



General Assembly

February Session, 2022

**Raised Bill No. 5314**

LCO No. 2356



Referred to Committee on AGING

Introduced by:  
(AGE)

***AN ACT DETERRING FRAUD AND ABUSE PERPETRATED AGAINST SENIOR CITIZENS.***

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

1 Section 1. Subsection (g) of section 17b-451 of the 2022 supplement to  
2 the general statutes is repealed and the following is substituted in lieu  
3 thereof (*Effective from passage*):

4 (g) The Commissioner of Social Services shall develop an educational  
5 training program to promote and encourage the accurate and prompt  
6 identification and reporting of abuse, neglect, exploitation and  
7 abandonment of elderly persons. Such training program shall be made  
8 available on the Internet web site of the Department of Social Services  
9 to mandatory reporters and other interested persons. The commissioner  
10 shall also make such training available in person or otherwise at various  
11 times and locations throughout the state as determined by the  
12 commissioner. Except for a mandated reporter who has received  
13 training from an institution, organization, agency or facility required to  
14 provide such training pursuant to subsection (a) of this section, a  
15 mandated reporter shall complete the educational training program

16 developed by the commissioner, or an alternate program approved by  
17 the commissioner, not later than December 31, 2022, or not later than  
18 ninety days after becoming a mandated reporter.

19 Sec. 2. Section 17a-412 of the 2022 supplement to the general statutes  
20 is amended by adding subsection (i) as follows (*Effective from passage*):

21 (NEW) (i) Any person required to report suspected abuse, neglect,  
22 exploitation or abandonment pursuant to subsection (a) of this section  
23 shall complete the educational training program provided by the  
24 Commissioner of Social Services pursuant to subsection (g) of section  
25 17b-451 of the general statutes, as amended by this act, or an alternate  
26 program approved by the commissioner, not later than December 31,  
27 2022, or not later than ninety days after beginning employment as a  
28 person required to report suspected abuse, neglect, exploitation or  
29 abandonment pursuant to subsection (a) of this section.

30 Sec. 3. (NEW) (*Effective July 1, 2022*) (a) As used in this section, (1)  
31 "Protective Services for the Elderly" program means the program  
32 administered by the Department of Social Services to investigate  
33 suspected abuse, neglect, exploitation or abandonment of elderly  
34 persons and (2) "abuse", "neglect", "exploitation" or "abandonment"  
35 have the same meanings as provided in section 17b-450 of the general  
36 statutes.

37 (b) The Commissioner of Social Services, within available  
38 appropriations, shall hire sufficient staff for the Protective Services for  
39 the Elderly program to ensure that no staff member is investigating  
40 more than twenty-five suspected cases of abuse, neglect, exploitation or  
41 abandonment at any one time.

42 Sec. 4. (NEW) (*Effective July 1, 2022*) Any person who provides an  
43 elderly person with assistance completing a Medicaid application, who  
44 is not related to such elderly person by blood or marriage, shall disclose  
45 any affiliations, business relationship, ownership interests or  
46 employment with any business or entity that may bill Medicaid for  
47 services provided to such elderly person. For purposes of this section,

48 "elderly person" means a person sixty years of age or older.

49 Sec. 5. (NEW) (*Effective July 1, 2022*) Any person who provides a  
50 person with assistance in completing an application for Medicaid  
51 benefits, who is not related to such person by blood or marriage, shall  
52 provide the applicant with the following conspicuous written  
53 disclosure:

54 "Please know that you have legal rights that can protect your assets.

55 You may wish to seek the advice of an elder law attorney PRIOR to  
56 completing this Medicaid application to ensure your finances and rights  
57 are protected.

58 For example, if you are seeking long-term medical care or home care  
59 services and you:

60 (1) Have a spouse;

61 (2) Own real estate;

62 (3) Have a child who is disabled; or

63 (4) If someone has been living with and caring for you in the last two  
64 years:

65 You may have rights that can be protected with the help of an elder  
66 law attorney.

67 If you have suffered Medicaid ineligibility and/or significant  
68 financial loss due to the actions or advice of a non-attorney Medicaid  
69 planner, you may file a complaint with the Connecticut Department of  
70 Consumer Protection by calling (860) 713-6100."

This act shall take effect as follows and shall amend the following sections:		
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Section 1	<i>from passage</i>	17b-451(g)
Sec. 2	<i>from passage</i>	17a-412

Sec. 3	<i>July 1, 2022</i>	New section
Sec. 4	<i>July 1, 2022</i>	New section
Sec. 5	<i>July 1, 2022</i>	New section

**Statement of Purpose:**

To require (1) mandatory training for mandated reporters of suspected abuse, neglect, exploitation and abandonment of elderly persons, (2) that persons investigating potential abuse of elderly persons for the Department of Social Services not be assigned more than twenty-five cases at any one time, and (3) disclosures from persons assisting elderly persons with Medicaid applications of any potential conflict of interest and their legal rights and protections.

*[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.]*