



General Assembly

February Session, 2024

Governor's Bill No. 5053

LCO No. 602



Referred to Committee on HUMAN SERVICES

Introduced by:

Request of the Governor Pursuant
to Joint Rule 9

**AN ACT CONCERNING THE GOVERNOR'S BUDGET
RECOMMENDATIONS FOR HEALTH AND HUMAN SERVICES.**

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

1 Section 1. Section 19a-186a of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective from passage*):

3 (a) Any individual employed on June 30, 2010, as a regional
4 emergency medical services coordinator or as an assistant regional
5 emergency medical services coordinator shall be offered an unclassified
6 durational position within the Department of Public Health for the
7 period from July 1, 2010, to June 30, 2011, inclusive, provided no more
8 than five unclassified durational positions shall be created. Within
9 available appropriations, such unclassified durational positions may be
10 extended beyond June 30, 2011. The Commissioner of Administrative
11 Services shall establish job classifications and salaries for such positions
12 in accordance with the provisions of section 4-40. Any such created
13 positions shall be exempt from collective bargaining requirements and
14 no individual appointed to such position shall have reemployment or

15 any other rights that may have been extended to unclassified employees
16 under a State Employees' Bargaining Agent Coalition agreement.
17 Individuals employed in such unclassified durational positions shall be
18 located at the offices of the Department of Public Health. In no event
19 shall an individual employed in an unclassified durational position
20 pursuant to this section receive credit for any purpose for services
21 performed prior to July 1, 2010.

22 (b) On and after June 30, 2024, the Commissioner of Administrative
23 Services, in consultation with the Commissioner of Public Health, shall
24 transition the regional emergency medical services coordinator and
25 assistant regional emergency medical services coordinator positions
26 and incumbents into the classified service. To the extent such employees
27 are performing jobs which would normally be within a current
28 executive branch bargaining unit, such jobs shall be added to the unit
29 descriptions of such bargaining units and employees in those jobs shall
30 be deemed part of such units.

31 Sec. 2. Subsection (a) of section 17b-261 of the 2024 supplement to the
32 general statutes is repealed and the following is substituted in lieu
33 thereof (*Effective October 1, 2024*):

34 (a) Medical assistance shall be provided for any otherwise eligible
35 person (1) whose income, including any available support from legally
36 liable relatives and the income of the person's spouse or dependent
37 child, is not more than one hundred [~~forty-three~~] fifty-nine per cent,
38 pending approval of a federal waiver applied for pursuant to subsection
39 (e) of this section, of the benefit amount paid to a person with no income
40 under the temporary family assistance program, and (2) if such person
41 is an institutionalized individual as defined in Section 1917 of the Social
42 Security Act, 42 USC 1396p(h)(3), and has not made an assignment or
43 transfer or other disposition of property for less than fair market value
44 for the purpose of establishing eligibility for benefits or assistance under
45 this section. Any such disposition shall be treated in accordance with
46 Section 1917(c) of the Social Security Act, 42 USC 1396p(c). Any

47 disposition of property made on behalf of an applicant or recipient or
48 the spouse of an applicant or recipient by a guardian, conservator,
49 person authorized to make such disposition pursuant to a power of
50 attorney or other person so authorized by law shall be attributed to such
51 applicant, recipient or spouse. A disposition of property ordered by a
52 court shall be evaluated in accordance with the standards applied to any
53 other such disposition for the purpose of determining eligibility. The
54 commissioner shall establish the standards for eligibility for medical
55 assistance at one hundred [~~forty-three~~] fifty-nine per cent of the benefit
56 amount paid to a household of equal size with no income under the
57 temporary family assistance program. In determining eligibility, the
58 commissioner shall not consider as income Aid and Attendance pension
59 benefits granted to a veteran, as defined in section 27-103, or the
60 surviving spouse of such veteran. Except as provided in section 17b-277
61 and section 17b-292, the medical assistance program shall provide
62 coverage to persons under the age of nineteen with household income
63 up to one hundred ninety-six per cent of the federal poverty level
64 without an asset limit and to persons under the age of nineteen, who
65 qualify for coverage under Section 1931 of the Social Security Act, with
66 household income not exceeding one hundred ninety-six per cent of the
67 federal poverty level without an asset limit, and their parents and needy
68 caretaker relatives, who qualify for coverage under Section 1931 of the
69 Social Security Act, with household income not exceeding one hundred
70 [~~fifty-five~~] thirty-three per cent of the federal poverty level without an
71 asset limit. Such levels shall be based on the regional differences in such
72 benefit amount, if applicable, unless such levels based on regional
73 differences are not in conformance with federal law. Any income in
74 excess of the applicable amounts shall be applied as may be required by
75 said federal law, and assistance shall be granted for the balance of the
76 cost of authorized medical assistance. The Commissioner of Social
77 Services shall provide applicants for assistance under this section, at the
78 time of application, with a written statement advising them of (A) the
79 effect of an assignment or transfer or other disposition of property on
80 eligibility for benefits or assistance, (B) the effect that having income that

81 exceeds the limits prescribed in this subsection will have with respect to
82 program eligibility, and (C) the availability of, and eligibility for,
83 services provided by the Connecticut Home Visiting System,
84 established pursuant to section 17b-751b. For coverage dates on or after
85 January 1, 2014, the department shall use the modified adjusted gross
86 income financial eligibility rules set forth in Section 1902(e)(14) of the
87 Social Security Act and the implementing regulations to determine
88 eligibility for HUSKY A, HUSKY B and HUSKY D applicants, as defined
89 in section 17b-290. Persons who are determined ineligible for assistance
90 pursuant to this section shall be provided a written statement notifying
91 such persons of their ineligibility and advising such persons of their
92 potential eligibility for one of the other insurance affordability programs
93 as defined in 42 CFR 435.4.

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

97 The Commissioner of Developmental Services, in consultation with
98 the Commissioner of Social Services and the Secretary of the Office of
99 Policy and Management, shall reduce waiting lists for services in
100 Medicaid waiver programs established under Section 1915(c) of the
101 Social Security Act and administered by the Department of
102 Developmental Services. [Not later than January 1, 2024, and annually
103 thereafter, the staff person employed pursuant to section 4-67bb to help
104 agencies coordinate programs and services for individuals who have an
105 intellectual or developmental disability other than autism spectrum
106 disorder shall file a report, in accordance with the provisions of section
107 11-4a and in consultation with the Commissioner of Developmental
108 Services, on (1) the number of persons waiting for services in the waiver
109 programs and the number of underserved persons waiting for
110 additional services in the waiver programs, (2) the number of persons
111 added to and subtracted from such waiting lists for the previous
112 calendar year, and (3) whether such waiting lists have increased or
113 decreased over the previous calendar year and, if so, by how may

114 persons with the joint standing committees of the General Assembly
115 having cognizance of matters relating to appropriations and the budgets
116 of state agencies, human services and public health.]

117 Sec. 4. Section 17a-215g of the 2024 supplement to the general statutes
118 is repealed and the following is substituted in lieu thereof (*Effective from*
119 *passage*):

120 [(a)] The Commissioner of Social Services, in consultation with the
121 Secretary of the Office of Policy and Management and within available
122 appropriations, shall expand the Medicaid waiver program for persons
123 with autism spectrum disorder to reduce the number of persons on a
124 waiting list to receive services under the program.

125 [(b) Not later than January 1, 2024, and annually thereafter, the state-
126 wide coordinator of programs and services provided by state agencies
127 for individuals with autism spectrum disorder, appointed pursuant to
128 section 4-67bb, shall file a report, in accordance with the provisions of
129 section 11-4a and in consultation with the Commissioner of Social
130 Services, on (1) the number of persons waiting for services in the
131 program, (2) the number of underserved persons in the program
132 waiting for additional services, (3) the number of persons added and
133 subtracted from the waiting list in the previous calendar year, (4)
134 whether such waiting list has increased or decreased over the previous
135 calendar year and, if so, by how many persons, and (5) recommendations
136 to further reduce the waiting list and associated costs with the joint
137 standing committees of the General Assembly having cognizance of
138 matters relating to appropriations and the budgets of state agencies and
139 human services.]

140 Sec. 5. Section 17a-215e of the 2024 supplement to the general statutes
141 is repealed and the following is substituted in lieu thereof (*Effective from*
142 *passage*):

143 Not later than [February 1, 2017] March 1, 2025, and annually
144 thereafter, the Commissioner of Social Services, in consultation with the

145 Secretary of the Office of Policy and Management, shall report, in
146 accordance with the provisions of section 11-4a, to the joint standing
147 committee of the General Assembly having cognizance of matters
148 relating to human services concerning the activities of the Department
149 of Social Services' Division of Autism Spectrum Disorder Services,
150 established pursuant to section 17a-215c, and the Autism Spectrum
151 Disorder Advisory Council, established pursuant to section 17a-215j.
152 Such report shall include, but not be limited to: (1) The number and ages
153 of persons with autism spectrum disorder who are served by the
154 Department of Social Services' Division of Autism Spectrum Disorder
155 Services and, when practicable to report, the number and ages of such
156 persons who are served by other state agencies; (2) the number and ages
157 of persons with autism spectrum disorder on said division's waiting list
158 for Medicaid waiver services; (3) the type of Medicaid waiver services
159 currently provided by the department to persons with autism spectrum
160 disorder; (4) a description of the unmet needs of persons with autism
161 spectrum disorder on said division's waiting list; (5) the projected
162 estimates for a five-year period of the costs to the state due to such
163 unmet needs; (6) measurable outcome data for persons with autism
164 spectrum disorder who are eligible to receive services from said
165 division, including, but not limited to, (A) the number of such persons
166 who are enrolled in postsecondary education, (B) the employment
167 status of such persons, and (C) a description of such persons' living
168 arrangements; and (7) a description of new initiatives and proposals for
169 new initiatives that are under consideration.

170 Sec. 6. Section 17a-238a of the general statutes is repealed and the
171 following is substituted in lieu thereof (*Effective from passage*):

172 (a) For purposes of this section:

173 (1) "Category" means the department's assessment of the urgency of
174 an individual's need for funding or services from the department.

175 (2) "Department" means the Department of Developmental Services.

176 (3) "Level of need assessment" means the department's method of
177 determining, through the use of a standardized screening tool, an
178 individual's need for funding or services from the department.

179 (4) "Planning and resource allocation team" means the department's
180 staff members who are responsible for (A) establishing an individual's
181 category, (B) approving or denying an individual's request for funding
182 or services, and (C) allocating resources to individuals receiving
183 funding or services from the department.

184 (5) "Residential waiting list" means data maintained by the
185 department that includes the number of individuals with intellectual
186 disability who (A) have requested residential funding or services from
187 the department, (B) have been determined by the department to be in
188 need of such funding or services, and (C) are unable to receive such
189 funding or services because of the department's inability to provide
190 such funding or services within existing appropriations.

191 (b) An individual determined by the department to be eligible for
192 funding or services from the department, or such individual's legal
193 representative, may request and, if requested, shall obtain from the
194 department a copy of (1) such individual's category for residential
195 funding or services, if the individual has an unmet need for residential
196 services, (2) such individual's request for funding or services submitted
197 to the regional planning and resource allocation team, and (3) any
198 decision on the individual's request for funding or services made by the
199 regional planning and resource allocation team. Additionally, any such
200 individual who receives annual funding or services from the
201 department, or such individual's legal representative, may request and,
202 if requested, shall obtain from the department a copy of such
203 individual's (A) individual plan, and (B) level of need assessment.

204 (c) [The] Not later than March 1, 2025, and annually thereafter, the
205 Commissioner of Developmental Services, in consultation with the
206 Secretary of the Office of Policy and Management, shall report, in

207 accordance with the provisions of section 11-4a, [at least annually,] to
208 the joint standing committees of the General Assembly having
209 cognizance of matters relating to public health and appropriations and
210 the budgets of state agencies concerning the number of individuals
211 determined by the department to be eligible for funding or services from
212 the department and who (1) have unmet residential care needs, (2) have
213 unmet employment opportunity and day service needs, or (3) are
214 eligible for the department's behavioral services program and are
215 waiting for a funding allocation. The commissioner shall post such
216 report on the department's Internet web site.

217 (d) The commissioner shall develop and maintain one state-wide
218 comprehensive residential waiting list. Such waiting list shall (1) be
219 organized by geographic region, (2) identify the type of residential
220 funding or services each individual is requesting, and (3) include the
221 estimated time period that the residential funding or services would be
222 accepted by such individual. The commissioner shall update such list
223 not less than quarterly.

224 (e) On or before August [1, 2018, and at least annually thereafter] first
225 annually, the commissioner or his or her designee shall, in consultation
226 with (1) each individual with intellectual disability who is eligible to
227 receive residential funding or services from the department and who
228 has an individual plan, and (2) the individual's legal representative, if
229 applicable, assess the individual's need for future residential funding or
230 services from the department. Such assessment shall include an
231 indication of the time period when each support or service would be
232 accepted by such individual based on information collected at the
233 annual meeting.

234 (f) On or before December [1, 2018, and at least annually thereafter]
235 first annually, the commissioner or his or her designee, shall review the
236 residential waiting list with the advisory and planning councils,
237 appointed pursuant to section 17a-273, and the Council on
238 Developmental Services, established pursuant to section 17a-270.

239 Sec. 7. Section 302 of public act 23-204 is repealed. (*Effective from*
240 *passage*)

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	19a-186a
Sec. 2	<i>October 1, 2024</i>	17b-261(a)
Sec. 3	<i>from passage</i>	17a-238b
Sec. 4	<i>from passage</i>	17a-215g
Sec. 5	<i>from passage</i>	17a-215e
Sec. 6	<i>from passage</i>	17a-238a
Sec. 7	<i>from passage</i>	Repealer section

Statement of Purpose:

To implement the Governor's budget recommendations concerning public health and human services.

[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.]