



House Bill No. 5365

Public Act No. 24-35

AN ACT CONCERNING TECHNICAL REVISIONS TO STATUTES CONCERNING HUMAN SERVICES.

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

Section 1. Subsection (c) of section 4-124xx of the 2024 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(c) The Chief Workforce Officer, in consultation with the Labor Commissioner, shall develop a plan for the Human Services Career Pipeline program that includes, but [is] shall not be limited to: (1) A strategy to increase the number of state residents pursuing careers in human services, (2) recommended salary and working conditions necessary to retain an adequate number of human services providers to serve state residents, and (3) estimated funding needed to support the Human Services Career Pipeline program.

Sec. 2. Subsection (b) of section 17a-215g of the 2024 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(b) Not later than January 1, 2024, and annually thereafter, the state-wide coordinator of programs and services provided by state agencies for individuals with autism spectrum disorder, appointed pursuant to

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section 4-67bb, shall file a report, in accordance with the provisions of section 11-4a and in consultation with the Commissioner of Social Services, on (1) the number of persons waiting for services in the program, (2) the number of underserved persons in the program waiting for additional services, (3) the number of persons added to and subtracted from the waiting list in the previous calendar year, (4) whether such waiting list has increased or decreased over the previous calendar year and, if so, by how [may] many persons, and (5) recommendations to further reduce the waiting list and associated costs with the joint standing committees of the General Assembly having cognizance of matters relating to appropriations and the budgets of state agencies and human services.

Sec. 3. Section 17a-238b of the 2024 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

The Commissioner of Developmental Services, in consultation with the Commissioner of Social Services and the Secretary of the Office of Policy and Management, shall reduce waiting lists for services in Medicaid waiver programs established under Section 1915(c) of the Social Security Act and administered by the Department of Developmental Services. Not later than January 1, 2024, and annually thereafter, the staff person employed pursuant to section 4-67bb to help agencies coordinate programs and services for individuals who have an intellectual or developmental disability other than autism spectrum disorder shall file a report, in accordance with the provisions of section 11-4a and in consultation with the Commissioner of Developmental Services, on (1) the number of persons waiting for services in the waiver programs and the number of underserved persons waiting for additional services in the waiver programs, (2) the number of persons added to and subtracted from such waiting lists for the previous calendar year, and (3) whether such waiting lists have increased or

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decreased over the previous calendar year and, if so, by how [may] many persons with the joint standing committees of the General Assembly having cognizance of matters relating to appropriations and the budgets of state agencies, human services and public health.

Sec. 4. Subdivision (3) of subsection (a) of section 17b-278l of the 2024 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(3) "Medical services" means (A) prescription drugs approved by the federal Food and Drug Administration for the treatment of obesity on an outpatient basis, and (B) nutritional counseling provided by a registered dietitian-nutritionist certified pursuant to section 20-206n;

Sec. 5. Subsection (a) of section 17b-451 of the 2024 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) A mandatory reporter who has reasonable cause to suspect or believe that any elderly person has been abused, neglected, exploited or abandoned, or is in a condition that is the result of such abuse, neglect, exploitation or abandonment, or is in need of protective services, shall, not later than twenty-four hours after such suspicion or belief arose, report such information or cause a report to be made in any reasonable manner to the Commissioner of Social Services or to the person or persons designated by the commissioner to receive such reports. Any mandatory reporter who fails for the first time to make such report within the prescribed time shall retake the mandatory training on detecting potential abuse, neglect, exploitation and abandonment of elderly persons and provide the commissioner with proof of successful completion of such training. Any mandatory reporter who subsequently fails to make such report within the prescribed time period shall be fined not more than five hundred dollars and shall retake the mandatory training on detecting potential abuse, neglect, exploitation and

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abandonment of elderly persons and provide the commissioner with proof of successful completion of such training. If such person intentionally fails to make such report within the prescribed time period, such person shall be guilty of a class C misdemeanor for the first offense and a class A misdemeanor for any subsequent offense. Any institution, organization, agency or facility employing individuals to care for persons sixty years of age or older shall provide mandatory training on detecting potential abuse, neglect, exploitation and abandonment of such persons and inform such employees of their obligations under this section. For purposes of this subsection, "mandatory reporter" means any (1) physician or surgeon licensed under the provisions of chapter 370, (2) resident physician or intern in any hospital in this state, whether or not so licensed, (3) registered nurse, (4) nursing home administrator, nurse's aide or orderly in a nursing home facility or residential care home, (5) person paid for caring for a resident in a nursing home facility or residential care home, (6) staff person employed by a nursing home facility or residential care home, (7) residents' advocate, other than a representative of the Office of the Long-Term Care Ombudsman, as established under section 17a-870, including the State Ombudsman, (8) licensed practical nurse, medical examiner, dentist, optometrist, chiropractor, podiatrist, social worker, member of the clergy, police officer, pharmacist, psychologist or physical therapist, (9) person paid for caring for an elderly person by any institution, organization, agency or facility, including, but not limited to, any employee of a community-based services provider, senior center, home care agency, homemaker and companion agency, adult day care center, village-model community and congregate housing facility, (10) person licensed or certified as an emergency medical services provider pursuant to chapter 368d or 384d, including any such emergency medical services provider who is a member of a municipal fire department, (11) driver of a paratransit vehicle, as defined in section 13b-38k, (12) licensed professional counselor, (13) adult probation officer, (14) adult parole officer, (15) physician assistant,

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(16) dental hygienist, and (17) resident services coordinator, clinical care coordinator and manager employed by a housing authority or municipal developer operating an elderly housing project.

Sec. 6. Section 46b-116w of the 2024 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

Notwithstanding section 3-6c, the [state] Department of Children and Families is authorized to enter into an agreement with a federally recognized Indian tribe or an Indian tribe recognized by the state of Connecticut located within the geographic boundaries of the state respecting the care and custody of Indian children and jurisdiction over child custody proceedings, including agreements which may provide for orderly transfer of jurisdiction, providing services to Indian families, and agreements providing for concurrent jurisdiction between the state and such tribe. Such agreements shall contain a provision allowing either party to revoke such agreement upon written notice of one hundred eighty days to the other party, and such agreement shall address the impact of such revocation on a proceeding over which a court had assumed jurisdiction at the time of revocation.

Sec. 7. Section 46b-116x of the 2024 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

Where any petitioner in an Indian child custody proceeding before a state court has improperly removed the child from custody of the parent or Indian custodian or has improperly retained custody after a visit or other temporary relinquishment of custody, the court shall decline jurisdiction over such petition and shall forthwith return the child to [his] the parent or Indian custodian unless returning the child to [his] the parent or custodian would subject the child to a substantial and immediate danger or threat of such danger.

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Sec. 8. Subsection (a) of section 17b-80 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) The commissioner, upon receipt of an application for aid, shall promptly and with due diligence make an investigation, such investigation to be completed within forty-five days after receipt of the application or within sixty days after receipt of the application in the case of an application in which a determination of disability must be made. If an application for an award is not acted on within forty-five days after the filing of an application, or within sixty days in the case of an application in which a determination of disability must be made, the applicant may apply to the commissioner for a hearing in accordance with sections 17b-60 and 17b-61. The commissioner shall grant aid only if he finds the applicant eligible therefor, in which case he shall grant aid in such amount, determined in accordance with levels of payments established by the commissioner, as is needed in order to enable the applicant to support himself, or, in the case of temporary family assistance, to enable the relative to support such dependent child or children and himself, in health and decency, including the costs of such medical care as he deems necessary and reasonable, not in excess of the amounts set forth in the various fee schedules promulgated by the Commissioner of Social Services for medical, dental and allied services and supplies or the charges made for comparable services and supplies to the general public, whichever is less, and the cost of necessary hospitalization as is provided in section 17b-239, over and above hospital insurance or other such benefits, including workers' compensation and claims for negligent or wilful injury. The commissioner, subject to the provisions of subsection (b) of this section, shall in determining need, take into consideration any available income and resources of the individual claiming assistance. The commissioner shall make periodic investigations to determine eligibility and may, at any time, modify, suspend or discontinue an award previously made

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when such action is necessary to carry out the provisions of the state supplement program, medical assistance program, temporary family assistance program, state-administered general assistance program or supplemental nutrition assistance program. The parent or parents of any child for whom aid is received under the temporary family assistance program and any beneficiary receiving assistance under the state supplement program shall be conclusively presumed to have accepted the provisions of sections 17b-93 [] and 17b-95.

Sec. 9. Subsection (b) of section 17b-93 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(b) Nothing in this section shall be interpreted to preclude the state, in an IV-D support case, from retaining child support collected from a parent subject to a support order of the Superior Court or family support magistrate based on an assignment of support rights provided in accordance with section 17b-77, unless retaining such support would conflict with federal law. The state of Connecticut shall have a lien against property of any kind or interest in any property, estate or claim of any kind of the parent of an aid to dependent children or temporary family assistance beneficiary, in addition and not in substitution of any other state claim, for amounts owing under any order for support of any court or any family support magistrate, including any arrearage under such order, [provided household] except the following shall be exempt from such lien: (1) Household goods and other personal property identified in section 52-352b, (2) real property pursuant to section 17b-79 [, as long as such property] that is used as a home for the beneficiary, and (3) money received for the replacement of real or personal property. [, shall be exempt from such lien.]

Sec. 10. Section 17b-129 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

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(a) If any beneficiary of aid under sections 17b-122, 17b-124 to 17b-132, inclusive, 17b-136 to 17b-138, inclusive, 17b-194 to 17b-197, inclusive, 17b-222 to 17b-250, inclusive, 17b-263, 17b-340 to 17b-350, inclusive, 17b-689b and 17b-743 to 17b-747, inclusive, has a cause of action, a town that provided aid to such beneficiary shall have a claim against the proceeds of such cause of action for the amount of such aid or fifty per cent of the proceeds received by such beneficiary after payment of all expenses connected with the cause of action, whichever is less, which shall have priority over all other unsecured claims and unrecorded encumbrances. Such claim shall be a lien, subordinate to any interest the state may possess, [under section 17b-94,] against the proceeds from such cause of action, for the amount established in accordance with this section, and such lien shall have priority over all other claims except attorney's fees for such causes of action, expenses of suit, costs of hospitalization connected with the cause of action by whomever paid, over and above hospital insurance or other such benefits, and, for such period of hospitalization as was not paid for by the town, physician's fees for services during any such period as are connected with the cause of action over and above medical insurance or other such benefits. [Where the state also has a claim against the proceeds of such cause of action under section 17b-94, the total amount of the claims by the state under said section and the] The total amount of the claims by the town under this subsection shall not exceed fifty per cent of the proceeds received by the recipient after the allowable expenses and the town's claim shall be reduced accordingly. The proceeds of such causes of action shall be assignable to the town for payment of such lien irrespective of any other provision of law except section [17b-94] 17b-93. Upon presentation to the attorney for the beneficiary of an assignment of such proceeds executed by the beneficiary or his conservator or guardian, such assignment shall constitute an irrevocable direction to the attorney to pay the town in accordance with its terms.

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(b) In the case of an inheritance of an estate by a beneficiary of aid under sections 17b-122, 17b-124 to 17b-132, inclusive, 17b-136 to 17b-138, inclusive, 17b-194 to 17b-197, inclusive, 17b-222 to 17b-250, inclusive, 17b-263, 17b-340 to 17b-350, inclusive, 17b-689b and 17b-743 to 17b-747, inclusive, fifty per cent of the assets of the estate payable to the beneficiary or the amount of such assets equal to the amount of assistance paid, whichever is less, shall be assignable to the town. [Where the state also has an assignment of such assets under section 17b-94, the total amount of the claims of the state under said section and] The total amount of the claims of the town under this subsection shall not exceed fifty per cent of the assets of the estate payable to the beneficiary and the town's assigned share shall be reduced accordingly. The Court of Probate shall accept any such assignment executed by the beneficiary and filed by the town with the court prior to the distribution of such inheritance, and to the extent of such inheritance not already distributed, the court shall order distribution in accordance therewith. If the town receives any assets of an estate pursuant to any such assignment, the town shall be subject to the same duties and liabilities concerning such assigned assets as the beneficiary.

(c) No claim shall be made, or lien applied, against any payment made pursuant to chapter 135, any payment made pursuant to section 47-88d or 47-287, any moneys received as a settlement or award in a housing or employment or public accommodation discrimination case, any court-ordered retroactive rent abatement, including any made pursuant to subsection (e) of section 47a-14h, or section 47a-4a, 47a-5 or 47a-57, or any security deposit refund pursuant to subsection (d) of section 47a-21 paid to a beneficiary of assistance under sections 17b-122, 17b-124 to 17b-132, inclusive, 17b-136 to 17b-138, inclusive, 17b-194 to 17b-197, inclusive, 17b-222 to 17b-250, inclusive, 17b-263, 17b-340 to 17b-350, inclusive, 17b-689b and 17b-743 to 17b-747, inclusive.

Approved May 21, 2024