



General Assembly

February Session, 2024

Raised Bill No. 344

LCO No. 2208



Referred to Committee on VETERANS' AND MILITARY AFFAIRS

Introduced by:
(VA)

AN ACT CONCERNING CERTAIN FEDERAL VETERANS' BENEFITS AND INCOME ELIGIBILITY DETERMINATIONS FOR CERTAIN PUBLIC ASSISTANCE PROGRAMS.

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

1 Section 1. Subsection (a) of section 17b-28i of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective July 1,*
3 *2024, and applicable to applications filed on or after July 1, 2024*):

4 (a) To the extent permissible by federal law, the Commissioner of
5 Social Services shall disregard all federal [Aid and Attendance] pension
6 benefits administered by the United States Department of Veterans
7 Administration that are granted to a veteran or the surviving spouse of
8 such veteran, for which veteran or surviving spouse said department
9 has decided that Aid and Attendance assistance is required, when
10 determining income eligibility for the state's Medicare savings, medical
11 assistance and energy assistance programs administered under section
12 17b-2. As used in this subsection, "veteran" has the same meaning as
13 provided in section 27-103.

14 Sec. 2. Subsection (a) of section 17b-104 of the general statutes is
15 repealed and the following is substituted in lieu thereof (*Effective July 1,*
16 *2024, and applicable to applications filed on or after July 1, 2024*):

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

48 Sec. 3. Subsection (c) of section 17b-191 of the 2024 supplement to the
49 general statutes is repealed and the following is substituted in lieu
50 thereof (*Effective July 1, 2024, and applicable to applications filed on or after*
51 *July 1, 2024*):

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

75 Sec. 4. Section 17b-256f of the general statutes is repealed and the
76 following is substituted in lieu thereof (*Effective July 1, 2024, and*
77 *applicable to applications filed on or after July 1, 2024*):

78 The Commissioner of Social Services shall increase income disregards
79 used to determine eligibility by the Department of Social Services for the
80 federal Qualified Medicare Beneficiary, the Specified Low-Income

81 Medicare Beneficiary and the Qualifying Individual programs,
82 administered in accordance with the provisions of 42 USC 1396d(p), by
83 such amounts that shall result in persons with income that is (1) less
84 than two hundred eleven per cent of the federal poverty level qualifying
85 for the Qualified Medicare Beneficiary program, (2) at or above two
86 hundred eleven per cent of the federal poverty level but less than two
87 hundred thirty-one per cent of the federal poverty level qualifying for
88 the Specified Low-Income Medicare Beneficiary program, and (3) at or
89 above two hundred thirty-one per cent of the federal poverty level but
90 less than two hundred forty-six per cent of the federal poverty level
91 qualifying for the Qualifying Individual program. The commissioner
92 shall not apply an asset test for eligibility under the Medicare Savings
93 Program. The commissioner shall [not consider as] disregard from
94 income [Aid and Attendance] all federal pension benefits administered
95 by the United States Department of Veterans Affairs that are granted to
96 a veteran, as defined in section 27-103, or the surviving spouse of such
97 veteran, for which veteran or surviving spouse said department has
98 decided that Aid and Attendance assistance is required. The
99 Commissioner of Social Services, pursuant to section 17b-10, may
100 implement policies and procedures to administer the provisions of this
101 section while in the process of adopting such policies and procedures in
102 regulation form, provided the commissioner prints notice of the intent
103 to adopt the regulations on the department's Internet web site and the
104 eRegulations System not later than twenty days after the date of
105 implementation. Such policies and procedures shall be valid until the
106 time final regulations are adopted.

107 Sec. 5. Subsection (a) of section 17b-261 of the 2024 supplement to the
108 general statutes is repealed and the following is substituted in lieu
109 thereof (*Effective July 1, 2024, and applicable to applications filed on or after*
110 *July 1, 2024*):

111 (a) Medical assistance shall be provided for any otherwise eligible
112 person (1) whose income, including any available support from legally
113 liable relatives and the income of the person's spouse or dependent
114 child, is not more than one hundred forty-three per cent, pending

115 approval of a federal waiver applied for pursuant to subsection (e) of
116 this section, of the benefit amount paid to a person with no income
117 under the temporary family assistance program, and (2) if such person
118 is an institutionalized individual as defined in Section 1917 of the Social
119 Security Act, 42 USC 1396p(h)(3), and has not made an assignment or
120 transfer or other disposition of property for less than fair market value
121 for the purpose of establishing eligibility for benefits or assistance under
122 this section. Any such disposition shall be treated in accordance with
123 Section 1917(c) of the Social Security Act, 42 USC 1396p(c). Any
124 disposition of property made on behalf of an applicant or recipient or
125 the spouse of an applicant or recipient by a guardian, conservator,
126 person authorized to make such disposition pursuant to a power of
127 attorney or other person so authorized by law shall be attributed to such
128 applicant, recipient or spouse. A disposition of property ordered by a
129 court shall be evaluated in accordance with the standards applied to any
130 other such disposition for the purpose of determining eligibility. The
131 commissioner shall establish the standards for eligibility for medical
132 assistance at one hundred forty-three per cent of the benefit amount
133 paid to a household of equal size with no income under the temporary
134 family assistance program. In determining eligibility, the commissioner
135 shall [not consider as] disregard from income [Aid and Attendance] all
136 federal pension benefits administered by the United States Department
137 of Veterans Affairs that are granted to a veteran, as defined in section
138 27-103, or the surviving spouse of such veteran, for which veteran or
139 surviving spouse said department has decided that Aid and Attendance
140 assistance is required. Except as provided in section 17b-277 and section
141 17b-292, the medical assistance program shall provide coverage to
142 persons under the age of nineteen with household income up to one
143 hundred ninety-six per cent of the federal poverty level without an asset
144 limit and to persons under the age of nineteen, who qualify for coverage
145 under Section 1931 of the Social Security Act, with household income
146 not exceeding one hundred ninety-six per cent of the federal poverty
147 level without an asset limit, and their parents and needy caretaker
148 relatives, who qualify for coverage under Section 1931 of the Social
149 Security Act, with household income not exceeding one hundred fifty-

150 five per cent of the federal poverty level without an asset limit. Such
151 levels shall be based on the regional differences in such benefit amount,
152 if applicable, unless such levels based on regional differences are not in
153 conformance with federal law. Any income in excess of the applicable
154 amounts shall be applied as may be required by said federal law, and
155 assistance shall be granted for the balance of the cost of authorized
156 medical assistance. The Commissioner of Social Services shall provide
157 applicants for assistance under this section, at the time of application,
158 with a written statement advising them of (A) the effect of an
159 assignment or transfer or other disposition of property on eligibility for
160 benefits or assistance, (B) the effect that having income that exceeds the
161 limits prescribed in this subsection will have with respect to program
162 eligibility, and (C) the availability of, and eligibility for, services
163 provided by the Connecticut Home Visiting System, established
164 pursuant to section 17b-751b. For coverage dates on or after January 1,
165 2014, the department shall use the modified adjusted gross income
166 financial eligibility rules set forth in Section 1902(e)(14) of the Social
167 Security Act and the implementing regulations to determine eligibility
168 for HUSKY A, HUSKY B and HUSKY D applicants, as defined in section
169 17b-290. Persons who are determined ineligible for assistance pursuant
170 to this section shall be provided a written statement notifying such
171 persons of their ineligibility and advising such persons of their potential
172 eligibility for one of the other insurance affordability programs as
173 defined in 42 CFR 435.4.

174 Sec. 6. Subsection (a) of section 17b-261 of the 2024 supplement to the
175 general statutes, as amended by section 302 of public act 23-204, is
176 repealed and the following is substituted in lieu thereof (*Effective October*
177 *1, 2024, and applicable to applications filed on or after July 1, 2024*):

178 (a) Medical assistance shall be provided for any otherwise eligible
179 person (1) whose income, including any available support from legally
180 liable relatives and the income of the person's spouse or dependent
181 child, is not more than one hundred five per cent of the federal poverty
182 level, after any authorized income disregards, and (2) if such person is
183 an institutionalized individual as defined in Section 1917 of the Social

184 Security Act, 42 USC 1396p(h)(3), and has not made an assignment or
185 transfer or other disposition of property for less than fair market value
186 for the purpose of establishing eligibility for benefits or assistance under
187 this section. Any such disposition shall be treated in accordance with
188 Section 1917(c) of the Social Security Act, 42 USC 1396p(c). Any
189 disposition of property made on behalf of an applicant or recipient or
190 the spouse of an applicant or recipient by a guardian, conservator,
191 person authorized to make such disposition pursuant to a power of
192 attorney or other person so authorized by law shall be attributed to such
193 applicant, recipient or spouse. A disposition of property ordered by a
194 court shall be evaluated in accordance with the standards applied to any
195 other such disposition for the purpose of determining eligibility. The
196 commissioner shall establish the standards for eligibility for medical
197 assistance at one hundred five per cent of the federal poverty level, after
198 any authorized income disregards. In determining eligibility, the
199 commissioner shall [not consider as] disregard from income [Aid and
200 Attendance] all federal pension benefits administered by the United
201 States Department of Veterans Affairs that are granted to a veteran, as
202 defined in section 27-103, or the surviving spouse of such veteran, for
203 which veteran or surviving spouse said department has decided that
204 Aid and Attendance assistance is required. Except as provided in section
205 17b-277 and section 17b-292, the medical assistance program shall
206 provide coverage to persons under the age of nineteen with household
207 income up to one hundred ninety-six per cent of the federal poverty
208 level without an asset limit and to persons under the age of nineteen,
209 who qualify for coverage under Section 1931 of the Social Security Act,
210 with household income not exceeding one hundred ninety-six per cent
211 of the federal poverty level without an asset limit, and their parents and
212 needy caretaker relatives, who qualify for coverage under Section 1931
213 of the Social Security Act, with household income not exceeding one
214 hundred fifty-five per cent of the federal poverty level without an asset
215 limit. Such levels shall be based on the regional differences in such
216 benefit amount, if applicable, unless such levels based on regional
217 differences are not in conformance with federal law. Any income in
218 excess of the applicable amounts shall be applied as may be required by

219 said federal law, and assistance shall be granted for the balance of the
220 cost of authorized medical assistance. The Commissioner of Social
221 Services shall provide applicants for assistance under this section, at the
222 time of application, with a written statement advising them of (A) the
223 effect of an assignment or transfer or other disposition of property on
224 eligibility for benefits or assistance, (B) the effect that having income that
225 exceeds the limits prescribed in this subsection will have with respect to
226 program eligibility, and (C) the availability of, and eligibility for,
227 services provided by the Connecticut Home Visiting System,
228 established pursuant to section 17b-751b. For coverage dates on or after
229 January 1, 2014, the department shall use the modified adjusted gross
230 income financial eligibility rules set forth in Section 1902(e)(14) of the
231 Social Security Act and the implementing regulations to determine
232 eligibility for HUSKY A, HUSKY B and HUSKY D applicants, as defined
233 in section 17b-290. Persons who are determined ineligible for assistance
234 pursuant to this section shall be provided a written statement notifying
235 such persons of their ineligibility and advising such persons of their
236 potential eligibility for one of the other insurance affordability programs
237 as defined in 42 CFR 435.4.

238 Sec. 7. Subsection (l) of section 17b-342 of the general statutes is
239 repealed and the following is substituted in lieu thereof (*Effective July 1,*
240 *2024, and applicable to applications filed on or after July 1, 2024*):

241 (l) In determining eligibility for the program described in this section,
242 the commissioner shall [not consider as] disregard from income (1) [Aid
243 and Attendance] all federal pension benefits administered by the United
244 States Department of Veterans Affairs that are granted to a veteran, as
245 defined in section 27-103, or the surviving spouse of such veteran, for
246 which veteran or surviving spouse said department has decided that
247 Aid and Attendance assistance is required, and (2) any tax refund or
248 advance payment with respect to a refundable credit to the same extent
249 such refund or advance payment would be disregarded under 26 USC
250 6409 in any federal program or state or local program financed in whole
251 or in part with federal funds.

252 Sec. 8. Subsection (a) of section 17b-801 of the general statutes is
 253 repealed and the following is substituted in lieu thereof (*Effective July 1,*
 254 *2024, and applicable to applications filed on or after July 1, 2024*):

255 (a) The Commissioner of Social Services shall administer a state-
 256 appropriated fuel assistance program to provide, within available
 257 appropriations, fuel assistance to elderly and disabled persons whose
 258 household gross income is above the income eligibility guidelines for
 259 the Connecticut energy assistance program but does not exceed two
 260 hundred per cent of federal poverty guidelines. The income eligibility
 261 guidelines for the state-appropriated fuel assistance program shall be
 262 determined, annually, by the Commissioner of Social Services, in
 263 conjunction with the Secretary of the Office of Policy and Management.
 264 In determining eligibility, the commissioner shall [not consider as]
 265 disregard from income [Aid and Attendance] all federal pension
 266 benefits administered by the United States Department of Veterans
 267 Affairs that are granted to a veteran, as defined under section 27-103, or
 268 the surviving spouse of such veteran, for which veteran or surviving
 269 spouse said department has decided that Aid and Attendance assistance
 270 is required. The commissioner may adopt regulations, in accordance
 271 with the provisions of chapter 54, to implement the provisions of this
 272 subsection.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2024, and applicable to applications filed on or after July 1, 2024</i>	17b-28i(a)
Sec. 2	<i>July 1, 2024, and applicable to applications filed on or after July 1, 2024</i>	17b-104(a)
Sec. 3	<i>July 1, 2024, and applicable to applications filed on or after July 1, 2024</i>	17b-191(c)

Sec. 4	<i>July 1, 2024, and applicable to applications filed on or after July 1, 2024</i>	17b-256f
Sec. 5	<i>July 1, 2024, and applicable to applications filed on or after July 1, 2024</i>	17b-261(a)
Sec. 6	<i>October 1, 2024, and applicable to applications filed on or after July 1, 2024</i>	17b-261(a)
Sec. 7	<i>July 1, 2024, and applicable to applications filed on or after July 1, 2024</i>	17b-342(l)
Sec. 8	<i>July 1, 2024, and applicable to applications filed on or after July 1, 2024</i>	17b-801(a)

Statement of Purpose:

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

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