



# Senate

General Assembly

**File No. 19**

January Session, 2015

Senate Bill No. 862

*Senate, March 3, 2015*

The Committee on Human Services reported through SEN. MOORE, M. of the 22nd Dist., Chairperson of the Committee on the part of the Senate, that the bill ought to pass.

## **AN ACT CONCERNING STATE PAYMENT TO CERTAIN FACILITIES FOR RESERVED BEDS.**

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

1 Section 1. Section 17b-601 of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective July 1, 2015*):

3 The Commissioner of Social Services shall adopt regulations in  
4 accordance with the provisions of chapter 54 establishing the method  
5 by which payments are made for recipients of the state supplement  
6 program who are residents of licensed residential care homes, as  
7 defined in section 19a-490, and a rated housing facility, as defined in  
8 section 17b-82. Such regulations shall provide for the safeguarding of  
9 residents' personal funds with respect to any homes, or rated housing  
10 facilities that handle such funds. Regulations concerning payment for  
11 residents shall provide for payment to the licensed residential care  
12 home or rated housing facility for the period during which the  
13 recipient makes such home or facility his or her residence, without  
14 regard to periods during which the recipient is absent, provided (1) the

15 recipient's bed at the home or facility would otherwise be available  
 16 during such absence, and (2) the recipient can reasonably be expected  
 17 to return to the home or facility before the end of the month following  
 18 the month in which the recipient leaves the home or facility. If the  
 19 department determines that a resident of a home or rated housing  
 20 facility who applies for state supplement benefits is eligible for such  
 21 benefits, the department shall pay the home or facility at a per diem or  
 22 monthly rate less any applied income due from the resident. Any  
 23 retroactive adjustment to the rate of such a home or facility by the  
 24 commissioner that results in money due to such home or facility shall  
 25 be made to such home or facility directly, and any such adjustment  
 26 that results in an overpayment to the home or facility shall be paid by  
 27 the home or facility to the department. If a retroactive adjustment to  
 28 the rate of such home or facility results in a current resident becoming  
 29 eligible for state supplement benefits, and such resident applies for  
 30 state supplement benefits, the department may determine the start  
 31 date of eligibility for state supplement benefits to be the later of the  
 32 resident's admission date or the date ninety days prior to the date the  
 33 department receives the application. [The commissioner shall continue  
 34 to make payments to licensed residential care homes or rated housing  
 35 facilities in accordance with reserved bed regulations until the effective  
 36 date of the regulations adopted pursuant to this section.]

This act shall take effect as follows and shall amend the following sections:		
Section 1	July 1, 2015	17b-601

**HS**      *Joint Favorable*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

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**OFA Fiscal Note**

**State Impact:**

<b>Agency Affected</b>	<b>Fund-Effect</b>	<b>FY 16 \$</b>	<b>FY 17 \$</b>
Department of Social Services	GF - Savings	Potential Minimal	Potential Minimal

**Municipal Impact:** None

**Explanation**

The bill prevents the Department of Social Services (DSS) from having to make bed-hold payments to certain facilities when the recipient's bed is actually unavailable. Such a situation could arise if a recipient left the facility for a short term hospital stay, and the bed was subsequently made nonfunctional due to structural damage. DSS could realize savings by not having to make payments under these conditions. However, given that the per diem rates range from \$53 to \$141, and that DSS has never been required to make such payments in the past, any such potential savings are expected to be infrequent and minimal.

**The Out Years**

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation.

*Sources: DSS Rate Data*

**OLR Bill Analysis****SB 862*****AN ACT CONCERNING STATE PAYMENT TO CERTAIN FACILITIES FOR RESERVED BEDS.*****SUMMARY:**

By law, the Department of Social Services (DSS) may pay State Supplement Program benefits directly to licensed residential care homes or rated housing facilities on behalf of a recipient, even when the recipient is temporarily absent. This bill prohibits such payments when the recipient's bed is not otherwise available during his or her absence (e.g., if the home or facility experiences structural damage).

The bill also makes a technical change.

EFFECTIVE DATE: July 1, 2015

**BACKGROUND*****Rated Housing Facilities***

Rated housing facilities are (1) boarding facilities or homes licensed by the departments of Developmental Services, Mental Health and Addiction Services, or Children and Families and (2) New Horizons, Inc. (a state-subsidized, independent living facility in Farmington for people with severe physical disabilities).

***State Supplement Program***

The State Supplement Program provides cash assistance to individuals who are (1) aged, blind, or living with a disability and (2) eligible for federal Supplemental Security Income (SSI) benefits or who would be, but for excess income.

The amount of the benefit depends on the person's income and need. Need is based on the individual's living arrangement. The

amount of benefits paid is the difference between need and net income (income after certain deductions are taken).

**COMMITTEE ACTION**

Human Services Committee

Joint Favorable

Yea 18 Nay 0 (02/17/2015)