



General Assembly

February Session, 2022

Substitute Bill No. 5314



AN ACT DETERRING FRAUD AND ABUSE PERPETRATED AGAINST SENIOR CITIZENS.

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

1 Section 1. Subsection (g) of section 17b-451 of the 2022 supplement to
2 the general statutes is repealed and the following is substituted in lieu
3 thereof (*Effective from passage*):

4 (g) The Commissioner of Social Services shall develop an educational
5 training program to promote and encourage the accurate and prompt
6 identification and reporting of abuse, neglect, exploitation and
7 abandonment of elderly persons. Such training program shall be made
8 available on the Internet web site of the Department of Social Services
9 to mandatory reporters and other interested persons. The commissioner
10 shall also make such training available in person or otherwise at various
11 times and locations throughout the state as determined by the
12 commissioner. Except for a mandatory reporter who has received
13 training from an institution, organization, agency or facility required to
14 provide such training pursuant to subsection (a) of this section, a
15 mandatory reporter shall complete the educational training program
16 developed by the commissioner, or an alternate program approved by
17 the commissioner, not later than December 31, 2022, or not later than
18 ninety days after becoming a mandatory reporter.

19 Sec. 2. Section 17a-412 of the 2022 supplement to the general statutes
20 is amended by adding subsection (i) as follows (*Effective from passage*):

21 (NEW) (i) Any person required to report suspected abuse, neglect,
22 exploitation or abandonment pursuant to subsection (a) of this section
23 shall complete the educational training program provided by the
24 Commissioner of Social Services pursuant to subsection (g) of section
25 17b-451, as amended by this act, or an alternate program approved by
26 the commissioner, not later than December 31, 2022, or not later than
27 ninety days after beginning employment as a person required to report
28 suspected abuse, neglect, exploitation or abandonment pursuant to
29 subsection (a) of this section.

30 Sec. 3. (NEW) (*Effective July 1, 2022*) (a) As used in this section, (1)
31 "Protective Services for the Elderly" program means the program
32 administered by the Department of Social Services to investigate
33 suspected abuse, neglect, exploitation or abandonment of elderly
34 persons, and (2) "abuse", "neglect", "exploitation" and "abandonment"
35 have the same meanings as provided in section 17b-450 of the general
36 statutes.

37 (b) The Commissioner of Social Services, within available
38 appropriations, shall hire sufficient staff for the Protective Services for
39 the Elderly program to ensure that no staff member is investigating
40 more than twenty-five suspected cases of abuse, neglect, exploitation or
41 abandonment at any one time.

42 Sec. 4. (NEW) (*Effective July 1, 2022*) Any person who provides an
43 elderly person with assistance completing a Medicaid application and
44 who is not related to such elderly person by blood or marriage shall
45 disclose any affiliations, business relationship, ownership interests or
46 employment with any business or entity that may bill Medicaid for
47 services provided to such elderly person. For purposes of this section,
48 "elderly person" means a person sixty years of age or older.

49 Sec. 5. (NEW) (*Effective July 1, 2022*) Any person who provides a

50 person with assistance in completing an application for Medicaid
51 benefits and who is not related to such person by blood or marriage shall
52 provide the applicant with the following conspicuous written
53 disclosure:

54 "Please know that you have legal rights that can protect your assets.

55 You may wish to seek the advice of an elder law attorney PRIOR to
56 completing this Medicaid application to ensure your finances and rights
57 are protected.

58 For example, if you are seeking long-term medical care or home care
59 services and you:

- 60 (1) Have a spouse;
- 61 (2) Own real estate;
- 62 (3) Have a child who is disabled; or
- 63 (4) If someone has been living with and caring for you in the last two
64 years:

65 You may have rights that can be protected with the help of an elder
66 law attorney.

67 If you have suffered Medicaid ineligibility and/or significant
68 financial loss due to the actions or advice of a non-attorney Medicaid
69 planner, you may file a complaint with the Connecticut Department of
70 Consumer Protection by calling (860) 713-6100."

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	17b-451(g)
Sec. 2	<i>from passage</i>	17a-412
Sec. 3	<i>July 1, 2022</i>	New section
Sec. 4	<i>July 1, 2022</i>	New section
Sec. 5	<i>July 1, 2022</i>	New section

Statement of Legislative Commissioners:

In Section 1(g), "mandated reporter" was changed to "mandatory reporter" for statutory consistency; in Section 2, "17b-451 of the general statutes" was changed to "17b-451" for consistency with standard drafting conventions; in Section 3(a)(2), ""exploitation" or "abandonment"" was changed to ""exploitation" and "abandonment"" for accuracy; and technical changes were made in Sections 4 and 5.

AGE *Joint Favorable Subst. -LCO*