



General Assembly

January Session, 2021

***Raised Bill No. 6482***

LCO No. 3388



Referred to Committee on VETERANS' AFFAIRS

Introduced by:  
(VA)

***AN ACT EXCLUDING FEDERAL VETERANS' BENEFITS FROM  
INCOME ELIGIBILITY FOR 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2 repealed and the following is substituted in lieu thereof (*Effective July 1,*  
3 *2021*):

4 (a) To the extent permissible by federal law, the Commissioner of  
5 Social Services shall disregard any federal [Aid and Attendance  
6 pension] benefits granted to a veteran or the surviving spouse of such  
7 veteran when determining income eligibility for the state's Medicare  
8 savings, medical assistance and energy assistance programs  
9 administered under section 17b-2. As used in this subsection, "veteran"  
10 means any person (1) honorably discharged from, or released under  
11 honorable conditions from active service in, the armed forces, as defined  
12 in section 27-103, or (2) with a qualifying condition, as defined in said  
13 section, who has received a discharge other than bad conduct or  
14 dishonorable from active service in the armed forces.

15 Sec. 2. Subsection (a) of section 17b-104 of the general statutes is

16 repealed and the following is substituted in lieu thereof (*Effective July 1,*  
17 *2021*):

18 (a) The Commissioner of Social Services shall administer the program  
19 of state supplementation to the Supplemental Security Income Program  
20 provided for by the Social Security Act and state law. The commissioner  
21 may delegate any powers and authority to any deputy, assistant,  
22 investigator or supervisor, who shall have, within the scope of the  
23 power and authority so delegated, all of the power and authority of the  
24 Commissioner of Social Services. The commissioner shall establish a  
25 standard of need based on the cost of living in this state for the  
26 temporary family assistance program and the state-administered  
27 general assistance program. The commissioner shall make a  
28 reinvestigation, at least every twelve months, of all cases receiving aid  
29 from the state, except that such reinvestigation may be conducted every  
30 twenty-four months for recipients of assistance to the elderly or disabled  
31 with stable circumstances, and shall maintain all case records of the  
32 several programs administered by the Department of Social Services so  
33 that such records show, at all times, full information with respect to  
34 eligibility of the applicant or recipient. In the determination of need  
35 under any public assistance program, such income or earnings shall be  
36 disregarded as federal law requires, and such income or earnings may  
37 be disregarded as federal law permits. In determining eligibility, the  
38 commissioner shall disregard from income [Aid and Attendance  
39 pension] any federal benefits granted to a veteran, as defined under  
40 section 27-103, or the surviving spouse of such veteran. The  
41 commissioner shall encourage and promulgate such incentive earning  
42 programs as are permitted by federal law and regulations.

43 Sec. 3. Subsection (c) of section 17b-191 of the general statutes is  
44 repealed and the following is substituted in lieu thereof (*Effective July 1,*  
45 *2021*):

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

49 of age and the commissioner determines good cause for such person's  
50 eligibility, and (2) not have assets exceeding two hundred fifty dollars  
51 or, if such person is married, such person and his or her spouse shall not  
52 have assets exceeding five hundred dollars. In determining eligibility,  
53 the commissioner shall not consider as income [Aid and Attendance  
54 pension] any federal benefits granted to a veteran, as defined in section  
55 27-103, or the surviving spouse of such veteran. No person who is a  
56 substance abuser and refuses or fails to enter available, appropriate  
57 treatment shall be eligible for cash assistance under the program until  
58 such person enters treatment. No person whose benefits from the  
59 temporary family assistance program have terminated as a result of  
60 time-limited benefits or for failure to comply with a program  
61 requirement shall be eligible for cash assistance under the program.

62 Sec. 4. Section 17b-256f of the general statutes is repealed and the  
63 following is substituted in lieu thereof (*Effective July 1, 2021*):

64 The Commissioner of Social Services shall increase income disregards  
65 used to determine eligibility by the Department of Social Services for the  
66 federal Qualified Medicare Beneficiary, the Specified Low-Income  
67 Medicare Beneficiary and the Qualifying Individual programs,  
68 administered in accordance with the provisions of 42 USC 1396d(p), by  
69 such amounts that shall result in persons with income that is (1) less  
70 than two hundred eleven per cent of the federal poverty level qualifying  
71 for the Qualified Medicare Beneficiary program, (2) at or above two  
72 hundred eleven per cent of the federal poverty level but less than two  
73 hundred thirty-one per cent of the federal poverty level qualifying for  
74 the Specified Low-Income Medicare Beneficiary program, and (3) at or  
75 above two hundred thirty-one per cent of the federal poverty level but  
76 less than two hundred forty-six per cent of the federal poverty level  
77 qualifying for the Qualifying Individual program. The commissioner  
78 shall not apply an asset test for eligibility under the Medicare Savings  
79 Program. The commissioner shall not consider as income [Aid and  
80 Attendance pension] any federal benefits granted to a veteran, as  
81 defined in section 27-103, or the surviving spouse of such veteran. The  
82 Commissioner of Social Services, pursuant to section 17b-10, may

83 implement policies and procedures to administer the provisions of this  
84 section while in the process of adopting such policies and procedures in  
85 regulation form, provided the commissioner prints notice of the intent  
86 to adopt the regulations on the department's Internet web site and the  
87 eRegulations System not later than twenty days after the date of  
88 implementation. Such policies and procedures shall be valid until the  
89 time final regulations are adopted.

90 Sec. 5. Subsection (a) of section 17b-261 of the general statutes is  
91 repealed and the following is substituted in lieu thereof (*Effective July 1,*  
92 *2021*):

93 (a) Medical assistance shall be provided for any otherwise eligible  
94 person whose income, including any available support from legally  
95 liable relatives and the income of the person's spouse or dependent  
96 child, is not more than one hundred forty-three per cent, pending  
97 approval of a federal waiver applied for pursuant to subsection (e) of  
98 this section, of the benefit amount paid to a person with no income  
99 under the temporary family assistance program in the appropriate  
100 region of residence and if such person is an institutionalized individual  
101 as defined in Section 1917 of the Social Security Act, 42 USC 1396p(h)(3),  
102 and has not made an assignment or transfer or other disposition of  
103 property for less than fair market value for the purpose of establishing  
104 eligibility for benefits or assistance under this section. Any such  
105 disposition shall be treated in accordance with Section 1917(c) of the  
106 Social Security Act, 42 USC 1396p(c). Any disposition of property made  
107 on behalf of an applicant or recipient or the spouse of an applicant or  
108 recipient by a guardian, conservator, person authorized to make such  
109 disposition pursuant to a power of attorney or other person so  
110 authorized by law shall be attributed to such applicant, recipient or  
111 spouse. A disposition of property ordered by a court shall be evaluated  
112 in accordance with the standards applied to any other such disposition  
113 for the purpose of determining eligibility. The commissioner shall  
114 establish the standards for eligibility for medical assistance at one  
115 hundred forty-three per cent of the benefit amount paid to a household  
116 of equal size with no income under the temporary family assistance

117 program in the appropriate region of residence. In determining  
118 eligibility, the commissioner shall not consider as income [Aid and  
119 Attendance pension] any federal benefits granted to a veteran, as  
120 defined in section 27-103, or the surviving spouse of such veteran.  
121 Except as provided in section 17b-277 and section 17b-292, the medical  
122 assistance program shall provide coverage to persons under the age of  
123 nineteen with household income up to one hundred ninety-six per cent  
124 of the federal poverty level without an asset limit and to persons under  
125 the age of nineteen, who qualify for coverage under Section 1931 of the  
126 Social Security Act, with household income not exceeding one hundred  
127 ninety-six per cent of the federal poverty level without an asset limit,  
128 and their parents and needy caretaker relatives, who qualify for  
129 coverage under Section 1931 of the Social Security Act, with household  
130 income not exceeding one hundred fifty-five per cent of the federal  
131 poverty level without an asset limit. Such levels shall be based on the  
132 regional differences in such benefit amount, if applicable, unless such  
133 levels based on regional differences are not in conformance with federal  
134 law. Any income in excess of the applicable amounts shall be applied as  
135 may be required by said federal law, and assistance shall be granted for  
136 the balance of the cost of authorized medical assistance. The  
137 Commissioner of Social Services shall provide applicants for assistance  
138 under this section, at the time of application, with a written statement  
139 advising them of (1) the effect of an assignment or transfer or other  
140 disposition of property on eligibility for benefits or assistance, (2) the  
141 effect that having income that exceeds the limits prescribed in this  
142 subsection will have with respect to program eligibility, and (3) the  
143 availability of, and eligibility for, services provided by the Nurturing  
144 Families Network established pursuant to section 17b-751b. For  
145 coverage dates on or after January 1, 2014, the department shall use the  
146 modified adjusted gross income financial eligibility rules set forth in  
147 Section 1902(e)(14) of the Social Security Act and the implementing  
148 regulations to determine eligibility for HUSKY A, HUSKY B and  
149 HUSKY D applicants, as defined in section 17b-290. Persons who are  
150 determined ineligible for assistance pursuant to this section shall be  
151 provided a written statement notifying such persons of their ineligibility

152 and advising such persons of their potential eligibility for one of the  
 153 other insurance affordability programs as defined in 42 CFR 435.4.

154 Sec. 6. Subsection (l) of section 17b-342 of the general statutes is  
 155 repealed and the following is substituted in lieu thereof (*Effective July 1,*  
 156 *2021*):

157 (l) In determining eligibility for the program described in this section,  
 158 the commissioner shall not consider as income [Aid and Attendance  
 159 pension] any federal benefits granted to a veteran, as defined in section  
 160 27-103, or the surviving spouse of such veteran.

161 Sec. 7. Subsection (a) of section 17b-801 of the general statutes is  
 162 repealed and the following is substituted in lieu thereof (*Effective July 1,*  
 163 *2021*):

164 (a) The Commissioner of Social Services shall administer a state-  
 165 appropriated fuel assistance program to provide, within available  
 166 appropriations, fuel assistance to elderly and disabled persons whose  
 167 household gross income is above the income eligibility guidelines for  
 168 the Connecticut energy assistance program but does not exceed two  
 169 hundred per cent of federal poverty guidelines. The income eligibility  
 170 guidelines for the state-appropriated fuel assistance program shall be  
 171 determined, annually, by the Commissioner of Social Services, in  
 172 conjunction with the Secretary of the Office of Policy and Management.  
 173 In determining eligibility, the commissioner shall not consider as  
 174 income [Aid and Attendance pension] any federal benefits granted to a  
 175 veteran, as defined under section 27-103, or the surviving spouse of such  
 176 veteran. The commissioner may adopt regulations, in accordance with  
 177 the provisions of chapter 54, to implement the provisions of this  
 178 subsection.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2021</i>	17b-28i(a)
Sec. 2	<i>July 1, 2021</i>	17b-104(a)
Sec. 3	<i>July 1, 2021</i>	17b-191(c)

Sec. 4	<i>July 1, 2021</i>	17b-256f
Sec. 5	<i>July 1, 2021</i>	17b-261(a)
Sec. 6	<i>July 1, 2021</i>	17b-342(l)
Sec. 7	<i>July 1, 2021</i>	17b-801(a)

**Statement of Purpose:**

To exclude all federal veterans' benefits from income when determining eligibility for public assistance programs.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*