

OFFICE OF FISCAL ANALYSIS

Legislative Office Building, Room 5200
Hartford, CT 06106 ◊ (860) 240-0200
<http://www.cga.ct.gov/ofa>

SB-940

AN ACT CONCERNING STATE AGENCY COMPLIANCE WITH
PROBATE COURT ORDERS.

As Amended by Senate "A" (LCO 10386)

House Calendar No.: 604

Senate Calendar No.: 347

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 22 \$	FY 23 \$
Various State Agencies	GF - Potential Cost	See Below	See Below

Note: GF=General Fund

Municipal Impact: None

Explanation

The bill requires state agencies to recognize, apply, and enforce any probate court orders, denials or decrees and may result in a cost to the state to represent agency interests in Probate Court proceedings. To the extent that agencies are not currently complying with such orders, this bill may also result in a cost to the agencies to comply.

In addition, to the extent that the Probate Court order potentially violates federal law or jeopardizes federal funding, it is likely the affected agency, represented by the Office of the Attorney General, would appeal the decision. In accordance with federal law (42 USC 1396a(a)(5)), the Department of Social Services has been identified as the single state agency to determine Medicaid eligibility and therefore eligibility determination is outside the scope of the Probate Court and assumed unchanged by the bill.

Primary Analyst: PR
Contributing Analyst(s):
Reviewer: ME

6/8/21

Senate "A" extends the impact of the underlying bill to include agencies who may not be a party to a Probate Court proceeding and results in a potential cost by requiring those agencies to comply with the Probate Court orders.

The Out Years

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

The preceding Fiscal Impact statement is prepared for the benefit of the members of the General Assembly, solely for the purposes of information, summarization and explanation and does 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.