



General Assembly

January Session, 2021

Raised Bill No. 917

LCO No. 3370



Referred to Committee on VETERANS' AFFAIRS

Introduced by:
(VA)

***AN ACT EXEMPTING VETERANS' FEDERAL PENSION 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2 repealed and the following is substituted in lieu thereof (*Effective July 1,*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16 repealed and the following is substituted in lieu thereof (*Effective July 1,*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] any
39 federal pension benefits granted to a veteran, as defined under section
40 27-103, or the surviving spouse of such veteran. The commissioner shall
41 encourage and promulgate such incentive earning programs as are
42 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 any federal pension 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] any federal pension 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] any federal pension 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 any federal pension 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] any federal pension 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 veterans' federal pension 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.]