



General Assembly

Substitute Bill No. 344

February Session, 2024



**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2 repealed and the following is substituted in lieu thereof (*Effective July 1,*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 non-service-connected, Aid
6 and Attendance and Housebound pension benefits administered by the
7 United States Department of Veterans Affairs that are granted to a
8 veteran or the surviving spouse of such veteran when determining
9 income eligibility for the state's Medicare savings, medical assistance
10 and energy assistance programs administered under section 17b-2. As
11 used in this subsection, "veteran" has the same meaning as provided in
12 section 27-103.

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14 repealed and the following is substituted in lieu thereof (*Effective July 1,*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

16 (a) The Commissioner of Social Services shall administer the program

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

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

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

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

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

83 above two hundred eleven per cent of the federal poverty level but less
84 than two hundred thirty-one per cent of the federal poverty level
85 qualifying for the Specified Low-Income Medicare Beneficiary program,
86 and (3) at or above two hundred thirty-one per cent of the federal
87 poverty level but less than two hundred forty-six per cent of the federal
88 poverty level qualifying for the Qualifying Individual program.

89 (b) The commissioner shall not apply an asset test for eligibility under
90 the Medicare Savings Program. The commissioner shall [not consider
91 as] disregard from income all federal non-service-connected, Aid and
92 Attendance and Housebound pension benefits administered by the
93 United States Department of Veterans Affairs that are granted to a
94 veteran, as defined in section 27-103, or the surviving spouse of such
95 veteran. The Commissioner of Social Services, pursuant to section 17b-
96 10, may implement policies and procedures to administer the provisions
97 of this section while in the process of adopting such policies and
98 procedures in regulation form, provided the commissioner prints notice
99 of the intent to adopt the regulations on the department's Internet web
100 site and the eRegulations System not later than twenty days after the
101 date of implementation. Such policies and procedures shall be valid
102 until the time final regulations are adopted.

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

107 (a) (1) Medical assistance shall be provided for any otherwise eligible
108 person [(1)] (A) whose income, including any available support from
109 legally liable relatives and the income of the person's spouse or
110 dependent child, is not more than one hundred forty-three per cent,
111 pending approval of a federal waiver applied for pursuant to subsection
112 (e) of this section, of the benefit amount paid to a person with no income
113 under the temporary family assistance program, and [(2)] (B) if such
114 person is an institutionalized individual as defined in Section 1917 of
115 the Social Security Act, 42 USC 1396p(h)(3), and has not made an

116 assignment or transfer or other disposition of property for less than fair
117 market value for the purpose of establishing eligibility for benefits or
118 assistance under this section. Any such disposition shall be treated in
119 accordance with Section 1917(c) of the Social Security Act, 42 USC
120 1396p(c). Any disposition of property made on behalf of an applicant or
121 recipient or the spouse of an applicant or recipient by a guardian,
122 conservator, person authorized to make such disposition pursuant to a
123 power of attorney or other person so authorized by law shall be
124 attributed to such applicant, recipient or spouse. A disposition of
125 property ordered by a court shall be evaluated in accordance with the
126 standards applied to any other such disposition for the purpose of
127 determining eligibility.

128 (2) The commissioner shall establish the standards for eligibility for
129 medical assistance at one hundred forty-three per cent of the benefit
130 amount paid to a household of equal size with no income under the
131 temporary family assistance program. In determining eligibility, the
132 commissioner shall [not consider as] disregard from income all federal
133 non-service-connected, Aid and Attendance and Housebound pension
134 benefits administered by the United States Department of Veterans
135 Affairs that are granted to a veteran, as defined in section 27-103, or the
136 surviving spouse of such veteran. Except as provided in section 17b-277
137 and section 17b-292, the medical assistance program shall provide
138 coverage to persons under the age of nineteen with household income
139 up to one hundred ninety-six per cent of the federal poverty level
140 without an asset limit and to persons under the age of nineteen, who
141 qualify for coverage under Section 1931 of the Social Security Act, with
142 household income not exceeding one hundred ninety-six per cent of the
143 federal poverty level without an asset limit, and their parents and needy
144 caretaker relatives, who qualify for coverage under Section 1931 of the
145 Social Security Act, with household income not exceeding one hundred
146 fifty-five per cent of the federal poverty level without an asset limit.
147 Such levels shall be based on the regional differences in such benefit
148 amount, if applicable, unless such levels based on regional differences
149 are not in conformance with federal law. Any income in excess of the

150 applicable amounts shall be applied as may be required by said federal
151 law, and assistance shall be granted for the balance of the cost of
152 authorized medical assistance.

153 (3) The Commissioner of Social Services shall provide applicants for
154 assistance under this section, at the time of application, with a written
155 statement advising them of (A) the effect of an assignment or transfer or
156 other disposition of property on eligibility for benefits or assistance, (B)
157 the effect that having income that exceeds the limits prescribed in this
158 subsection will have with respect to program eligibility, and (C) the
159 availability of, and eligibility for, services provided by the Connecticut
160 Home Visiting System, established pursuant to section 17b-751b. For
161 coverage dates on or after January 1, 2014, the department shall use the
162 modified adjusted gross income financial eligibility rules set forth in
163 Section 1902(e)(14) of the Social Security Act and the implementing
164 regulations to determine eligibility for HUSKY A, HUSKY B and
165 HUSKY D applicants, as defined in section 17b-290. Persons who are
166 determined ineligible for assistance pursuant to this section shall be
167 provided a written statement notifying such persons of their ineligibility
168 and advising such persons of their potential eligibility for one of the
169 other insurance affordability programs as defined in 42 CFR 435.4.

170 Sec. 6. Subsection (a) of section 17b-261 of the 2024 supplement to the
171 general statutes, as amended by section 302 of public act 23-204, is
172 repealed and the following is substituted in lieu thereof (*Effective October*
173 *1, 2024, and applicable to applications filed on or after July 1, 2024*):

174 (a) (1) Medical assistance shall be provided for any otherwise eligible
175 person [(1)] (A) whose income, including any available support from
176 legally liable relatives and the income of the person's spouse or
177 dependent child, is not more than one hundred five per cent of the
178 federal poverty level, after any authorized income disregards, and [(2)]
179 (B) if such person is an institutionalized individual as defined in Section
180 1917 of the Social Security Act, 42 USC 1396p(h)(3), and has not made
181 an assignment or transfer or other disposition of property for less than
182 fair market value for the purpose of establishing eligibility for benefits

183 or assistance under this section. Any such disposition shall be treated in
184 accordance with Section 1917(c) of the Social Security Act, 42 USC
185 1396p(c). Any disposition of property made on behalf of an applicant or
186 recipient or the spouse of an applicant or recipient by a guardian,
187 conservator, person authorized to make such disposition pursuant to a
188 power of attorney or other person so authorized by law shall be
189 attributed to such applicant, recipient or spouse. A disposition of
190 property ordered by a court shall be evaluated in accordance with the
191 standards applied to any other such disposition for the purpose of
192 determining eligibility.

193 (2) The commissioner shall establish the standards for eligibility for
194 medical assistance at one hundred five per cent of the federal poverty
195 level, after any authorized income disregards. In determining eligibility,
196 the commissioner shall [not consider as] disregard from income all
197 federal non-service-connected, Aid and Attendance and Housebound
198 pension benefits administered by the United States Department of
199 Veterans Affairs that are granted to a veteran, as defined in section 27-
200 103, or the surviving spouse of such veteran. Except as provided in
201 section 17b-277 and section 17b-292, the medical assistance program
202 shall provide coverage to persons under the age of nineteen with
203 household income up to one hundred ninety-six per cent of the federal
204 poverty level without an asset limit and to persons under the age of
205 nineteen, who qualify for coverage under Section 1931 of the Social
206 Security Act, with household income not exceeding one hundred
207 ninety-six per cent of the federal poverty level without an asset limit,
208 and their parents and needy caretaker relatives, who qualify for
209 coverage under Section 1931 of the Social Security Act, with household
210 income not exceeding one hundred fifty-five per cent of the federal
211 poverty level without an asset limit. Such levels shall be based on the
212 regional differences in such benefit amount, if applicable, unless such
213 levels based on regional differences are not in conformance with federal
214 law. Any income in excess of the applicable amounts shall be applied as
215 may be required by said federal law, and assistance shall be granted for
216 the balance of the cost of authorized medical assistance.

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

234 Sec. 7. Subsection (l) of section 17b-342 of the general statutes is
235 repealed and the following is substituted in lieu thereof (*Effective July 1,*
236 *2024, and applicable to applications filed on or after July 1, 2024*):

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

247 Sec. 8. Subsection (a) of section 17b-801 of the general statutes is
248 repealed and the following is substituted in lieu thereof (*Effective July 1,*
249 *2024, and applicable to applications filed on or after July 1, 2024*):

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

Section 4 was divided into Subsecs. for clarity; and in Sections 5 and 6, Subsec. (a) was divided into Subdivs. for clarity.

VA *Joint Favorable Subst.*