



General Assembly

January Session, 2021

**Raised Bill No. 813**

LCO No. 1704



Referred to Committee on AGING

Introduced by:  
(AGE)

***AN ACT CONCERNING RETROACTIVE MEDICAID ELIGIBILITY FOR HOME CARE SERVICES.***

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

1 Section 1. Subsection (h) of section 17b-342 of the general statutes is  
2 repealed and the following is substituted in lieu thereof (*Effective July 1,*  
3 *2021*):

4 (h) An individual who is otherwise eligible for services pursuant to  
5 this section shall, as a condition of participation in the program, apply  
6 for medical assistance benefits pursuant to section 17b-260 when  
7 requested to do so by the department and shall accept such benefits if  
8 determined eligible. The Commissioner of Social Services shall provide  
9 medical assistance payments for Medicaid-eligible home care services  
10 retroactive to not more than three months before the date an eligible  
11 individual applied for Medicaid, to the extent permissible under 42 CFR  
12 435.915, as amended from time to time. Any Medicaid applicant who has  
13 transferred assets for less than fair market value for purposes of obtaining  
14 or maintaining Medicaid eligibility in the sixty months before applying  
15 shall not be eligible for retroactive medical assistance payments. If the  
16 applicant has made such a transfer, the commissioner shall impose a

17 penalty period in accordance with 42 USC 1396p(c)(1)(D)(ii), as amended  
18 from time to time.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2021</i>	17b-342(h)

**Statement of Purpose:**  
To grant retroactive Medicaid eligibility to home-care applicants consistent with federal law.

*[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.]*