



General Assembly

**Substitute Bill No. 59**

January Session, 2023



**AN ACT CONCERNING FEDERAL VETERANS' BENEFITS AND  
INCOME ELIGIBILITY DETERMINATIONS FOR CERTAIN PUBLIC  
ASSISTANCE PROGRAMS.**

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

1 Section 1. Subsection (a) of section 17b-28i of the general statutes is  
2 repealed and the following is substituted in lieu thereof (*Effective July*  
3 *1, 2023, and applicable to applications filed on or after July 1, 2023*):

4 (a) To the extent permissible by federal law, the Commissioner of  
5 Social Services shall disregard all federal [Aid and Attendance  
6 pension] benefits administered by the United States Department of  
7 Veterans Affairs that are granted to a veteran or the surviving spouse  
8 of such veteran when determining income eligibility for the state's  
9 Medicare savings, medical assistance and energy assistance programs  
10 administered under section 17b-2. As used in this subsection, "veteran"  
11 has the same meaning as provided in section 27-103.

12 Sec. 2. Subsection (a) of section 17b-104 of the general statutes is  
13 repealed and the following is substituted in lieu thereof (*Effective July*  
14 *1, 2023, and applicable to applications filed on or after July 1, 2023*):

15 (a) The Commissioner of Social Services shall administer the  
16 program of state supplementation to the Supplemental Security  
17 Income Program provided for by the Social Security Act and state law.

18 The commissioner may delegate any powers and authority to any  
19 deputy, assistant, investigator or supervisor, who shall have, within  
20 the scope of the power and authority so delegated, all of the power  
21 and authority of the Commissioner of Social Services. The standard of  
22 need for the temporary family assistance program shall be fifty-five  
23 per cent of the federal poverty level. The commissioner shall make a  
24 reinvestigation, at least every twelve months, of all cases receiving aid  
25 from the state, except that such reinvestigation may be conducted  
26 every twenty-four months for recipients of assistance to the elderly or  
27 disabled with stable circumstances, and shall maintain all case records  
28 of the several programs administered by the Department of Social  
29 Services so that such records show, at all times, full information with  
30 respect to eligibility of the applicant or recipient. In the determination  
31 of need under any public assistance program, such income or earnings  
32 shall be disregarded as federal law requires, and such income or  
33 earnings may be disregarded as federal law permits. In determining  
34 eligibility, the commissioner shall disregard from income (1) [Aid and  
35 Attendance pension] all federal benefits administered by the United  
36 States Department of Veterans Affairs that are granted to a veteran, as  
37 defined [under] in section 27-103, or the surviving spouse of such  
38 veteran, and (2) any tax refund or advance payment with respect to a  
39 refundable credit to the same extent such refund or advance payment  
40 would be disregarded under 26 USC 6409 in any federal program or  
41 state or local program financed in whole or in part with federal funds.  
42 The commissioner shall encourage and promulgate such incentive  
43 earning programs as are permitted by federal law and regulations.

44 Sec. 3. Subsection (c) of section 17b-191 of the general statutes is  
45 repealed and the following is substituted in lieu thereof (*Effective July*  
46 *1, 2023, and applicable to applications filed on or after July 1, 2023*):

47 (c) To be eligible for cash assistance under the program, a person  
48 shall (1) be (A) eighteen years of age or older; (B) a minor found by a  
49 court to be emancipated pursuant to section 46b-150; or (C) under  
50 eighteen years of age and the commissioner determines good cause for

51 such person's eligibility, and (2) not have assets exceeding two  
52 hundred fifty dollars or, if such person is married, such person and his  
53 or her spouse shall not have assets exceeding five hundred dollars. In  
54 determining eligibility, the commissioner shall [not consider as]  
55 disregard from income (A) [Aid and Attendance pension] all federal  
56 benefits administered by the United States Department of Veterans  
57 Affairs that are granted to a veteran, as defined in section 27-103, or the  
58 surviving spouse of such veteran; and (B) any tax refund or advance  
59 payment with respect to a refundable credit to the same extent such  
60 refund or advance payment would be disregarded under 26 USC 6409  
61 in any federal program or state or local program financed in whole or  
62 in part with federal funds. No person who is a substance abuser and  
63 refuses or fails to enter available, appropriate treatment shall be  
64 eligible for cash assistance under the program until such person enters  
65 treatment. No person whose benefits from the temporary family  
66 assistance program have terminated as a result of time-limited benefits  
67 or for failure to comply with a program requirement shall be eligible  
68 for cash assistance under the program.

69 Sec. 4. Section 17b-256f of the general statutes is repealed and the  
70 following is substituted in lieu thereof (*Effective July 1, 2023, and*  
71 *applicable to applications filed on or after July 1, 2023*):

72 The Commissioner of Social Services shall increase income  
73 disregards used to determine eligibility by the Department of Social  
74 Services for the federal Qualified Medicare Beneficiary, the Specified  
75 Low-Income Medicare Beneficiary and the Qualifying Individual  
76 programs, administered in accordance with the provisions of 42 USC  
77 1396d(p), by such amounts that shall result in persons with income  
78 that is (1) less than two hundred eleven per cent of the federal poverty  
79 level qualifying for the Qualified Medicare Beneficiary program, (2) at  
80 or above two hundred eleven per cent of the federal poverty level but  
81 less than two hundred thirty-one per cent of the federal poverty level  
82 qualifying for the Specified Low-Income Medicare Beneficiary  
83 program, and (3) at or above two hundred thirty-one per cent of the

84 federal poverty level but less than two hundred forty-six per cent of  
85 the federal poverty level qualifying for the Qualifying Individual  
86 program. The commissioner shall not apply an asset test for eligibility  
87 under the Medicare Savings Program. The commissioner shall [not  
88 consider as] disregard from income [Aid and Attendance pension] all  
89 federal benefits administered by the United States Department of  
90 Veterans Affairs that are granted to a veteran, as defined in section 27-  
91 103, or the surviving spouse of such veteran. The Commissioner of  
92 Social Services, pursuant to section 17b-10, may implement policies  
93 and procedures to administer the provisions of this section while in the  
94 process of adopting such policies and procedures in regulation form,  
95 provided the commissioner prints notice of the intent to adopt the  
96 regulations on the department's Internet web site and the eRegulations  
97 System not later than twenty days after the date of implementation.  
98 Such policies and procedures shall be valid until the time final  
99 regulations are adopted.

100 Sec. 5. Subsection (a) of section 17b-261 of the general statutes is  
101 repealed and the following is substituted in lieu thereof (*Effective July*  
102 *1, 2023, and applicable to applications filed on or after July 1, 2023*):

103 (a) Medical assistance shall be provided for any otherwise eligible  
104 person (1) whose income, including any available support from legally  
105 liable relatives and the income of the person's spouse or dependent  
106 child, is not more than one hundred forty-three per cent, pending  
107 approval of a federal waiver applied for pursuant to subsection (e) of  
108 this section, of the benefit amount paid to a person with no income  
109 under the temporary family assistance program, and (2) if such person  
110 is an institutionalized individual as defined in Section 1917 of the  
111 Social Security Act, 42 USC 1396p(h)(3), and has not made an  
112 assignment or transfer or other disposition of property for less than  
113 fair market value for the purpose of establishing eligibility for benefits  
114 or assistance under this section. Any such disposition shall be treated  
115 in accordance with Section 1917(c) of the Social Security Act, 42 USC  
116 1396p(c). Any disposition of property made on behalf of an applicant

117 or recipient or the spouse of an applicant or recipient by a guardian,  
118 conservator, person authorized to make such disposition pursuant to a  
119 power of attorney or other person so authorized by law shall be  
120 attributed to such applicant, recipient or spouse. A disposition of  
121 property ordered by a court shall be evaluated in accordance with the  
122 standards applied to any other such disposition for the purpose of  
123 determining eligibility. The commissioner shall establish the standards  
124 for eligibility for medical assistance at one hundred forty-three per  
125 cent of the benefit amount paid to a household of equal size with no  
126 income under the temporary family assistance program. In  
127 determining eligibility, the commissioner shall [not consider as]  
128 disregard from income [Aid and Attendance pension] all federal  
129 benefits administered by the United States Department of Veterans  
130 Affairs that are granted to a veteran, as defined in section 27-103, or the  
131 surviving spouse of such veteran. Except as provided in section 17b-  
132 277 and section 17b-292, the medical assistance program shall provide  
133 coverage to persons under the age of nineteen with household income  
134 up to one hundred ninety-six per cent of the federal poverty level  
135 without an asset limit and to persons under the age of nineteen, who  
136 qualify for coverage under Section 1931 of the Social Security Act, with  
137 household income not exceeding one hundred ninety-six per cent of  
138 the federal poverty level without an asset limit, and their parents and  
139 needy caretaker relatives, who qualify for coverage under Section 1931  
140 of the Social Security Act, with household income not exceeding one  
141 hundred fifty-five per cent of the federal poverty level without an asset  
142 limit. Such levels shall be based on the regional differences in such  
143 benefit amount, if applicable, unless such levels based on regional  
144 differences are not in conformance with federal law. Any income in  
145 excess of the applicable amounts shall be applied as may be required  
146 by said federal law, and assistance shall be granted for the balance of  
147 the cost of authorized medical assistance. The Commissioner of Social  
148 Services shall provide applicants for assistance under this section, at  
149 the time of application, with a written statement advising them of (A)  
150 the effect of an assignment or transfer or other disposition of property  
151 on eligibility for benefits or assistance, (B) the effect that having

152 income that exceeds the limits prescribed in this subsection will have  
153 with respect to program eligibility, and (C) the availability of, and  
154 eligibility for, services provided by the Connecticut Home Visiting  
155 System, established pursuant to section 17b-751b. For coverage dates  
156 on or after January 1, 2014, the department shall use the modified  
157 adjusted gross income financial eligibility rules set forth in Section  
158 1902(e)(14) of the Social Security Act and the implementing regulations  
159 to determine eligibility for HUSKY A, HUSKY B and HUSKY D  
160 applicants, as defined in section 17b-290. Persons who are determined  
161 ineligible for assistance pursuant to this section shall be provided a  
162 written statement notifying such persons of their ineligibility and  
163 advising such persons of their potential eligibility for one of the other  
164 insurance affordability programs as defined in 42 CFR 435.4.

165 Sec. 6. Subsection (l) of section 17b-342 of the general statutes is  
166 repealed and the following is substituted in lieu thereof (*Effective July*  
167 *1, 2023, and applicable to applications filed on or after July 1, 2023*):

168 (l) In determining eligibility for the program described in this  
169 section, the commissioner shall [not consider as] disregard from  
170 income (1) [Aid and Attendance pension] all federal benefits  
171 administered by the United States Department of Veterans Affairs that  
172 are granted to a veteran, as defined in section 27-103, or the surviving  
173 spouse of such veteran, and (2) any tax refund or advance payment  
174 with respect to a refundable credit to the same extent such refund or  
175 advance payment would be disregarded under 26 USC 6409 in any  
176 federal program or state or local program financed in whole or in part  
177 with federal funds.

178 Sec. 7. Subsection (a) of section 17b-801 of the general statutes is  
179 repealed and the following is substituted in lieu thereof (*Effective July*  
180 *1, 2023, and applicable to applications filed on or after July 1, 2023*):

181 (a) The Commissioner of Social Services shall administer a state-  
182 appropriated fuel assistance program to provide, within available  
183 appropriations, fuel assistance to elderly and disabled persons whose

184 household gross income is above the income eligibility guidelines for  
 185 the Connecticut energy assistance program but does not exceed two  
 186 hundred per cent of federal poverty guidelines. The income eligibility  
 187 guidelines for the state-appropriated fuel assistance program shall be  
 188 determined, annually, by the Commissioner of Social Services, in  
 189 conjunction with the Secretary of the Office of Policy and  
 190 Management. In determining eligibility, the commissioner shall [not  
 191 consider as] disregard from income [Aid and Attendance pension] all  
 192 federal benefits administered by the United States Department of  
 193 Veterans Affairs that are granted to a veteran, as defined [under] in  
 194 section 27-103, or the surviving spouse of such veteran. The  
 195 commissioner may adopt regulations, in accordance with the  
 196 provisions of chapter 54, to implement the provisions of this  
 197 subsection.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2023, and applicable to applications filed on or after July 1, 2023</i>	17b-28i(a)
Sec. 2	<i>July 1, 2023, and applicable to applications filed on or after July 1, 2023</i>	17b-104(a)
Sec. 3	<i>July 1, 2023, and applicable to applications filed on or after July 1, 2023</i>	17b-191(c)
Sec. 4	<i>July 1, 2023, and applicable to applications filed on or after July 1, 2023</i>	17b-256f
Sec. 5	<i>July 1, 2023, and applicable to applications filed on or after July 1, 2023</i>	17b-261(a)

Sec. 6	<i>July 1, 2023, and applicable to applications filed on or after July 1, 2023</i>	17b-342(l)
Sec. 7	<i>July 1, 2023, and applicable to applications filed on or after July 1, 2023</i>	17b-801(a)

**VA**      *Joint Favorable Subst.*