



Senate

General Assembly

File No. 129

January Session, 2021

Senate Bill No. 909

Senate, March 24, 2021

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

AN ACT CONCERNING CHANGES TO THE HUSKY B PROGRAM.

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

1 Section 1. Subsection (a) of section 17b-295 of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective from*
3 *passage*):

4 (a) The commissioner shall impose cost-sharing requirements,
5 including the payment of a premium or copayment, in connection with
6 services provided under HUSKY B, to the extent permitted by federal
7 law. Copayments under HUSKY B shall [be the same as] not exceed
8 those in effect for active state employees enrolled in a point-of-
9 enrollment health care plan, provided the household's annual combined
10 premiums and copayments do not exceed the maximum annual
11 aggregate cost-sharing requirement. The cost-sharing requirements
12 imposed by the commissioner shall be in accordance with the following
13 limitations:

14 (1) The commissioner may increase the maximum annual aggregate

15 cost-sharing requirements, provided such cost-sharing requirements
16 shall not exceed five per cent of the household's gross annual income.

17 (2) In accordance with federal law, the commissioner may impose a
18 premium requirement on households whose income exceeds two
19 hundred forty-nine per cent of the federal poverty level as a component
20 of the household's cost-sharing responsibility and, for the fiscal years
21 ending June 30, 2012, to June 30, 2016, inclusive, may annually increase
22 the premium requirement based on the percentage increase in the
23 Consumer Price Index for medical care services; and

24 (3) The commissioner shall monitor copayments and premiums
25 under the provisions of subdivision (1) of this subsection.

26 Sec. 2. Section 17b-266 of the general statutes is repealed and the
27 following is substituted in lieu thereof (*Effective from passage*):

28 (a) The Commissioner of Social Services may, when the commissioner
29 finds it to be in the public interest, fund part or all of the cost of benefits
30 to any recipient under sections 17b-260 to 17b-262, inclusive, 17b-264 to
31 17b-285, inclusive, 17b-357 to 17b-361, inclusive, 17b-290, as amended
32 by this act, 17b-292, [17b-294a,] 17b-295, as amended by this act, 17b-
33 297a, 17b-297b and 17b-300 through the purchase of insurance from any
34 organization authorized to do a health insurance business in this state
35 or from any organization specified in subsection (b) of this section.

36 (b) The Commissioner of Social Services may require recipients of
37 Medicaid or other public assistance to receive medical care on a
38 prepayment or per capita basis, in accordance with federal law and
39 regulations, if such prepayment is anticipated to result in lower medical
40 assistance costs to the state. The commissioner may enter into contracts
41 for the provision of comprehensive health care on a prepayment or per
42 capita basis in accordance with federal law and regulations, with the
43 following: (1) A health care center subject to the provisions of chapter
44 698a; (2) a consortium of federally qualified community health centers
45 and other community-based providers of health services which are
46 funded by the state; (3) other consortia of providers of health care

47 services established for the purposes of this subsection; or (4) an
48 integrated service network providing care management and
49 comprehensive health care on a prepayment or per capita basis to
50 elderly and disabled recipients of Medicaid who may also be eligible for
51 Medicare.

52 (c) Providers of comprehensive health care services as described in
53 subdivisions (2), (3) and (4) of subsection (b) of this section shall not be
54 subject to the provisions of chapter 698a or, in the case of an integrated
55 service network, sections 17b-239 to 17b-245, inclusive, 17b-281, 17b-340,
56 17b-342 and 17b-343. Any such provider shall be certified by the
57 Commissioner of Social Services in accordance with criteria established
58 by the commissioner, including, but not limited to, minimum reserve
59 fund requirements.

60 (d) The commissioner shall pay all capitation claims which would
61 otherwise be reimbursed to the health plans described in subsection (b)
62 of this section in May, 2010, no later than June 30, 2010. Each subsequent
63 payment made by the commissioner to such health plans for capitation
64 claims due shall be made in the second month following the month to
65 which the capitation applies.

66 (e) On or after May 1, 2000, the payment to the Commissioner of
67 Social Services of (1) any monetary sanction imposed by the
68 commissioner on a managed care organization under the provisions of
69 a contract between the commissioner and such organization entered
70 into pursuant to this section or sections 17b-290, as amended by this act,
71 17b-292, [17b-294a,] 17b-295, 17b-297a, 17b-297b and 17b-300, or (2) any
72 sum agreed upon by the commissioner and such an organization as
73 settlement of a claim brought by the commissioner or the state against
74 such an organization for failure to comply with the terms of a contract
75 with the commissioner or fraud affecting the Department of Social
76 Services shall be deposited in an account designated for use by the
77 department for expenditures for children's health programs and
78 services.

79 Sec. 3. Section 17b-290 of the general statutes is repealed and the

80 following is substituted in lieu thereof (*Effective from passage*):

81 As used in this section and sections 17b-292, [17b-294a,] 17b-295, as
82 amended by this act, 17b-297a, 17b-297b and 17b-300:

83 (1) "Applicant" means an individual over the age of eighteen years
84 who is a natural or adoptive parent, a legal guardian, a caretaker
85 relative, foster parent or stepparent with whom the child resides and
86 shall include a child who is eighteen years of age or emancipated in
87 accordance with the provisions of sections 46b-150 to 46b-150e,
88 inclusive, and who is applying on his own behalf or on behalf of a minor
89 dependent for coverage under such plan;

90 (2) "Child" means an individual under nineteen years of age;

91 (3) "Coinsurance" means the sharing of health care expenses by the
92 insured and an insurer in a specified ratio;

93 (4) "Commissioner" means the Commissioner of Social Services;

94 (5) "Copayment" means a payment made on behalf of a member for a
95 specified service under HUSKY B;

96 (6) "Cost sharing" means arrangements made on behalf of a member
97 whereby an applicant pays a portion of the cost of health services,
98 sharing costs with the state and includes copayments, premiums,
99 deductibles and coinsurance;

100 (7) "Deductible" means the amount of out-of-pocket expenses that
101 would be paid for health services on behalf of a member before
102 becoming payable by the insurer;

103 (8) "Department" means the Department of Social Services;

104 (9) "Durable medical equipment" means equipment that meets all of
105 the following requirements:

106 (A) Can withstand repeated use;

- 107 (B) Is primarily and customarily used to serve a medical purpose;
- 108 (C) Generally is not useful to a person in the absence of an illness or
109 injury; and
- 110 (D) Is nondisposable;
- 111 (10) "Eligible beneficiary" means a child who meets the requirements
112 in section 17b-292, and the requirements specified in Section
113 2110(b)(2)(B) of the Social Security Act as amended by Section
114 10203(b)(2)(D) of the Affordable Care Act;
- 115 (11) "Household" has the same meaning as provided in 42 CFR
116 435.603;
- 117 (12) "Household income" has the same meaning as provided in 42
118 CFR 435.603;
- 119 (13) "HUSKY A" means Medicaid provided to children, caretaker
120 relatives and pregnant and postpartum women pursuant to section 17b-
121 261 or 17b-277;
- 122 (14) "HUSKY B" means the health coverage for children established
123 pursuant to the provisions of sections 17b-290, as amended by this act,
124 17b-292, [17b-294a,] 17b-295, 17b-297a, 17b-297b and 17b-300;
- 125 (15) "HUSKY C" means Medicaid provided to individuals who are
126 sixty-five years of age or older or who are blind or have a disability;
- 127 (16) "HUSKY D" or "Medicaid Coverage for the Lowest Income
128 Populations program" means Medicaid provided to nonpregnant low-
129 income adults who are age eighteen to sixty-four, as authorized
130 pursuant to section 17b-8a;
- 131 (17) "HUSKY Health" means the combined HUSKY A, HUSKY B,
132 HUSKY C and HUSKY D programs, that provide medical coverage to
133 eligible children, parents, relative caregivers, persons age sixty-five or
134 older, individuals with disabilities, low-income adults, and pregnant
135 women;

136 [(18) "HUSKY Plus" means the supplemental health program
137 established pursuant to section 17b-294a for medically eligible members
138 of HUSKY B whose medical needs cannot be accommodated within the
139 basic benefit package offered to members. HUSKY Plus shall
140 supplement coverage for those medically eligible members with
141 intensive physical health needs;]

142 [(19)] (18) "Member" means an eligible beneficiary who receives
143 services under HUSKY A, B, C or D;

144 [(20)] (19) "Parent" means a natural parent, stepparent, adoptive
145 parent, guardian or custodian of a child;

146 [(21)] (20) "Premium" means any required payment made by an
147 individual to offset the cost under HUSKY B;

148 [(22)] (21) "Qualified entity" means any entity: (A) Eligible for
149 payments under a state plan approved under Medicaid and which
150 provides medical services under HUSKY A, or (B) that is a qualified
151 entity, as defined in 42 USC 1396r-1a, as amended by Section 708 of
152 Public Law 106-554, and that is determined by the commissioner to be
153 capable of making the determination of eligibility. The commissioner
154 shall provide qualified entities with such forms or information on filing
155 an application electronically as is necessary for an application to be
156 made on behalf of a child under HUSKY A and information on how to
157 assist parents, guardians and other persons in completing and filing
158 such forms or electronic application;

159 [(23)] (22) "WIC" means the federal Special Supplemental Food
160 Program for Women, Infants and Children administered by the
161 Department of Public Health pursuant to section 19a-59c.

162 Sec. 4. Section 17b-304 of the general statutes is repealed and the
163 following is substituted in lieu thereof (*Effective from passage*):

164 The Commissioner of Social Services shall implement the policies and
165 procedures necessary to carry out the provisions of sections 17b-292,
166 [17b-294a,] 17b-295, as amended by this act, 17b-297a, 17b-297b and 17b-

167 300 while in the process of adopting such policies and procedures in
168 regulation form, provided notice of intent to adopt the regulations is
169 published on the Department of Social Services' Internet web site and
170 the eRegulations System not later than twenty days after
171 implementation. Such policies and procedures shall be valid until the
172 time final regulations are effective.

173 Sec. 5. Subdivision (4) of subsection (b) of section 12-202a of the
174 general statutes is repealed and the following is substituted in lieu
175 thereof (*Effective from passage*):

176 (4) Any new or renewal contract or policy entered into with the state
177 on or after April 1, 1998, to provide health care coverage to eligible
178 beneficiaries under the HUSKY Health program, [or HUSKY Plus
179 program, each] as defined in section 17b-290;

180 Sec. 6. Subsection (b) of section 12-202b of the general statutes is
181 repealed and the following is substituted in lieu thereof (*Effective from*
182 *passage*):

183 (b) The amount of credit allowed shall be equal to fifty-five dollars
184 multiplied by the sum of the number of persons provided health care
185 coverage by the taxpayer under the HUSKY Health program, [or the
186 HUSKY Plus program, each] as defined in section 17b-290, as amended
187 by this act, on the first day of each month of the income year for which
188 the credit is taken, divided by twelve.

189 Sec. 7. Subsection (b) of section 12-202c of the general statutes is
190 repealed and the following is substituted in lieu thereof (*Effective from*
191 *passage*):

192 (b) For the fiscal year ending June 30, 2003, any company that
193 received a payment under subsection (a) of this section shall be entitled
194 to an additional supplemental payment equal to thirty-six dollars and
195 seventy-five cents multiplied by the sum of the number of persons
196 provided health care coverage by the taxpayer under the HUSKY Health
197 program, [or the HUSKY Plus program, each] as defined in section 17b-

198 290, as amended by this act, on the first day of each month, January to
199 June, inclusive, of 2002, divided by six.

200 Sec. 8. Section 17b-294a of the general statutes is repealed. (*Effective*
201 *from passage*)

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	17b-295(a)
Sec. 2	<i>from passage</i>	17b-266
Sec. 3	<i>from passage</i>	17b-290
Sec. 4	<i>from passage</i>	17b-304
Sec. 5	<i>from passage</i>	12-202a(b)(4)
Sec. 6	<i>from passage</i>	12-202b(b)
Sec. 7	<i>from passage</i>	12-202c(b)
Sec. 8	<i>from passage</i>	Repealer section

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.

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 22 \$	FY 23 \$
Social Services, Dept.	GF - Savings	14,000	14,000

Note: GF=General Fund

Municipal Impact: None

Explanation

The bill is anticipated to result in a savings of approximately \$14,000 annually associated with the elimination of a separate eligibility process for HUSKY Plus members. While the bill repeals the HUSKY Plus program, its supplemental services are anticipated to continue under the basic HUSKY B benefit package. Savings reflect the anticipated reduction in contract requirements as a separate administrative process for HUSKY Plus members would no longer be necessary.

The bill makes other changes that have no fiscal impact as they are technical and conforming in nature.

The Out Years

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

OLR Bill Analysis**SB 909*****AN ACT CONCERNING CHANGES TO THE HUSKY B PROGRAM.*****SUMMARY**

This bill prohibits copayments under HUSKY B (the state's Children's Health Insurance Program, see BACKGROUND) from exceeding copayments paid by active state employees enrolled in one of the state's point of enrollment health care plans. Under current law, these copayments must be equal.

The bill also repeals the HUSKY Plus program, which provides supplemental coverage for HUSKY B enrollees with intensive physical health needs that exceed the basic benefit package (e.g., provides power wheelchairs as a service benefit). It makes several technical and conforming changes to remove program references in statute.

EFFECTIVE DATE: Upon passage

BACKGROUND***HUSKY B***

HUSKY B provides medically necessary health care coverage for uninsured children under age 19 in families with household incomes between 196% and 318% of the federal poverty limit who do not qualify for HUSKY A (Medicaid). Unlike Medicaid, it is a capped program (i.e., a block grant), and, as such, the federal government annually determines the share of program funding it will pay to the state each year.

Families receiving HUSKY B services must contribute towards the care cost, and these contributions rise as family income rises. There are no cost-sharing requirements, however, for members who qualify for HUSKY Plus services.

COMMITTEE ACTION

Human Services Committee

Joint Favorable

Yea 19 Nay 0 (03/09/2021)