thereafter, the Commissioner of Social Services shall establish
873 Medicaid rates paid to nursing home facilities based on cost years
874 ending on September thirtieth in accordance with the following:

875 (1) Case-mix adjustments to the direct care component, which will be
876 based on Minimum Data Set resident assessment data as well as cost
877 data reported for the cost year ending September 30, 2019, shall be made
878 effective beginning July 1, 2022, and updated every quarter thereafter.
879 After modeling such case-mix adjustments, the Commissioner of Social
880 Services shall evaluate impact on a facility by facility basis and, not later
881 than October 1, 2021, (A) make recommendations to the Secretary of the
882 Office of Policy and Management, and (B) submit a report on the
883 recommendations, in accordance with the provisions of section 11-4a, to
884 the joint standing committees of the General Assembly having
885 cognizance of matters relating to appropriations and the budgets of state
886 agencies and human services on any adjustments needed to facilitate the
887 transition to the new methodology on July 1, 2022. This evaluation may
888 include a review of inflationary allowances, case mix and budget
889 adjustment factors and stop loss and stop gain corridors and the ability
890 to make such adjustments within available appropriations.

891 (2) Beginning July 1, 2022, facilities will be required to comply with
892 collection and reporting of quality metrics as specified by the
893 Department of Social Services, after consultation with the nursing home
894 industry, consumers, employees and the Department of Public Health.
895 Rate adjustments based on performance on quality metrics will be
896 phased in, beginning July 1, 2022, with a period of reporting only.

897 (3) Geographic peer groupings of facilities shall be established by the
898 Department of Social Services pursuant to regulations adopted in
899 accordance with subsection (b) of this section.

900 (4) Allowable costs shall be divided into the following five cost
901 components: (A) Direct costs, which shall include salaries for nursing
902 personnel, related fringe benefits and costs for nursing personnel
903 supplied by a temporary nursing services agency; (B) indirect costs,
904 which shall include professional fees, dietary expenses, housekeeping
905 expenses, laundry expenses, supplies related to patient care, salaries for
906 indirect care personnel and related fringe benefits; (C) fair rent, which
907 shall be defined in regulations adopted in accordance with subsection
908 (b) of this section; (D) capital-related costs, which shall include property
909 taxes, insurance expenses, equipment leases and equipment
910 depreciation; and (E) administrative and general costs, which shall
911 include maintenance and operation of plant expenses, salaries for
912 administrative and maintenance personnel and related fringe benefits.
913 For (i) direct costs, the maximum cost shall be equal to one hundred
914 thirty-five per cent of the median allowable cost of that peer grouping;
915 (ii) indirect costs, the maximum cost shall be equal to one hundred
916 fifteen per cent of the state-wide median allowable cost; (iii) fair rent,
917 the amount shall be calculated utilizing the amount approved pursuant
918 to section 17b-353; (iv) capital-related costs, there shall be no maximum;
919 and (v) administrative and general costs, the maximum shall be equal to
920 the state-wide median allowable cost. For purposes of this subdivision,
921 "temporary nursing services agency" and "nursing personnel" have the
922 same meaning as provided in section 19a-118.

923 (5) For the fiscal year ending June 30, 2022, the commissioner may, in

924 the commissioner's discretion and within available appropriations,
925 provide pro rata fair rent increases to facilities which have documented
926 fair rent additions placed in service in the cost report year ending
927 September 30, 2020, that are not otherwise included in the rates issued.

928 (6) There shall be no increase to rates based on inflation or any
929 inflationary factor for the fiscal years ending June 30, 2022, and June 30,
930 2023, unless otherwise authorized under subdivision (1) of this
931 subsection. For the fiscal years ending June 30, 2024, and June 30, 2025,
932 there shall be no inflationary increases to rates beyond those already
933 factored into the model for the transition to an acuity-based
934 reimbursement system.

935 (7) For purposes of computing minimum allowable patient days,
936 utilization of a facility's certified beds shall be determined at a minimum
937 of ninety per cent of capacity, except for facilities that have undergone
938 a change in ownership, new facilities, and facilities which are certified
939 for additional beds which may be permitted a lower occupancy rate for
940 the first three months of operation after the effective date of licensure.

941 (8) Rates determined under this section shall comply with federal
942 laws and regulations.

943 (b) The Commissioner of Social Services may implement policies as
944 necessary to carry out the provisions of this section while in the process
945 of adopting the policies as regulations, provided that prior to
946 implementation the policies are posted (1) on the eRegulations System
947 established pursuant to section 4-173b, and (2) the Department of Social
948 Services' Internet web site.

949 Sec. 13. (*Effective July 1, 2023*) Notwithstanding the provisions of
950 subsection (a) of section 17b-244 of the general statutes, as amended by
951 this act, and subsections (a) to (i), inclusive, of section 17b-340 of the
952 general statutes, as amended by this act, or any other provisions of
953 chapter 319y of the general statutes, the state rates of payments in effect
954 for the fiscal year ending June 30, 2016, for residential care homes,
955 community living arrangements and community companion homes

956 that receive the flat rate for residential services under section 17-311-54
957 of the regulations of Connecticut state agencies shall remain in effect
958 until June 30, 2024.

959 Sec. 14. Subsection (i) of section 17b-340 of the general statutes is
960 repealed and the following is substituted in lieu thereof (*Effective July 1,*
961 *2023*):

962 (i) For the fiscal year ending June 30, 1993, any residential care home
963 with an operating cost component of its rate in excess of one hundred
964 thirty per cent of the median of operating cost components of rates in
965 effect January 1, 1992, shall not receive an operating cost component
966 increase. For the fiscal year ending June 30, 1993, any residential care
967 home with an operating cost component of its rate that is less than one
968 hundred thirty per cent of the median of operating cost components of
969 rates in effect January 1, 1992, shall have an allowance for real wage
970 growth equal to sixty-five per cent of the increase determined in
971 accordance with subsection (q) of section 17-311-52 of the regulations of
972 Connecticut state agencies, provided such operating cost component
973 shall not exceed one hundred thirty per cent of the median of operating
974 cost components in effect January 1, 1992. Beginning with the fiscal year
975 ending June 30, 1993, for the purpose of determining allowable fair rent,
976 a residential care home with allowable fair rent less than the twenty-
977 fifth percentile of the state-wide allowable fair rent shall be reimbursed
978 as having allowable fair rent equal to the twenty-fifth percentile of the
979 state-wide allowable fair rent. Beginning with the fiscal year ending
980 June 30, 1997, a residential care home with allowable fair rent less than
981 three dollars and ten cents per day shall be reimbursed as having
982 allowable fair rent equal to three dollars and ten cents per day. Property
983 additions placed in service during the cost year ending September 30,
984 1996, or any succeeding cost year shall receive a fair rent allowance for
985 such additions as an addition to three dollars and ten cents per day if
986 the fair rent for the facility for property placed in service prior to
987 September 30, 1995, is less than or equal to three dollars and ten cents
988 per day. Beginning with the fiscal year ending June 30, 2016, a
989 residential care home shall be reimbursed the greater of the allowable

990 accumulated fair rent reimbursement associated with real property
991 additions and land as calculated on a per day basis or three dollars and
992 ten cents per day if the allowable reimbursement associated with real
993 property additions and land is less than three dollars and ten cents per
994 day. For the fiscal year ending June 30, 1996, and any succeeding fiscal
995 year, the allowance for real wage growth, as determined in accordance
996 with subsection (q) of section 17-311-52 of the regulations of Connecticut
997 state agencies, shall not be applied. For the fiscal year ending June 30,
998 1996, and any succeeding fiscal year, the inflation adjustment made in
999 accordance with subsection (p) of section 17-311-52 of the regulations of
1000 Connecticut state agencies shall not be applied to real property costs.
1001 Beginning with the fiscal year ending June 30, 1997, minimum allowable
1002 patient days for rate computation purposes for a residential care home
1003 with twenty-five beds or less shall be eighty-five per cent of licensed
1004 capacity. Beginning with the fiscal year ending June 30, 2002, for the
1005 purposes of determining the allowable salary of an administrator of a
1006 residential care home with sixty beds or less the department shall revise
1007 the allowable base salary to thirty-seven thousand dollars to be annually
1008 inflated thereafter in accordance with section 17-311-52 of the
1009 regulations of Connecticut state agencies. The rates for the fiscal year
1010 ending June 30, 2002, shall be based upon the increased allowable salary
1011 of an administrator, regardless of whether such amount was expended
1012 in the 2000 cost report period upon which the rates are based. Beginning
1013 with the fiscal year ending June 30, 2000, and until the fiscal year ending
1014 June 30, 2009, inclusive, the inflation adjustment for rates made in
1015 accordance with subsection (p) of section 17-311-52 of the regulations of
1016 Connecticut state agencies shall be increased by two per cent, and
1017 beginning with the fiscal year ending June 30, 2002, the inflation
1018 adjustment for rates made in accordance with subsection (c) of said
1019 section shall be increased by one per cent. Beginning with the fiscal year
1020 ending June 30, 1999, for the purpose of determining the allowable
1021 salary of a related party, the department shall revise the maximum
1022 salary to twenty-seven thousand eight hundred fifty-six dollars to be
1023 annually inflated thereafter in accordance with section 17-311-52 of the
1024 regulations of Connecticut state agencies and beginning with the fiscal

1025 year ending June 30, 2001, such allowable salary shall be computed on
1026 an hourly basis and the maximum number of hours allowed for a related
1027 party other than the proprietor shall be increased from forty hours to
1028 forty-eight hours per work week. For the fiscal year ending June 30,
1029 2005, each facility shall receive a rate that is two and one-quarter per
1030 cent more than the rate the facility received in the prior fiscal year,
1031 except any facility that would have been issued a lower rate effective
1032 July 1, 2004, than for the fiscal year ending June 30, 2004, due to interim
1033 rate status or agreement with the department shall be issued such lower
1034 rate effective July 1, 2004. Effective upon receipt of all the necessary
1035 federal approvals to secure federal financial participation matching
1036 funds associated with the rate increase provided in subdivision (4) of
1037 subsection (f) of this section, but in no event earlier than October 1, 2005,
1038 and provided the user fee imposed under section 17b-320 is required to
1039 be collected, each facility shall receive a rate that is determined in
1040 accordance with applicable law and subject to appropriations, except
1041 any facility that would have been issued a lower rate effective October
1042 1, 2005, than for the fiscal year ending June 30, 2005, due to interim rate
1043 status or agreement with the department, shall be issued such lower rate
1044 effective October 1, 2005. Such rate increase shall remain in effect unless:
1045 (1) The federal financial participation matching funds associated with
1046 the rate increase are no longer available; or (2) the user fee created
1047 pursuant to section 17b-320 is not in effect. For the fiscal year ending
1048 June 30, 2007, rates in effect for the period ending June 30, 2006, shall
1049 remain in effect until September 30, 2006, except any facility that would
1050 have been issued a lower rate effective July 1, 2006, than for the fiscal
1051 year ending June 30, 2006, due to interim rate status or agreement with
1052 the department, shall be issued such lower rate effective July 1, 2006.
1053 Effective October 1, 2006, no facility shall receive a rate that is more than
1054 four per cent greater than the rate in effect for the facility on September
1055 30, 2006, except for any facility that would have been issued a lower rate
1056 effective October 1, 2006, due to interim rate status or agreement with
1057 the department, shall be issued such lower rate effective October 1, 2006.
1058 For the fiscal years ending June 30, 2010, and June 30, 2011, rates in effect
1059 for the period ending June 30, 2009, shall remain in effect until June 30,

1060 2011, except any facility that would have been issued a lower rate for
1061 the fiscal year ending June 30, 2010, or the fiscal year ending June 30,
1062 2011, due to interim rate status or agreement with the department, shall
1063 be issued such lower rate, except (A) any facility that would have been
1064 issued a lower rate for the fiscal year ending June 30, 2010, or the fiscal
1065 year ending June 30, 2011, due to interim rate status or agreement with
1066 the Commissioner of Social Services shall be issued such lower rate; and
1067 (B) the commissioner may increase a facility's rate for reasonable costs
1068 associated with such facility's compliance with the provisions of section
1069 19a-495a concerning the administration of medication by unlicensed
1070 personnel. For the fiscal year ending June 30, 2012, rates in effect for the
1071 period ending June 30, 2011, shall remain in effect until June 30, 2012,
1072 except that (i) any facility that would have been issued a lower rate for
1073 the fiscal year ending June 30, 2012, due to interim rate status or
1074 agreement with the Commissioner of Social Services shall be issued
1075 such lower rate; and (ii) the commissioner may increase a facility's rate
1076 for reasonable costs associated with such facility's compliance with the
1077 provisions of section 19a-495a concerning the administration of
1078 medication by unlicensed personnel. For the fiscal year ending June 30,
1079 2013, the Commissioner of Social Services may, within available
1080 appropriations, provide a rate increase to a residential care home. Any
1081 facility that would have been issued a lower rate for the fiscal year
1082 ending June 30, 2013, due to interim rate status or agreement with the
1083 Commissioner of Social Services shall be issued such lower rate. For the
1084 fiscal years ending June 30, 2012, and June 30, 2013, the Commissioner
1085 of Social Services may provide fair rent increases to any facility that has
1086 undergone a material change in circumstances related to fair rent and
1087 has an approved certificate of need pursuant to section 17b-352, 17b-353,
1088 17b-354 or 17b-355. For the fiscal years ending June 30, 2014, and June
1089 30, 2015, for those facilities that have a calculated rate greater than the
1090 rate in effect for the fiscal year ending June 30, 2013, the commissioner
1091 may increase facility rates based upon available appropriations up to a
1092 stop gain as determined by the commissioner. No facility shall be issued
1093 a rate that is lower than the rate in effect on June 30, 2013, except that
1094 any facility that would have been issued a lower rate for the fiscal year

1095 ending June 30, 2014, or the fiscal year ending June 30, 2015, due to
1096 interim rate status or agreement with the commissioner, shall be issued
1097 such lower rate. For the fiscal year ending June 30, 2014, and each fiscal
1098 year thereafter, a residential care home shall receive a rate increase for
1099 any capital improvement made during the fiscal year for the health and
1100 safety of residents and approved by the Department of Social Services,
1101 provided such rate increase is within available appropriations. For the
1102 fiscal year ending June 30, 2015, and each succeeding fiscal year
1103 thereafter, costs of less than ten thousand dollars that are incurred by a
1104 facility and are associated with any land, building or nonmovable
1105 equipment repair or improvement that are reported in the cost year used
1106 to establish the facility's rate shall not be capitalized for a period of more
1107 than five years for rate-setting purposes. For the fiscal year ending June
1108 30, 2015, subject to available appropriations, the commissioner may, at
1109 the commissioner's discretion: Increase the inflation cost limitation
1110 under subsection (c) of section 17-311-52 of the regulations of
1111 Connecticut state agencies, provided such inflation allowance factor
1112 does not exceed a maximum of five per cent; establish a minimum rate
1113 of return applied to real property of five per cent inclusive of assets
1114 placed in service during cost year 2013; waive the standard rate of return
1115 under subsection (f) of section 17-311-52 of the regulations of
1116 Connecticut state agencies for ownership changes or health and safety
1117 improvements that exceed one hundred thousand dollars and that are
1118 required under a consent order from the Department of Public Health;
1119 and waive the rate of return adjustment under subsection (f) of section
1120 17-311-52 of the regulations of Connecticut state agencies to avoid
1121 financial hardship. For the fiscal years ending June 30, 2016, and June
1122 30, 2017, rates shall not exceed those in effect for the period ending June
1123 30, 2015, except the commissioner may, in the commissioner's discretion
1124 and within available appropriations, provide pro rata fair rent increases
1125 to facilities which have documented fair rent additions placed in service
1126 in cost report years ending September 30, 2014, and September 30, 2015,
1127 that are not otherwise included in rates issued. For the fiscal years
1128 ending June 30, 2016, and June 30, 2017, and each succeeding fiscal year,
1129 any facility that would have been issued a lower rate, due to interim rate

1130 status, a change in allowable fair rent or agreement with the department,
1131 shall be issued such lower rate. For the fiscal year ending June 30, 2018,
1132 rates shall not exceed those in effect for the period ending June 30, 2017,
1133 except the commissioner may, in the commissioner's discretion and
1134 within available appropriations, provide pro rata fair rent increases to
1135 facilities which have documented fair rent additions placed in service in
1136 the cost report year ending September 30, 2016, that are not otherwise
1137 included in rates issued. For the fiscal year ending June 30, 2019, rates
1138 shall not exceed those in effect for the period ending June 30, 2018,
1139 except the commissioner may, in the commissioner's discretion and
1140 within available appropriations, provide pro rata fair rent increases to
1141 facilities which have documented fair rent additions placed in service in
1142 the cost report year ending September 30, 2017, that are not otherwise
1143 included in rates issued. For the fiscal year ending June 30, 2020, rates
1144 shall not exceed those in effect for the fiscal year ending June 30, 2019,
1145 except the commissioner may, in the commissioner's discretion and
1146 within available appropriations, provide pro rata fair rent increases to
1147 facilities which have documented fair rent additions placed in service in
1148 the cost report year ending September 30, 2018, that are not otherwise
1149 included in rates issued. For the fiscal year ending June 30, 2021, rates
1150 shall not exceed those in effect for the fiscal year ending June 30, 2020,
1151 except the commissioner may, in the commissioner's discretion and
1152 within available appropriations, provide pro rata fair rent increases to
1153 facilities which have documented fair rent additions placed in service in
1154 the cost report year ending September 30, 2019, that are not otherwise
1155 included in rates issued. For the fiscal year ending June 30, 2022, the
1156 commissioner may, in the commissioner's discretion and within
1157 available appropriations, provide pro rata fair rent increases to facilities
1158 that have documented fair rent additions placed in service in the cost
1159 report year ending September 30, 2020, that are not otherwise included
1160 in rates issued. For the fiscal year ending June 30, 2023, the
1161 commissioner may, in the commissioner's discretion and within
1162 available appropriations, provide pro rata fair rent increases to facilities
1163 which have documented fair rent additions placed in service in the cost
1164 report year ending September 30, 2021, that are not otherwise included

1165 in rates issued. For the fiscal years ending June 30, 2022, and June 30,
1166 2023, a facility may receive a rate increase for a capital improvement
1167 approved by the Department of Social Services, for the health or safety
1168 of the residents during the fiscal year ending June 30, 2022, or June 30,
1169 2023, only to the extent such rate increases are within available
1170 appropriations. For the fiscal year ending June 30, 2022, and June 30,
1171 2023, rates shall be based upon rates in effect for the fiscal year ending
1172 June 30, 2021, inflated by the gross domestic product deflator applicable
1173 to each rate year, except the commissioner may, in the commissioner's
1174 discretion and within available appropriations, provide pro rata fair
1175 rent increases to facilities which have documented fair rent additions
1176 placed in service in the cost report years ending September 30, 2020, and
1177 September 30, 2021, that are not otherwise included in rates issued. For
1178 the fiscal years ending June 30, 2024, and June 30, 2025, a facility may
1179 receive a rate increase for a capital improvement approved by the
1180 Department of Social Services, for the health or safety of the residents
1181 during the fiscal year ending June 30, 2024, or June 30, 2025, only to the
1182 extent such rate increases are within available appropriations. For the
1183 fiscal year ending June 30, 2024, the department shall determine facility
1184 rates based upon 2022 cost report filings subject to the provisions of this
1185 section, adjusted to reflect any rate increases provided after the cost
1186 report year ending September 30, 2022. There shall be no increase to
1187 rates based on any inflationary factor for the fiscal year ending June 30,
1188 2024. For the fiscal year ending June 30, 2024, the commissioner may, in
1189 the commissioner's discretion and within available appropriations,
1190 provide pro rata fair rent increases to facilities that have documented
1191 fair rent additions placed in service in the cost report year ending
1192 September 30, 2022, that are not otherwise included in rates issued. For
1193 the fiscal year ending June 30, 2025, the commissioner may, in the
1194 commissioner's discretion and within available appropriations, provide
1195 pro rata fair rent increases to facilities that have documented fair rent
1196 additions placed in service in the cost report year ending September 30,
1197 2023, that are not otherwise included in rates issued.

1198 Sec. 15. Section 17b-2 of the general statutes is repealed and the

1199 following is substituted in lieu thereof (*Effective July 1, 2023*):

1200 The Department of Social Services is designated as the state agency
1201 for the administration of (1) the Connecticut energy assistance program
1202 pursuant to the Low Income Home Energy Assistance Act of 1981; (2)
1203 the state plan for vocational rehabilitation services for the fiscal year
1204 ending June 30, 1994; (3) the refugee assistance program pursuant to the
1205 Refugee Act of 1980; (4) the legalization impact assistance grant
1206 program pursuant to the Immigration Reform and Control Act of 1986;
1207 (5) the temporary assistance for needy families program pursuant to the
1208 Personal Responsibility and Work Opportunity Reconciliation Act of
1209 1996; (6) the Medicaid program pursuant to Title XIX of the Social
1210 Security Act; (7) the supplemental nutrition assistance program
1211 pursuant to the Food and Nutrition Act of 2008; (8) the state supplement
1212 to the Supplemental Security Income Program pursuant to the Social
1213 Security Act; (9) the state child support enforcement plan pursuant to
1214 Title IV-D of the Social Security Act; (10) the state social services plan
1215 for the implementation of the social services block grants and
1216 community services block grants pursuant to the Social Security Act;
1217 and (11) services for persons with autism spectrum disorder in
1218 accordance with [sections 17a-215 and] section 17a-215c, as amended by
1219 this act.

1220 Sec. 16. Section 17a-215e of the general statutes is repealed and the
1221 following is substituted in lieu thereof (*Effective July 1, 2023*):

1222 Not later than February 1, 2017, and annually thereafter, the
1223 Commissioner of Social Services shall report, in accordance with the
1224 provisions of section 11-4a, to the joint standing committee of the
1225 General Assembly having cognizance of matters relating to human
1226 services concerning the activities of the Department of Social Services'
1227 Division of Autism Spectrum Disorder Services, established pursuant to
1228 section 17a-215c, as amended by this act, and the Autism Spectrum
1229 Disorder Advisory Council, established pursuant to section [17a-215d]
1230 2 of this act. Such report shall include, but not be limited to: (1) The
1231 number and ages of persons with autism spectrum disorder who are

1232 served by the Department of Social Services' Division of Autism
1233 Spectrum Disorder Services and, when practicable to report, the number
1234 and ages of such persons who are served by other state agencies; (2) the
1235 number and ages of persons with autism spectrum disorder on said
1236 division's waiting list for Medicaid waiver services; (3) the type of
1237 Medicaid waiver services currently provided by the department to
1238 persons with autism spectrum disorder; (4) a description of the unmet
1239 needs of persons with autism spectrum disorder on said division's
1240 waiting list; (5) the projected estimates for a five-year period of the costs
1241 to the state due to such unmet needs; (6) measurable outcome data for
1242 persons with autism spectrum disorder who are eligible to receive
1243 services from said division, including, but not limited to, (A) the number
1244 of such persons who are enrolled in postsecondary education, (B) the
1245 employment status of such persons, and (C) a description of such
1246 persons' living arrangements; and (7) a description of new initiatives
1247 and proposals for new initiatives that are under consideration.

1248 Sec. 17. Subdivision (4) of subsection (a) of section 38a-488b of the
1249 general statutes is repealed and the following is substituted in lieu
1250 thereof (*Effective July 1, 2023*):

1251 (4) "Behavioral therapy" means any interactive behavioral therapies
1252 derived from evidence-based research and consistent with the services
1253 and interventions designated by the Commissioner of Social Services
1254 pursuant to subsection [(1)] (e) of section 17a-215c, as amended by this
1255 act, including, but not limited to, applied behavior analysis, cognitive
1256 behavioral therapy, or other therapies supported by empirical evidence
1257 of the effective treatment of individuals diagnosed with autism
1258 spectrum disorder, that are: (A) Provided to children less than twenty-
1259 one years of age; and (B) provided or supervised by (i) a licensed
1260 behavior analyst, (ii) a licensed physician, or (iii) a licensed
1261 psychologist. For the purposes of this subdivision, behavioral therapy is
1262 "supervised by" such licensed behavior analyst, licensed physician or
1263 licensed psychologist when such supervision entails at least one hour of
1264 face-to-face supervision of the autism spectrum disorder services
1265 provider by such licensed behavior analyst, licensed physician or

1266 licensed psychologist for each ten hours of behavioral therapy provided
 1267 by the supervised provider.

1268 Sec. 18. Subdivision (4) of subsection (a) of section 38a-514b of the
 1269 general statutes is repealed and the following is substituted in lieu
 1270 thereof (*Effective July 1, 2023*):

1271 (4) "Behavioral therapy" means any interactive behavioral therapies
 1272 derived from evidence-based research and consistent with the services
 1273 and interventions designated by the Commissioner of Social Services
 1274 pursuant to subsection [(1)] (e) of section 17a-215c, as amended by this
 1275 act, including, but not limited to, applied behavior analysis, cognitive
 1276 behavioral therapy, or other therapies supported by empirical evidence
 1277 of the effective treatment of individuals diagnosed with autism
 1278 spectrum disorder, that are: (A) Provided to children less than twenty-
 1279 one years of age; and (B) provided or supervised by (i) a licensed
 1280 behavior analyst, (ii) a licensed physician, or (iii) a licensed
 1281 psychologist. For the purposes of this subdivision, behavioral therapy is
 1282 "supervised by" such licensed behavior analyst, licensed physician or
 1283 licensed psychologist when such supervision entails at least one hour of
 1284 face-to-face supervision of the autism spectrum disorder services
 1285 provider by such licensed behavior analyst, licensed physician or
 1286 licensed psychologist for each ten hours of behavioral therapy provided
 1287 by the supervised provider.

1288 Sec. 19. Sections 17a-215 and 17a-215d of the general statutes are
 1289 repealed. (*Effective July 1, 2023*)"

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2023</i>	New section
Sec. 2	<i>July 1, 2023</i>	New section
Sec. 3	<i>July 1, 2023</i>	17a-215c
Sec. 4	<i>from passage</i>	17b-112
Sec. 5	<i>from passage</i>	17b-112b(a)
Sec. 6	<i>from passage</i>	17b-112e

Sec. 7	<i>from passage</i>	17b-112g(d)
Sec. 8	<i>October 1, 2023</i>	17b-191(c)
Sec. 9	<i>October 1, 2023</i>	17b-601
Sec. 10	<i>July 1, 2023</i>	17b-244(a)
Sec. 11	<i>July 1, 2023</i>	17b-340(h)
Sec. 12	<i>July 1, 2023</i>	17b-340d
Sec. 13	<i>July 1, 2023</i>	New section
Sec. 14	<i>July 1, 2023</i>	17b-340(i)
Sec. 15	<i>July 1, 2023</i>	17b-2
Sec. 16	<i>July 1, 2023</i>	17a-215e
Sec. 17	<i>July 1, 2023</i>	38a-488b(a)(4)
Sec. 18	<i>July 1, 2023</i>	38a-514b(a)(4)
Sec. 19	<i>July 1, 2023</i>	Repealer section