

**Proposed Substitute
Bill No. 1359**

January Session, 2025

LCO No. 6663

**AN ACT CONCERNING VARIOUS REVISIONS TO STATUTES
CONCERNING THE DEPARTMENT OF SOCIAL SERVICES.**

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

1 Section 1. Subsection (d) of section 52-362d of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective from*
3 *passage*):

4 (d) Whenever an order of the Superior Court or a family support
5 magistrate of this state, or an order of another state that has been
6 registered in this state, for support of a minor child or children is issued
7 and such payments have been ordered through the IV-D agency, or
8 when a request from another state for assistance enforcing an order that
9 has not been registered in this state is received by the IV-D agency and
10 such request meets the requirements of 42 USC 666(a)(14), and the
11 obligor against whom such support order was issued owes overdue
12 support under such order in the amount of five hundred dollars or
13 more, the IV-D agency, as defined in subdivision (12) of subsection (b)
14 of section 46b-231, or Support Enforcement Services of the Superior
15 Court may notify (1) any state or local agency or officer with authority
16 (A) to hold assets or property for such obligor including, but not limited
17 to, any property unclaimed or presumed abandoned under part III of
18 chapter 32, or (B) to distribute benefits to such obligor including, but not
19 limited to, unemployment compensation and workers' compensation,
20 (2) any person having or expecting to have custody or control of or
21 authority to distribute any amounts due such obligor under any
22 judgment or settlement, (3) any financial institution holding assets of

23 such obligor, and (4) any public or private entity administering a public
24 or private retirement fund in which such obligor has an interest that
25 such obligor owes overdue support in a IV-D support case. Upon receipt
26 of such notice, such agency, officer, person, institution or entity shall
27 withhold delivery or distribution of any such property, benefits,
28 amounts, assets or funds until receipt of further notice from the IV-D
29 agency.

30 Sec. 2. Subsections (a) to (c), inclusive, of section 46b-215e of the
31 general statutes are repealed and the following is substituted in lieu
32 thereof (*Effective from passage*):

33 (a) Notwithstanding any provision of the general statutes, whenever
34 a child support obligor is institutionalized or incarcerated, the Superior
35 Court or a family support magistrate shall establish an initial order for
36 current support, or modify an existing order for current support, upon
37 proper motion, based upon the obligor's present income and substantial
38 assets, if any, in accordance with the child support guidelines
39 established pursuant to section 46b-215a. [Downward modification of
40 an existing support order based solely on a loss of income due to
41 incarceration or institutionalization shall not be granted in the case of a
42 child support obligor who is incarcerated or institutionalized for an
43 offense against the custodial party or the child subject to such support
44 order.]

45 (b) In IV-D support cases, as defined in section 46b-231, when the
46 child support obligor is institutionalized or incarcerated for more than
47 ninety days, any existing support order, as defined in section 46b-231,
48 shall be modified to zero dollars effective upon the date that a support
49 enforcement officer files an affidavit in the Family Support Magistrate
50 Division. The affidavit shall include: (1) The beginning and expected
51 end dates of such obligor's institutionalization or incarceration; and (2)
52 a statement by such officer that (A) a diligent search failed to identify
53 any income or assets that could be used to satisfy the child support order
54 while the obligor is incarcerated or institutionalized, and (B) [the offense

55 for which the obligor is institutionalized or incarcerated was not an
56 offense against the custodial party or the child subject to such support
57 order, and (C)] a notice in accordance with subsection (c) of this section
58 was provided to the custodial party and an objection form was not
59 received from such party.

60 (c) Prior to filing an affidavit under subsection (b) of this section, the
61 support enforcement officer shall provide notice to the custodial party
62 in accordance with section 52-57 or by certified mail, return receipt
63 requested. The notice shall state in clear and simple language that: (1)
64 Such child support order shall be modified unless the custodial party
65 objects not later than fifteen calendar days after receipt of such notice on
66 the grounds that [(A)] the obligor has sufficient income or assets to
67 comply with the support order, [or (B) the obligor is incarcerated or
68 institutionalized for an offense against the custodial party or the child
69 subject to such support order;] and (2) the custodial party may object to
70 the proposed modification by delivering a signed objection form, or
71 other written notice or motion, indicating the nature of the objection or
72 grounds of the motion, to the support enforcement officer not later than
73 fifteen calendar days after receipt of such notice. Upon receipt of any
74 objection or motion, the support enforcement officer shall promptly
75 arrange with the clerk of the Family Support Magistrate Division to
76 enter the appearance of the custodial party, set the matter for a hearing,
77 send a file-stamped copy of the objection or motion to the IV-D agency
78 of the state to whom the support order is payable, and notify all parties
79 of the hearing date set. The court or family support magistrate shall
80 promptly hear the objection or motion and determine whether the child
81 support order should be modified in accordance with subsection (b) of
82 this section.

83 Sec. 3. Subsection (b) of section 19a-697 of the general statutes is
84 repealed and the following is substituted in lieu thereof (*Effective October*
85 *1, 2025*):

86 (b) A managed residential community shall post in a prominent place

87 in the managed residential community the resident's bill of rights,
88 including those rights set forth in subsection (a) of this section. The
89 posting of the resident's bill of rights shall include contact information
90 for (1) the Department of Public Health and the Office of the State Long-
91 Term Care Ombudsman, including the names, addresses and telephone
92 numbers of persons within such agencies who handle questions,
93 comments or complaints concerning managed residential community,
94 and (2) the Department of Social Services to report the suspected abuse,
95 neglect, exploitation or abandonment of an elderly person, or that an
96 elderly person may be in need of protective services.

97 Sec. 4. Subsection (d) of section 17b-105a of the general statutes is
98 repealed and the following is substituted in lieu thereof (*Effective July 1,*
99 *2025*):

100 (d) Not later than December 31, 2024, the Commissioner of Social
101 Services shall enter into a contract with an outside vendor to update the
102 system utilized by the Department of Social Services to administer the
103 supplemental nutrition assistance program for the purpose of enabling
104 the department to stagger the distribution of program benefits so that
105 benefits are distributed, in accordance with federal law, to cohorts of
106 program beneficiaries designated by the commissioner at multiple
107 intervals during each month. Not later than March 1, 2026, the
108 commissioner shall commence staggering the distribution of such
109 benefits to such cohorts of beneficiaries each month, in accordance with
110 federal law. Not later than April 1, 2026, [and annually thereafter,] the
111 commissioner shall report, in accordance with the provisions of section
112 11-4a, to the joint standing committee of the General Assembly having
113 cognizance of matters relating to human services regarding the
114 staggering of distribution benefits pursuant to this subsection.

115 Sec. 5. Subsections (a) and (b) of section 17b-244 of the general statutes
116 are repealed and the following is substituted in lieu thereof (*Effective July*
117 *1, 2026*):

118 (a) The room and board component of the rates to be paid by the state

119 to private facilities and facilities operated by regional education service
120 centers which are licensed to provide residential care pursuant to
121 section 17a-227, but not certified to participate in the Title XIX Medicaid
122 program as intermediate care facilities for individuals with intellectual
123 disabilities, shall be determined annually by the Commissioner of Social
124 Services, except that rates effective April 30, 1989, shall remain in effect
125 through October 31, 1989. Any facility with real property other than
126 land placed in service prior to July 1, 1991, shall, for the fiscal year
127 ending June 30, 1995, receive a rate of return on real property equal to
128 the average of the rates of return applied to real property other than land
129 placed in service for the five years preceding July 1, 1993. For the fiscal
130 year ending June 30, 1996, and any succeeding fiscal year, the rate of
131 return on real property for property items shall be revised every five
132 years. The commissioner shall, upon submission of a request by such
133 facility, allow actual debt service, comprised of principal and interest,
134 on the loan or loans in lieu of property costs allowed pursuant to section
135 17-313b-5 of the regulations of Connecticut state agencies, whether
136 actual debt service is higher or lower than such allowed property costs,
137 provided such debt service terms and amounts are reasonable in
138 relation to the useful life and the base value of the property. In the case
139 of facilities financed through the Connecticut Housing Finance
140 Authority, the commissioner shall allow actual debt service, comprised
141 of principal, interest and a reasonable repair and replacement reserve
142 on the loan or loans in lieu of property costs allowed pursuant to section
143 17-313b-5 of the regulations of Connecticut state agencies, whether
144 actual debt service is higher or lower than such allowed property costs,
145 provided such debt service terms and amounts are determined by the
146 commissioner at the time the loan is entered into to be reasonable in
147 relation to the useful life and base value of the property. The
148 commissioner may allow fees associated with mortgage refinancing
149 provided such refinancing will result in state reimbursement savings,
150 after comparing costs over the terms of the existing proposed loans. For
151 the fiscal year ending June 30, 1992, the inflation factor used to
152 determine rates shall be one-half of the gross national product

153 percentage increase for the period between the midpoint of the cost year
154 through the midpoint of the rate year. For fiscal year ending June 30,
155 1993, the inflation factor used to determine rates shall be two-thirds of
156 the gross national product percentage increase from the midpoint of the
157 cost year to the midpoint of the rate year. For the fiscal years ending
158 June 30, 1996, and June 30, 1997, no inflation factor shall be applied in
159 determining rates. The Commissioner of Social Services shall prescribe
160 uniform forms on which such facilities shall report their costs. Such rates
161 shall be determined on the basis of a reasonable payment for necessary
162 services. Any increase in grants, gifts, fund-raising or endowment
163 income used for the payment of operating costs by a private facility in
164 the fiscal year ending June 30, 1992, shall be excluded by the
165 commissioner from the income of the facility in determining the rates to
166 be paid to the facility for the fiscal year ending June 30, 1993, provided
167 any operating costs funded by such increase shall not obligate the state
168 to increase expenditures in subsequent fiscal years. Nothing contained
169 in this section shall authorize a payment by the state to any such facility
170 in excess of the charges made by the facility for comparable services to
171 the general public. The service component of the rates to be paid by the
172 state to private facilities and facilities operated by regional education
173 service centers which are licensed to provide residential care pursuant
174 to section 17a-227, but not certified to participate in the Title XIX
175 Medicaid programs as intermediate care facilities for individuals with
176 intellectual disabilities, shall be determined annually by the
177 Commissioner of Developmental Services in accordance with section
178 17b-244a. For the fiscal year ending June 30, 2008, no facility shall receive
179 a rate that is more than two per cent greater than the rate in effect for
180 the facility on June 30, 2007, except any facility that would have been
181 issued a lower rate effective July 1, 2007, due to interim rate status or
182 agreement with the department, shall be issued such lower rate effective
183 July 1, 2007. For the fiscal year ending June 30, 2009, no facility shall
184 receive a rate that is more than two per cent greater than the rate in effect
185 for the facility on June 30, 2008, except any facility that would have been
186 issued a lower rate effective July 1, 2008, due to interim rate status or

187 agreement with the department, shall be issued such lower rate effective
188 July 1, 2008. For the fiscal years ending June 30, 2010, and June 30, 2011,
189 rates in effect for the period ending June 30, 2009, shall remain in effect
190 until June 30, 2011, except that (1) the rate paid to a facility may be higher
191 than the rate paid to the facility for the period ending June 30, 2009, if a
192 capital improvement required by the Commissioner of Developmental
193 Services for the health or safety of the residents was made to the facility
194 during the fiscal years ending June 30, 2010, or June 30, 2011, and (2) any
195 facility that would have been issued a lower rate for the fiscal year
196 ending June 30, 2010, or June 30, 2011, due to interim rate status or
197 agreement with the department, shall be issued such lower rate. For the
198 fiscal year ending June 30, 2012, rates in effect for the period ending June
199 30, 2011, shall remain in effect until June 30, 2012, except that (A) the
200 rate paid to a facility may be higher than the rate paid to the facility for
201 the period ending June 30, 2011, if a capital improvement required by
202 the Commissioner of Developmental Services for the health or safety of
203 the residents was made to the facility during the fiscal year ending June
204 30, 2012, and (B) any facility that would have been issued a lower rate
205 for the fiscal year ending June 30, 2012, due to interim rate status or
206 agreement with the department, shall be issued such lower rate. Any
207 facility that has a significant decrease in land and building costs shall
208 receive a reduced rate to reflect such decrease in land and building costs.
209 The rate paid to a facility may be increased if a capital improvement
210 approved by the Department of Developmental Services, in consultation
211 with the Department of Social Services, for the health or safety of the
212 residents was made to the facility during the fiscal year ending June 30,
213 2014, or June 30, 2015, only to the extent such increases are within
214 available appropriations. For the fiscal years ending June 30, 2016, and
215 June 30, 2017, rates shall not exceed those in effect for the period ending
216 June 30, 2015, except the rate paid to a facility may be higher than the
217 rate paid to the facility for the period ending June 30, 2015, if a capital
218 improvement approved by the Department of Developmental Services,
219 in consultation with the Department of Social Services, for the health or
220 safety of the residents was made to the facility during the fiscal year

221 ending June 30, 2016, or June 30, 2017, to the extent such rate increases
222 are within available appropriations. For the fiscal years ending June 30,
223 2016, and June 30, 2017, and each succeeding fiscal year, any facility that
224 would have been issued a lower rate, due to interim rate status, a change
225 in allowable fair rent or agreement with the department, shall be issued
226 such lower rate. For the fiscal years ending June 30, 2018, and June 30,
227 2019, rates shall not exceed those in effect for the period ending June 30,
228 2017, except the rate paid to a facility may be higher than the rate paid
229 to the facility for the period ending June 30, 2017, if a capital
230 improvement approved by the Department of Developmental Services,
231 in consultation with the Department of Social Services, for the health or
232 safety of the residents was made to the facility during the fiscal year
233 ending June 30, 2018, or June 30, 2019, to the extent such rate increases
234 are within available appropriations. For the fiscal years ending June 30,
235 2020, and June 30, 2021, rates shall not exceed those in effect for the fiscal
236 year ending June 30, 2019, except the rate paid to a facility may be higher
237 than the rate paid to the facility for the fiscal year ending June 30, 2019,
238 if a capital improvement approved by the Department of
239 Developmental Services, in consultation with the Department of Social
240 Services, for the health or safety of the residents was made to the facility
241 during the fiscal year ending June 30, 2020, or June 30, 2021, to the extent
242 such rate increases are within available appropriations. For the fiscal
243 years ending June 30, 2022, and June 30, 2023, rates shall be based upon
244 rates in effect for the fiscal year ending June 30, 2021, inflated by the
245 gross domestic product deflator applicable to each rate year, except the
246 commissioner may, in the commissioner's discretion and within
247 available appropriations, provide pro rata fair rent increases to facilities
248 which have documented fair rent additions placed in service in the cost
249 report years ending September 30, 2020, and September 30, 2021, that
250 are not otherwise included in rates issued, or if a rate adjustment for a
251 capital improvement approved by the Department of Developmental
252 Services, in consultation with the Department of Social Services, for the
253 health or safety of the residents was made to the facility during the fiscal
254 year ending June 30, 2022, or June 30, 2023. For the fiscal year ending

255 June 30, 2024, rates shall not exceed those in effect for the fiscal year
256 ending June 30, 2023, except the rate paid to a facility may be higher
257 than the rate paid to the facility for the fiscal year ending June 30, 2023,
258 if a capital improvement approved by the Department of
259 Developmental Services, in consultation with the Department of Social
260 Services, for the health or safety of the residents was made to the facility
261 during the fiscal year ending June 30, 2024, to the extent such rate
262 increases are within available appropriations. Notwithstanding any
263 provision of this chapter or of any regulation adopted pursuant to title
264 17 or 17b, any subsequent increase to allowable operating costs,
265 excluding fair rent, shall be inflated by the gross domestic product
266 deflator when funding is specifically appropriated for such purposes in
267 the enacted budget. The rate of inflation shall be computed by
268 comparing the most recent rate year to the average of the gross domestic
269 product deflator for the previous four fiscal quarters ending March
270 thirty-first. Any increase to rates based on inflation shall be applied
271 prior to the application of any other budget adjustment factors that may
272 impact such rates.

273 (b) Notwithstanding the provisions of subsection (a) of this section,
274 state rates of payment for the fiscal years ending June 30, 2018, June 30,
275 2019, June 30, 2020, and June 30, 2021, for residential care homes and
276 community living arrangements that receive the flat rate for residential
277 services under section 17-311-54 of the regulations of Connecticut state
278 agencies shall be set in accordance with section 298 of public act 19-117.
279 For the fiscal years ending June 30, 2022, and June 30, 2023, rates shall
280 be based upon rates in effect for the fiscal year ending June 30, 2021,
281 inflated by the gross domestic product deflator applicable to each rate
282 year. Notwithstanding any provision of this chapter, any subsequent
283 increase to allowable operating costs, excluding fair rent, shall be
284 inflated by the gross domestic product deflator when funding is
285 specifically appropriated for such purposes in the enacted budget. The
286 rate of inflation shall be computed by comparing the most recent rate
287 year to the average of the gross domestic product deflator for the
288 previous four fiscal quarters ending March thirty-first. Any increase to

289 rates based on inflation shall be applied prior to the application of any
290 other budget adjustment factors that may impact such rates.

291 Sec. 6. Subsection (c) of section 17a-247b of the general statutes is
292 repealed and the following is substituted in lieu thereof (*Effective from*
293 *passage*):

294 (c) The department shall make information in the registry available
295 only to: (1) Authorized agencies, for the purpose of protective service
296 determinations; (2) employers who employ employees to provide
297 services to an individual who receives services or funding from the
298 department or the Medicaid waiver program for autism spectrum
299 disorder administered by the Department of Social Services, as
300 described in section 17a-215c; (3) the Departments of Children and
301 Families, Mental Health and Addiction Services, Social Services and
302 Administrative Services and the Office of Labor Relations, for the
303 purpose of determining whether an applicant for employment with the
304 Departments of Children and Families, Developmental Services, Mental
305 Health and Addiction Services and Social Services appears on the
306 registry; or (4) charitable organizations that recruit volunteers to
307 support programs for persons with intellectual disability or autism
308 spectrum disorder, upon application to and approval by the
309 commissioner, for purposes of conducting background checks on such
310 volunteers.

311 Sec. 7. (NEW) (*Effective from passage*) As used in this section, "custom-
312 made, noninvasive breast prosthesis" means an exterior, custom-made
313 form to fit the individual physical profile of a mastectomy patient to
314 restore such patient's symmetrical appearance after surgery. The
315 Commissioner of Social Services shall (1) develop and distribute to
316 Medicaid-enrolled providers a bulletin concerning Medicaid coverage
317 for a custom-made, noninvasive breast prosthesis, (2) include
318 information on such coverage in newsletters to persons enrolled in the
319 Medicaid program, and (3) in collaboration with the Commissioner of
320 Public Health, develop an outreach program for breast cancer survivors

321 concerning such available coverage.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	52-362d(d)
Sec. 2	<i>from passage</i>	46b-215e(a) to (c)
Sec. 3	<i>October 1, 2025</i>	19a-697(b)
Sec. 4	<i>July 1, 2025</i>	17b-105a(d)
Sec. 5	<i>July 1, 2026</i>	17b-244(a) and (b)
Sec. 6	<i>from passage</i>	17a-247b(c)
Sec. 7	<i>from passage</i>	New section