



Offered by:

SEN. WINFIELD, 10th Dist.

SEN. KELLY, 21st Dist.

SEN. KISSEL, 7th Dist.

To: Senate Bill No. **164**

File No. 436

Cal. No. 302

**"AN ACT CONCERNING STATE AGENCY COMPLIANCE WITH
PROBATE COURT ORDERS."**

1 Strike section 1 in its entirety and substitute the following in lieu
2 thereof:

3 "Section 1. (NEW) (*Effective October 1, 2022*) To the extent permitted
4 by federal law, each state agency that is a party to a Probate Court
5 proceeding shall recognize and apply any order, denial or decree of a
6 Probate Court, issued on or after October 1, 2022, provided such Probate
7 Court has statutory jurisdiction to issue such order, denial or decree.
8 Any party aggrieved by such order, denial or decree of such Probate
9 Court may appeal therefrom to the Superior Court in accordance with
10 section 45a-186 of the general statutes, as amended by this act. As used
11 in this section, "state agency" means an agency, as defined in section 4-
12 166 of the general statutes."

13 After the last section, add the following and renumber sections and
14 internal references accordingly:

15 "Sec. 501. (NEW) (*Effective from passage*) The Department of Social
 16 Services shall compile annual data concerning the denial of Medicaid
 17 eligibility in any matter in which a Probate Court in this state issued an
 18 order or decree concerning assets or income that, according to the
 19 department, affected an individual's Medicaid eligibility. Not later than
 20 January 1, 2023, and annually thereafter, the Department, in accordance
 21 with the provisions of section 11-4a of the general statutes, shall report
 22 to the joint standing committees of the General Assembly having
 23 cognizance of matters relating to the judiciary and human services on:
 24 (1) The total number of cases in which the department is a party to a
 25 Probate Court proceeding that includes issues relating to assets or
 26 income that, according to the department, affected an individual's
 27 Medicaid eligibility; (2) each occurrence of the department issuing a
 28 denial of Medicaid eligibility in which a Probate Court order or decree
 29 had been issued relating to assets or income that, according to the
 30 department, affected an individual applying for Medicaid eligibility; (3)
 31 any Probate Court proceeding in which the department did not comply
 32 with a Probate Court order or decree relating to assets or income that,
 33 according to the department, affected an individual applying for
 34 Medicaid eligibility, a written explanation for such noncompliance and
 35 whether the department appealed the Probate Court order or decree;
 36 and (4) for all occurrences described in subdivision (2) of this section,
 37 whether the denial of Medicaid eligibility by the department was
 38 appealed and the outcome or status of any such appeal."

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2022</i>	New section
Sec. 501	<i>from passage</i>	New section