



Senate

General Assembly

File No. 575

February Session, 2024

Substitute Senate Bill No. 396

Senate, April 22, 2024

The Committee on Appropriations reported through SEN. OSTEN of the 19th Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

AN ACT IMPLEMENTING TASK FORCE RECOMMENDATIONS FOR THE ELDERLY NUTRITION PROGRAM.

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

1 Section 1. Section 17a-851 of the general statutes is amended by
2 adding subsections (e) and (f) as follows (*Effective July 1, 2024*):

3 (NEW) (e) The Department of Aging and Disability Services shall
4 disburse additional payments under the elderly nutrition program to
5 any area agency on aging contracting with the department that has
6 expended fifty per cent or more of the initial disbursement of funding
7 under such contract. Within available appropriations, the department
8 shall disburse additional payments not later than thirty days after the
9 area agency on aging provides documentation prescribed by the
10 department of such expenditures. The area agency on aging shall
11 transfer additional payments not later than thirty days after receipt from
12 the department to vendors that contract with the agency to participate
13 in the elderly nutrition program. Not later than July 1, 2025, and
14 annually thereafter, the Commissioner of Aging and Disability Services

15 shall file a report, in accordance with the provisions of section 11-4a,
16 with the joint standing committees of the General Assembly having
17 cognizance of matters relating to aging and human services on the
18 feasibility of the department disbursing additional funds under an
19 elderly nutrition program contract upon evidence that a contracting
20 area agency on aging has expended twenty-five per cent or more of the
21 initial disbursement of funding under the contract.

22 (NEW) (f) The Commissioner of Aging and Disability Services shall
23 require each area agency on aging, in consultation with the chief elected
24 officials of the municipalities and municipal agents for elderly persons
25 appointed pursuant to section 7-127b within the area each agency
26 serves, to develop a continuity of effort plan to minimize any disruption
27 to benefits provided under the elderly nutrition program in such area
28 when a provider leaves the program or there is a significant increase in
29 service levels or demand for the program. Such plan shall include an
30 area agency on aging applying for funding to support elderly nutrition
31 program services through any available grant source. An area agency
32 on aging shall notify chief elected officials, municipal agents for the
33 elderly and state and federal elected officials of the area such agency
34 serves whenever there is a significant increase in service levels or
35 demand for the elderly nutrition program.

36 Sec. 2. (*Effective from passage*) (a) The Commissioner of Aging and
37 Disability Services, in consultation with area agencies on aging, shall
38 develop a plan to streamline the contracting process, related compliance
39 reporting and eligibility and assessment forms used under the elderly
40 nutrition program. The plan shall include, but need not be limited to, (1)
41 providing a template or portal that elderly nutrition program providers
42 can utilize to reduce redundancies in required reporting or applications,
43 (2) the granting of automatic approval for services under the program
44 based on a client eligibility assessment, and (3) modifications to client
45 eligibility forms to require no more than the minimum information
46 required under Title III of the Older Americans Act of 1965, as amended
47 from time to time.

48 (b) Not later than October 1, 2024, the commissioner shall file a report
49 on the plan, in accordance with the provisions of section 11-4a of the
50 general statutes, with the joint standing committees of the General
51 Assembly having cognizance of matters relating to aging and human
52 services.

53 Sec. 3. Subsection (b) of section 17b-90 of the general statutes is
54 repealed and the following is substituted in lieu thereof (*Effective July 1,*
55 *2024*):

56 (b) No person shall, except for purposes directly connected with the
57 administration of programs of the Department of Social Services and in
58 accordance with the regulations of the commissioner, solicit, disclose,
59 receive or make use of, or authorize, knowingly permit, participate in or
60 acquiesce in the use of, any list of the names of, or any information
61 concerning, persons applying for or receiving assistance from the
62 Department of Social Services or persons participating in a program
63 administered by said department, directly or indirectly derived from
64 the records, papers, files or communications of the state or its
65 subdivisions or agencies, or acquired in the course of the performance
66 of official duties. The Commissioner of Social Services shall disclose (1)
67 to any authorized representative of the Labor Commissioner such
68 information directly related to unemployment compensation,
69 administered pursuant to chapter 567 or information necessary for
70 implementation of sections 17b-112l, 17b-688b, 17b-688c and 17b-688h
71 and section 122 of public act 97-2 of the June 18 special session, (2) to
72 any authorized representative of the Commissioner of Mental Health
73 and Addiction Services any information necessary for the
74 implementation and operation of the basic needs supplement program,
75 (3) to any authorized representative of the Commissioner of
76 Administrative Services or the Commissioner of Emergency Services
77 and Public Protection such information as the Commissioner of Social
78 Services determines is directly related to and necessary for the
79 Department of Administrative Services or the Department of
80 Emergency Services and Public Protection for purposes of performing
81 their functions of collecting social services recoveries and overpayments

82 or amounts due as support in social services cases, investigating social
83 services fraud or locating absent parents of public assistance recipients,
84 (4) to any authorized representative of the Commissioner of Children
85 and Families necessary information concerning a child or the immediate
86 family of a child receiving services from the Department of Social
87 Services, including safety net services, if (A) the Commissioner of
88 Children and Families or the Commissioner of Social Services has
89 determined that imminent danger to such child's health, safety or
90 welfare exists to target the services of the family services programs
91 administered by the Department of Children and Families, or (B) the
92 Commissioner of Children and Families requires access to the federal
93 Parent Locator Service established pursuant to 42 USC 653 in order to
94 identify a parent or putative parent of a child, (5) to a town official or
95 other contractor or authorized representative of the Labor
96 Commissioner such information concerning an applicant for or a
97 recipient of assistance under state-administered general assistance
98 deemed necessary by the Commissioner of Social Services and the Labor
99 Commissioner to carry out their respective responsibilities to serve such
100 persons under the programs administered by the Labor Department
101 that are designed to serve applicants for or recipients of state-
102 administered general assistance, (6) to any authorized representative of
103 the Commissioner of Mental Health and Addiction Services for the
104 purposes of the behavioral health managed care program established by
105 section 17a-453, (7) to any authorized representative of the
106 Commissioner of Early Childhood to carry out his or her respective
107 responsibilities under the two-generational academic achievement and
108 workforce readiness initiative established pursuant to section 17b-112l
109 and programs that regulate child care services or youth camps, (8) to a
110 health insurance provider, in IV-D support cases, as defined in
111 subdivision (13) of subsection (b) of section 46b-231, information
112 concerning a child and the custodial parent of such child that is
113 necessary to enroll such child in a health insurance plan available
114 through such provider when the noncustodial parent of such child is
115 under court order to provide health insurance coverage but is unable to
116 provide such information, provided the Commissioner of Social

117 Services determines, after providing prior notice of the disclosure to
118 such custodial parent and an opportunity for such parent to object, that
119 such disclosure is in the best interests of the child, (9) to any authorized
120 representative of the Department of Correction, in IV-D support cases,
121 as defined in subdivision (13) of subsection (b) of section 46b-231,
122 information concerning noncustodial parents that is necessary to
123 identify inmates or parolees with IV-D support cases who may benefit
124 from Department of Correction educational, training, skill building,
125 work or rehabilitation programming that will significantly increase an
126 inmate's or parolee's ability to fulfill such inmate's support obligation,
127 (10) to any authorized representative of the Judicial Branch, in IV-D
128 support cases, as defined in subdivision (13) of subsection (b) of section
129 46b-231, information concerning noncustodial parents that is necessary
130 to: (A) Identify noncustodial parents with IV-D support cases who may
131 benefit from educational, training, skill building, work or rehabilitation
132 programming that will significantly increase such parent's ability to
133 fulfill such parent's support obligation, (B) assist in the administration
134 of the Title IV-D child support program, or (C) assist in the identification
135 of cases involving family violence, (11) to any authorized representative
136 of the State Treasurer, in IV-D support cases, as defined in subdivision
137 (13) of subsection (b) of section 46b-231, information that is necessary to
138 identify child support obligors who owe overdue child support prior to
139 the Treasurer's payment of such obligors' claim for any property
140 unclaimed or presumed abandoned under part III of chapter 32, [or] (12)
141 to any authorized representative of the Secretary of the Office of Policy
142 and Management any information necessary for the implementation
143 and operation of the renters rebate program established by section 12-
144 170d, or (13) to any authorized representative of the Department of
145 Aging and Disability Services, or to an area agency on aging contracting
146 with said department to provide services under the elderly nutrition
147 program, information on persons enrolled in the supplemental nutrition
148 assistance program who have requested or been recommended to
149 receive elderly nutrition program services. No such representative shall
150 disclose any information obtained pursuant to this section, except as
151 specified in this section. Any applicant for assistance provided through

152 [said department] the Department of Social Services shall be notified
 153 that, if and when such applicant receives benefits, the department will
 154 be providing law enforcement officials with the address of such
 155 applicant upon the request of any such official pursuant to section 17b-
 156 16a.

157 Sec. 4. (NEW) (*Effective July 1, 2024*) (a) The Commissioner of Social
 158 Services, upon a request from the Commissioner of Aging and Disability
 159 Services, or from an area agency on aging contracting with the
 160 Department of Aging and Disability Services to provide services under
 161 the elderly nutrition program, shall provide information on whether a
 162 person who is eligible to receive services under the elderly nutrition
 163 program is receiving benefits from the supplemental nutrition
 164 assistance program.

165 (b) The Commissioner of Social Services, in consultation with the
 166 Commissioner of Aging and Disability Services, shall develop a plan to
 167 maximize supplemental nutrition assistance program benefits to
 168 support the elderly nutrition program. The plan shall include, but need
 169 not be limited to, (1) outreach to persons who may be eligible for both
 170 the elderly nutrition program and the supplemental nutrition assistance
 171 program, and (2) federally permissible uses of supplemental nutrition
 172 assistance benefits to fund meals provided to persons age sixty and over,
 173 persons with disabilities and such persons' households.

174 (c) Not later than October 1, 2024, the Commissioner of Social
 175 Services, in consultation with the Commissioner of Aging and Disability
 176 Services, shall file a report on the plan, in accordance with the provisions
 177 of section 11-4a of the general statutes, with the joint standing
 178 committees of the General Assembly having cognizance of matters
 179 relating to aging and human services.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2024</i>	17a-851(e) and (f)
Sec. 2	<i>from passage</i>	New section

Sec. 3	July 1, 2024	17b-90(b)
Sec. 4	July 1, 2024	New section

Statement of Legislative Commissioners:

In Section 1(e), "round" was changed to "disbursement", "such payments" was changed to "additional payments", and "vendors participating" was changed to "vendors that contract with the agency to participate in" for clarity; Section 1(f) was redrafted for clarity and consistency; in Section 2(a)(2), "the granting of" was added before "automatic" for clarity; in Section 3(b), "said department" was changed to "[said department] the Department of Social Services" for clarity; in Section 4(a), "or from an area agency on aging contracting with the Department of Aging and Disability Services to provide services under the elderly nutrition program," was added for consistency; and in Section 4(b), "supplementary" was changed to "supplemental" for accuracy.

HS *Joint Favorable-LCO C/R*

APP

APP *Joint Favorable Subst.*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact: None

Municipal Impact: None

Explanation

The bill makes changes to how the Department of Aging and Disability Services (ADS) administers its elderly nutrition program and requires the agency to develop a plan to streamline contracting and reporting requirements in concert with the various area agencies on aging. It is anticipated that the ADS will be able to accomplish the provisions of the bill with existing staff.

The Out Years

State Impact: None

Municipal Impact: None

OLR Bill Analysis**sSB 396*****AN ACT IMPLEMENTING TASK FORCE RECOMMENDATIONS FOR THE ELDERLY NUTRITION PROGRAM.*****SUMMARY**

This bill makes various changes to the elderly nutrition program's funding and administration, including coordination with the supplemental nutrition assistance program (SNAP). Specifically, the bill requires:

1. the Department of Aging and Disability Services (ADS) to give, within available appropriations, additional payments under the program to any area agency on aging (AAA) contracting with ADS that has used at least half its initial round of funding under a contract (§ 1);
2. ADS to require each AAA to develop a continuity of effort plan to minimize program benefits disruptions for its service area (§ 1);
3. ADS to develop a plan to streamline the program's contracting process, related compliance reporting, and eligibility and assessment forms (§ 2);
4. the Department of Social Services (DSS) to disclose to ADS, or an AAA contracted to provide program services, information on SNAP enrollees who request or are recommended to receive elderly nutrition program services (§ 3);
5. DSS to provide to ADS or an AAA, upon request, information on whether a person eligible for the elderly nutrition program is receiving SNAP benefits (§ 4); and

6. DSS, in consultation with ADS, to develop a plan to maximize SNAP benefits to support the elderly nutrition program (§ 4).

EFFECTIVE DATE: July 1, 2024, except the provision on streamlining, which is effective upon passage.

§ 1 — ADDITIONAL PAYMENTS

The bill requires ADS to give additional elderly nutrition program payments to any AAA contracting with ADS that provides documentation of having spent at least half of its initial funding under the contract. Under the bill, ADS must, within available appropriations, disburse payments within 30 days of receiving such documentation. When additional payments are received, the bill requires the AAA to transfer them to its elderly nutrition program vendors within 30 days.

The bill requires ADS to report annually, beginning by July 1, 2025, to the Aging and Human Services committees on the feasibility of the department giving additional funds under an elderly nutrition program contract when an AAA has used at least 25% of its initial funding.

§ 1 — CONTINUITY OF EFFORT PLAN

Under the bill, ADS must require each AAA to develop a continuity of effort plan for its service area in consultation with the area's chief elected municipal officials and municipal agents for the elderly (i.e., those appointed by municipalities to disseminate information, among other things). The plan must:

1. minimize disruption to elderly nutrition program benefits when a provider leaves the program or if program service levels or demand significantly increase and
2. include AAAs applying for funding to support elderly nutrition program services through available grant sources.

The bill requires an AAA to notify the chief elected officials, municipal agents for the elderly, and state and federal elected officials of its service area if program service levels or demand increase

significantly.

§ 2 — STREAMLINING

The bill requires the ADS commissioner, in consultation with AAAs, to develop a plan to streamline the elderly nutrition program's contracting process, compliance reporting, and eligibility and assessment forms. The plan must include:

1. a template or portal that program providers can use to reduce redundancies in required reporting or applications,
2. automatic approval for program services based on a client eligibility assessment, and
3. changes to client eligibility forms to include no more than the minimum information required under federal law.

The commissioner must file a report on the plan to the Aging and Human Services committees by October 1, 2024.

§ 4 — MAXIMIZING SNAP BENEFITS

The bill requires the DSS commissioner, in consultation with the ADS commissioner, to develop a plan to maximize SNAP benefits to support the elderly nutrition program. The plan must include:

1. outreach to people eligible for both programs and
2. federally allowed uses of SNAP benefits to fund meals for people age 60 or older and people with disabilities, and their households.

The DSS commissioner must consult with the ADS commissioner and file a report on the plan to the Aging and Human Services committees by October 1, 2024.

BACKGROUND

Area Agencies on Aging

The state's five AAAs are a central, comprehensive source of

information about programs and services for older adults. AAAs are private, nonprofit planning and service agencies for older adults that receive state and federal funds, distributed by ADS, to carry out the federal Older Americans Act (i.e., Title III) requirements. Generally, they plan, coordinate, evaluate, and act as brokers for older adult services. Among other things, they award funds to local agencies, which in turn provide meals and related social services at local sites.

By law, the AAAs must (1) represent older adults in their geographic areas, (2) develop and administer an area elderly services plan, (3) coordinate local public and nonprofit private agencies and help them to develop programs, (4) receive and distribute federal and state funds for these purposes, and (5) perform additional federally required functions.

Elderly Nutrition Program

Under federal law, ADS oversees 11 elderly nutrition providers that offer nutritionally sound meals to people age 60 or older and their spouses. Programs must provide one meal per day, five days per week. These meals are either offered at congregate sites, known as “senior community cafes,” or delivered to the homes of people too frail to travel to the congregate locations or cook for themselves. People with disabilities living in housing facilities that are congregate meal sites may also receive meals. Meals are free, although contributions are encouraged. Both federal and state funds are used to pay the program costs.

COMMITTEE ACTION

Human Services Committee

Joint Favorable Change of Reference - APP
 Yea 22 Nay 0 (03/19/2024)

Appropriations Committee

Joint Favorable Substitute
 Yea 52 Nay 0 (04/04/2024)