

2913

FISCAL NOTE (Form 2)  
(Office of Fiscal Analysis)  
Analyst: LU/MG  
las  
Version: 15

BILL NUMBER: SB 2023  
FILE NUMBER:  
AMENDMENTS: Senate "A"- "L", N  
5-28-92

TITLE: "AN ACT CONCERNING THE EXPENDITURES OF THE DEPARTMENT OF INCOME MAINTENANCE, CERTAIN FEES AND THE UNCOMPENSATED CARE POOL"

FAVORABLY REPORTED BY Emergency Certification

SUMMARY: This bill as amended makes numerous changes to the programs of and other items related to the Department of Income Maintenance including revisions to the General Assistance program, nursing home changes, rates paid to other Medicaid providers, the transfer of the Promotion of Independent Living program, professional fees, changes to the Uncompensated Care Pool, and others as identified in the various fiscal note attachments.

EFFECTIVE DATE: Various

\* \* \* \* \*

FISCAL IMPACT STATEMENT - BILL NUMBER SB 2023

STATE IMPACT	Yes, see explanation below
MUNICIPAL IMPACT	Yes, see explanation below
STATE AGENCY(S)	Departments of Income Maintenance, Aging, Labor, Mental Health, Revenue Services, Connecticut Alcohol and Drug Abuse Commission, Legislative Management, Public Safety, Various Other State Agencies

EXPLANATION OF ESTIMATES:

The fiscal overall impact resulting from passage of this bill as amended is uncertain. Estimates for specific provisions are detailed on the attachments as indicated below.

- Attachment A - Description/Fiscal impact statement of the original bill
- Attachment B - Description/Fiscal impact statement of Senate amendments
- Attachment C - Fiscal impact statement on establishment of professional service fees
- Attachment D - Fiscal impact statement on transferring funding for the Firearm Purchase Program

Attachment E - Addendum to classification schedule for  
Professional Services Fees

"THIS DOCUMENT IS PREPARED FOR THE BENEFIT OF THE MEMBERS OF THE GENERAL ASSEMBLY, SOLELY FOR PURPOSES OF INFORMATION, SUMMARIZATION AND EXPLANATION. IT DOES NOT REPRESENT THE INTENT OF THE GENERAL ASSEMBLY OR EITHER HOUSE THEREOF FOR ANY PURPOSE."

**AN ACT CONCERNING THE EXPENDITURES OF THE DEPARTMENT OF INCOME MAINTENANCE,  
CERTAIN FEES AND THE UNCOMPENSATED CARE POOL**

<u>SECTION #</u>	<u>DESCRIPTION OF SECTION</u>	<u>FISCAL IMPACT</u>	<u>OTHER COMMENTS</u>
Section 1	Eliminate Cost of Living Adjustment for AFDC & General Assistance Scheduled for 7/1/92	(\$20,952,878)	
Section 2	Establish Flat Grant for General Assistance (GA) at \$296 for Single Employables and \$356 for Unemployables <b>NOTE: Revised by Senate C, LCO #4671</b>	(\$48,653,543)	Savings includes fiscal impact of other GA changes as specified below
Section 3	Eliminate Cost of Living Adjustment for State Supplement Program for Aged, Blind, & Disabled (AABD) Scheduled for 7/1/92	(\$2,042,119)	
	Decrease Unearned Income Disregard by up to 9.5% for State Supplement Program (AABD)	(\$1,640,688)	
	Remove Reference to SRO's as Unshared Living Arrangements under GA	Minimal	
Section 4	Reduce Emergency Housing from 80 to 60 Days	(\$508,200)	
Section 5	Limits Town Liability to Provisions Included in the Bill	Potential Savings	
	Eliminates GA Benefits for Individuals Receiving Federal Benefits	Potential Savings	New Provision; Not Included in the Budget
	Person Must Be a Resident of Connecticut to Receive GA Benefits	(\$516,000)	
	Substance Abuser Must be in Treatment to Receive Benefits	Refer to Section 2	
	Towns May Provide Additional Benefits Beyond Those Reimbursable by the State under GA	Potential Municipal Cost	
Section 6	Limits GA Cash Assistance for Employables to Nine Months in a Twelve Month Period with a Three Month Extension at the Discretion of the Town	Refer to Section 2	
Section 7	Limits Town Liability for Emergency Housing in GA to the Same Policy Applied to AFDC	(\$1,683,000)	
Section 8	Limits Eligibility for GA Medical Benefits to those Between 21 & 64 Years of Age <b>NOTE: Revised by Senate A, LCO #4773</b>	Uncertain	Not Included in the Budget
	Extends GA Medical Benefits for Three Months After Person Becomes Ineligible for Cash Assistance Due to Employment	Minimal	
	Extends GA Medical Benefits Indefinitely for Persons who are Participants in the Dept of Labor Jobs Program	Potential Future Significant Cost	
	Establishes that a GA Application Must be Completed Before Town is Liable for Assistance	Minimal	

AN ACT CONCERNING THE EXPENDITURES OF THE DEPARTMENT OF INCOME MAINTENANCE, CERTAIN FEES AND THE UNCOMPENSATED CARE POOL

SECTION #	DESCRIPTION OF SECTION	FISCAL IMPACT	OTHER COMMENTS
	Limits GA Medical Benefits to those Provided Under the Medicaid Program	None	
	Restore Chiropractor, Naturopath, and Podiatrist Services Under General Assistance	Potential Future Cost Avoidance	
	Eliminates State Reimbursement for GA Medical Benefits Paid to Ineligible Persons Even if Pursuant to Court Order	(\$200,000)	
Section 9	Allows Towns to Track Residency	Minimal	
Section 10	Persons who Own Real Property which is not Occupied as Their Home or which would not be Counted in Determining Eligibility under Chapter 302 are Ineligible for GA	Minimal	
Section 11	Eliminate \$10 Workfare Incentive Bonus For Recipients	Refer to Section 2	
	Increase Workfare Suspension Period from 30 to 90 Days	Potential Savings	Not Included in the Budget
	Persons not in Compliance with Employment Plan or Quits or is Fired from Work is Suspended for 180 Days	Potential Savings	Not Included in the Budget
	Eliminate Workfare Exemption for Individuals Living in Emergency Shelters	Potential Savings	Not Included in the Budget
	Deems Substance Abuser as Employable, Not Job Ready	Refer to Section 2	
	Eliminate \$50 Monthly Administrative Payment to Towns per Workfare Placement	Refer to Section 2	
	Towns Must Develop an Employability Plan for Each Employable Recipient	Refer to Section 2	
	Allows for Waiver of Sanction Provisions if Town is Unable to Meet 2/3 Workfare Participation	Unknown	
Section 12	Persons Defrauding GA will be Subject to Same Penalties for Larceny	Unclear	It is questionable as to which penalty for larceny would apply and hence the fiscal impact is uncertain
	Persons Convicted of Defrauding GA are Ineligible for Benefits for at Least One Year	Minimal	
Section 13	Recoup Overpayments by Reducing Monthly Benefits by up to 10%	(\$725,000)	
Section 14	GA Medical Assistance Payments for Pharmacy will be Subject to Same Rebate Provisions as in Medicaid	Potential Savings	Not Included in the Budget
	Establishes 85% Reimbursement for GA Medical Assistance Payments	Refer to Section 2	

AN ACT CONCERNING THE EXPENDITURES OF THE DEPARTMENT OF INCOME MAINTENANCE, CERTAIN FEES AND THE UNCOMPENSATED CARE POOL

SECTION #	DESCRIPTION OF SECTION	FISCAL IMPACT	OTHER COMMENTS
Section 15	Removes Town of Origin Determination by the Department (refer to Section 5)	Technical	
Section 16	DIM Shall Pay GA Medical Bills Directly After Towns Certify Client Eligibility (State Medical Pickup) <b>NOTE: Revised by Senate A, LCO #4773</b>	Potential Significant Cost	Not Included in the Budget; Estimated to be \$5 million
Section 17	Defines and Establishes the Parameters of the Municipal Jobs Programs	\$6,000,000	
Section 18	Removes Right to Fair Hearings Regarding the Level of Assistance Provided Under GA	Potential Cost Avoidance	
Section 19	Establish Interagency Council to Coordinate Employability and Employment Services for GA Recipients	Minimal	
Section 20	State Administration of Program for Unemployable GA Recipients and Development of Schedule for the Transfer of Employables to Dept of Labor <b>NOTE: Revised by Senate I, LCO #5201 and Senate L, LCO #5204</b>	Uncertain	Fiscal impact would depend upon implementation
Section 21	State Administration of Program for Medical Assistance Previously Provided under GA <b>NOTE: Revised by Senate I, LCO #5201</b>	Uncertain	Fiscal impact would depend upon implementation
Section 22	Establishes Dept of Labor Subsidized Employment Program <b>NOTE: Revised by Senate C, LCO #4671 and Senate I, LCO #5201</b>	\$9,700,000	
Section 23	Allows Hospitals to Secure GA Application Information	Uncertain	
Section 24	Establishes Guidelines for Utilization of Additional Substance Abuse Services for GA Recipients <b>NOTE: Revised by Senate G, LCO #4597</b>	\$3,500,000 GF \$500,000 Fed	Included in CADAC Budget
Section 25	Eliminate Rate Increases for Emergency Room Visits	(\$1,500,779)	
Section 26	Eliminate Rate Increases for Home Health Agencies through June 30, 1993	(\$539,520)	
Section 27	Limit Rate Increases for Rehabilitation Clinics to CPI-U	(\$50,000)	
Section 28	Limit Inflation Factor Update to Two-Thirds of GNP Deflator for MR Group Homes	(\$344,000)	
Section 29	Adjust Rates for Nursing Homes which Convert from an ICF to a SNF Level of Care	(\$2,500,000)	
	Penalty may be Imposed on Facilities which do	Potential Savings;	

AN ACT CONCERNING THE EXPENDITURES OF THE DEPARTMENT OF INCOME MAINTENANCE, CERTAIN FEES AND THE UNCOMPENSATED CARE POOL

SECTION #	DESCRIPTION OF SECTION	FISCAL IMPACT	OTHER COMMENTS
	not Submit Cost Reports on Time	Cannot be Determined	
	TBI Rates may be Adjusted if Mandated Cost Increases Exceed 0.5%	No Estimate Provided	
Section 30	May Allow Costs in Excess of Maximums for Nursing Homes with More than 12% Medicare Patient Days and 50% Medicaid Days	Uncertain	New Provision; Not Included in the Budget
	Commissioner may Establish Pilot Program Allowing Costs in Excess of Maximums for Beds in Nursing Homes Having a Managed Care Program Affiliated with a Hospital	Uncertain	New Provision; Not Included in the Budget
	Limits Rate of Return on Real Property to 16% and Allows Rate Reductions in Accordance with CHEFA Refinancing	(\$2,000,000)	
	Increase Threshold for Efficiency Adjustments from 110% to 130% for Indirect Costs and Exclude from the Rate Increase Maximums	\$6,000,000	
	<b>NOTE: Revised by Senate E, LCO #4595</b>		
Section 31	Limiting ICF/MR Rates by Capping Operating Costs at 140% of State Median and Real Wage Growth Allowance at 30% of Increase	Not as Included in Budget	The sum of \$1,023,000 was removed in the budget to reflect the elimination of rate increases for ICF/MR's with operating costs above 150% of the median and limiting rate increases to the CPI for homes below 150% of the median
	Limiting Homes for the Aged Rates by Capping Operating Costs at 130% of State Median and Wage Growth Allowance at 65% of Increase	(\$406,509)	
Section 32	Limit Rates Increases for PAS Subcontractors to Increase in CPI-U	(\$539,206)	
Section 33	Limit Rates for Mental Health & Substance Abuse Residential Facilities to CPI-U	(\$50,000)	
	Limit Rates for Freestanding Detoxification Centers To CPI-U	(\$42,000)	
Section 34	Nursing Home Assessment of \$23 Million <b>NOTE: Revised by Senate E, LCO #4595</b>	\$11,500,000 Net Revenue	This would result in a revenue gain of \$23 m with a corresponding revenue loss of \$11.5 m to Uncompensated Care Pool revenue
Section 35	Extend Acuity Reporting Deadline to March 1, 1993	None	It should be noted that \$300,000 has been included in the budget for continuation of this study
Section 36	Require Commissioner of DIM to Seek Waiver for Children Saving for College Expenses	Uncertain	DIM would incur minimal costs which can be absorbed associated with the development of the waiver. The State would experience potential future costs & savings which are uncertain, if the waiver is approved.

AN ACT CONCERNING THE EXPENDITURES OF THE DEPARTMENT OF INCOME MAINTENANCE, CERTAIN FEES AND THE UNCOMPENSATED CARE POOL

SECTION #	DESCRIPTION OF SECTION	FISCAL IMPACT	OTHER COMMENTS
Section 37	Transfer of Promotion of Independent Living Program from the Dept of Aging to the Dept of Income Maintenance	Transfer from Aging (\$8,542,329)GF (\$2,660,388)Fed	
		Funding to DIM \$8,444,976 GF \$2,660,388 Fed	
	Establish Sliding Fee Scale	(\$500,000)	
	Persons with Both Income & Assets in Excess of Program Criteria will be Required to Pay for Total Cost of Care	Potential Savings	New Provision; Not Included in the Budget
	Establishes Cost of Care Cap at 50% of Nursing Home Costs for New Clients in Future	Potential Future Cost Avoidance	
	<b>NOTE: Revised by Senate A, LCO #4773</b>		
Section 38	Includes Coordination, Assessment, and Monitoring under the Definition of a Home Health Agency	Included in \$500,000 in Section 37	
Section 39	DIM, DMH, CADAC, OPM & Municipalities will Establish Procedures to Enhance & Coordinate Necessary Services for GA Recipients <b>NOTE: Eliminated by Senate G, LCO #4597</b>	Minimal, Can Be Absorbed	
Section 40	Enhance DMH Provider Consultation	Minimal, Can Be Absorbed	
Section 41	Establishes Standards for Counseling of Medicaid Recipients by Pharmacists	None	
Section 42	Task Force to Evaluate Access and Payment for Home Health Services	Minimal, Can Be Absorbed	
Section 43	Establishes Health Insurance for Unemployed Pilot Program	Refer to Section 45	
Section 44	Establishes Subsidized Non-Group Childrens Insurance Pilot	Refer to Section 45	
Section 45	Earmarks Funds from the Uncompensated Care Pool Set-Aside Account for the Pilots Included in Sections 43 and 44	No State Fiscal Impact	
Section 46 through 54	Establishes New Classification Schedule of Professional Services Fees	See Attachments C,E	
Section 55 through 65	Revises Uncompensated Care Pool	Uncertain	As there was not sufficient time to review or analyze these changes, the fiscal impact is uncertain. It should be noted that the OFA estimate for UCC and Disproportionate Share revenue enhancements is \$114.5 million lower than the \$283 million included in the Governor's Budget.

AN ACT CONCERNING THE EXPENDITURES OF THE DEPARTMENT OF INCOME MAINTENANCE, CERTAIN FEES AND THE UNCOMPENSATED CARE POOL

SECTION #	DESCRIPTION OF SECTION	FISCAL IMPACT	OTHER COMMENTS
Section 66	Revision to Fees to Correspond to New Classification Schedule for Professional Services Fees (Refer to Section 46-54) <b>NOTE: Revised by Senate J, LCO #2657</b> <b>Also refer to OFA Addendum (attachment E)</b>	See Attachments C,E	
Section 67	Establishes a Task Force to Study the Restructuring of Public Assistance Programs to Further Self-Sufficiency	Minimal, Can Be Absorbed	
Section 68	Allows Implementation of 85% Reimbursement for GA	Refer to Section 2	
Section 69	Transfers Funding for the Pilot Program to Purchase & Dispose of Firearms by Restoring \$200,000 to the CADAC Drug Assets Forfeiture Fund and Removing \$200,000 from the Public Safety Drug Assets Forfeiture Fund	See Attachment D	
Section 70	Repeals Statutory References to the Screening of Private Pay Nursing Home Patients	(\$274,000)	
	Total-General Fund (Gross)	(\$60,564,795)	

ATTACHMENT B

Senate "A" - LCO 4773

This amendment makes technical changes to the bill which are not anticipated to result in a fiscal impact to the State.

Senate "B" - LCO 4842 (New to bill)

SUMMARY: This amendment would transfer \$7.5 million from the Medicaid account to fund a program of grants to towns to supplement State reimbursement under the General Assistance program. Grants are to be allocated based upon each town's proportion of the total number of General Assistance recipients in the State.

FISCAL IMPACT: The fiscal impact resulting from the passage of this amendment is uncertain. It would appropriate \$7.5 million to create a program of grants to towns to supplement State reimbursement under General Assistance by removing a similar sum from Medicaid. It should be cautioned, however, that this transfer may result in a shortfall in the Medicaid account.

This transfer would also be offset by normal adjustments to federal financial participation.

Senate "C" - LCO 4671

SUMMARY: This amendment would transfer \$2.4 million of the amount appropriated to the Department of Labor Jobs Program to the Assistance for Unemployed Persons account under the Department of Income Maintenance in order to increase the financial assistance to single employable persons under the General Assistance Program from the \$296 per month level included in the original bill to \$314 per month. It also delays the effective date of the DOL jobs program from July 1, to October 1, 1992.

FISCAL IMPACT: This amendment would transfer \$2.4 million of amount appropriated to the Department of Labor jobs program to the Assistance for Unemployed Persons account under the Department of Income Maintenance in order to increase the financial assistance to single employable persons under the General Assistance Program from the \$296 in the original bill to \$314 per month. It also delays the effective date of the DOL program from July 1, to October 1, 1992.

Municipalities would experience costs approximating \$421,000 through March, 1993, after State reimbursement, plus an additional \$934,000 in costs incurred during the last quarter of SFY 1992-93 which would not be reimbursed by the State until the following fiscal year.

Senate "D" - LCO 4666 (New to bill)

**SUMMARY:** Passage of this amendment would transfer \$200,000 to CADAC's Governor's Partnership to Protect Connecticut's Workforce (Drugs Don't Work) program from the amount appropriated in 1992-93 for State Employees' Retirement Contributions. The original bill had taken a similar sum from CADAC's Drug Assets Forfeiture Revolving Fund.

**FISCAL IMPACT:** Funding in the amount of \$200,000 would be available for transfer to the CADAC drug program from the 1992-93 appropriation for State Employees' Retirement Contributions because it is anticipated that the final SEBAC pension agreement will be drafted to reflect \$3.0 million in savings beyond the \$150.0 million reflected in the 1992-93 budget. Funds would be transferred from this account rather than the CADAC's Drug Assets Forfeiture Revolving Fund.

**Senate "E" - LCO 4595**

**SUMMARY:** This amendment would defer three-quarters of the June, 1993 Medicaid payment for nursing homes into SFY 1994. This deferral would continue in future years. Currently, existing statute calls for an annual deferral of one-half of this June payment. Further, it reduces the nursing home assessment from the 1.75% in the original bill to 1.18%.

**FISCAL IMPACT:** Passage of this amendment is not anticipated to result in a net fiscal impact to the State. By increasing the deferral of June nursing home payments to three-quarters of the month, a gross Medicaid savings of approximately \$15 million is anticipated to result in SFY 1992-93. Once federal reimbursement is taken into account, a net State savings of \$7.5 million would result. This would be offset by a revenue loss of approximately \$7.5 million which is anticipated to result from the reduction in the nursing home assessment rate.

**Senate "F" - LCO 5202 (New to bill)**

**SUMMARY:** This amendment provides that \$119,000 appropriated in SFY 1991-92 to Legislative Management for the expenses of the Health Care Access Commission (HCAC) shall not lapse and will continue to be available for expenditure in SFY 1992-93. These dollars will be directed to the following agencies: (1) To Legislative Management, \$32,000 for consultant and public hearing costs incurred by the HCAC, and \$7,000 for expenses incurred in the cost containment and regulation study to be conducted by the Public Health Committee; (2) to the Department of Health Services, \$40,000; and (3) to the Department of Income Maintenance, \$40,000 for eligibility determination, data entry and project management for a State subsidized children's insurance pilot program.

**FISCAL IMPACT:** Passage of this amendment will result in an SFY 1992-93 cost to the State of \$119,000. Additionally, its passage will reduce the SFY 1991-92 General Fund lapse by a corresponding amount.

When formulating the fiscal note on SA 92-13 (the Appropriations Act), the Office of Fiscal Analysis estimated a total lapse of some \$575 million for SFY 1991-92. This estimate included a lapse of \$10,000 under the budget of Legislative Management for the expenses of the Health Care Access Commission. Therefore, a minimal adjustment to the estimated lapse will ensue from passage of this amendment.

#### Senate "G" - LCO 4597

**SUMMARY:** This amendment would make clarifications to the methodology which will be utilized by the Connecticut Alcohol and Drug Abuse Commission for the distribution of funds which are provided in SA 92-13, the Appropriations Act, for enhancing substance abuse services for General Assistance recipients. It further removes provisions which would have required CADAC to study income and asset criteria for its programs and utilization review for its facilities.

**FISCAL IMPACT:** Passage of this amendment would make technical changes to the bill by stipulating some factors to be considered when distributing the new substance abuse dollars appropriated for use by General Assistance recipients. It would require CADAC to report its plan to the General Assembly by January 1, 1993. The consultation required of the Department of Income Maintenance and administrative functions to be carried out by CADAC may result in a minimal fiscal impact which could be absorbed through their normal operating budgets.

#### Senate "H" - LCO 4992 (New to bill)

**SUMMARY:** Passage of this amendment would transfer \$250,000 to the Department Health Services (DOHS) from the amount appropriated in 1992-93 for State Employees' Retirement Contributions. Those dollars shall be used by the DOHS for the State portion of a subsidized children's insurance pilot project.

**FISCAL IMPACT:** Funding, in the amount of \$250,000, would be available for transfer to the Department of Health Services from the 1992-93 appropriation for State Employees' Retirement Contributions because it is anticipated that the final SEBAC pension agreement will be drafted to reflect \$3.0 million in savings beyond the \$150.0 million reflected in the 1992-93 budget.

#### Senate "I" - LCO 5201

**SUMMARY:** This amendment would allow towns to have the option of continuing to administer General Assistance subsequent to the mandated assumption of State administration of the program on July 1, 1994.

**FISCAL IMPACT:** The fiscal impact anticipated to result from adoption of this amendment is uncertain. As the impact of State takeover of General Assistance (GA) is subject to the actual

implementation of this initiative, the effect of allowing towns the option of continuing to administer GA is unknown.

**Senate "J" - LCO 2657**

This amendment makes a technical revision to the fee classification schedule and is not anticipated to result in a fiscal impact to the State.

**Senate "K" - LCO 5026 (New to bill)**

**SUMMARY:** This amendment establishes a Connecticut Institute for Municipal Studies as a non-profit corporation. It is to have a 22-member board of directors. The amendment spells out the issues and problems the Institute is to research and analyze. It is to develop a long-range plan for revitalizing communities in crisis and eliminating duplicate public services. The board is to meet at least 4 times a year and may hire staff and consultants and provide space for the Institute. A consortium of higher education institutions is to be established to make recommendations for a visiting scholars program. The board is to review and implement pilot demonstration projects. It may accept funds from public or private sources.

**FISCAL IMPACT:** The amendment appropriates the above amount from the General Fund for the 1992-93 fiscal year.

**Senate "L" - LCO 5204**

**SUMMARY:** This amendment provides authorization for the Department of Labor to operate programs for employables.

**FISCAL IMPACT:** These changes are anticipated to result in a minimal cost to the Department of Labor which can be absorbed within their normal operating budget.

**Senate "N" - LCO 4852**

**SUMMARY:** This amendment requires the Department of Income Maintenance (DIM) and Commission Hospitals and Health Care to report fee collections revenues and expenditures related to the Uncompensated Care Pool. It further requires DIM to report on other State Medicaid plan amendments.

**FISCAL IMPACT:** These additional reporting requirements are anticipated to result in minimal costs which can be absorbed within the normal operating budgets of the agencies involved.