



General Assembly

January Session, 2023

Raised Bill No. 6626

LCO No. 4041



Referred to Committee on HUMAN SERVICES

Introduced by:
(HS)

AN ACT CONCERNING LONG-TERM CARE.

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

1 Section 1. Section 17b-428 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective July 1, 2023*):

3 (a) As used in this section:

4 (1) "Commissioner" means the Commissioner of Social Services;

5 (2) "PACE program" has the same meaning as provided in 42 USC
6 1395eee, as amended from time to time, and includes a program of all-
7 inclusive care for the elderly;

8 [(2)] (3) "Eligible individual" means "PACE program eligible
9 individual", as defined in [Subtitle I of Public Law 105-33] 42 USC
10 1395eee, as amended from time to time, or in a [waiver application]
11 Medicaid state plan amendment approved by the United States
12 Department of Health and Human Services;

13 [(3)] "PACE program" means "PACE program", as defined in Subtitle

14 I of Public Law 105-33, as amended from time to time, and includes a
15 program of all-inclusive care for the elderly;]

16 (4) "PACE program agreement" means "PACE program agreement",
17 as defined in [Subtitle I of Public Law 105-33] 42 USC 1395eee, as
18 amended from time to time;

19 (5) "PACE provider" means "PACE provider", as defined in [Subtitle
20 I of Public Law 105-33] 42 USC 1395eee, as amended from time to time;
21 and

22 [(6) "Secretary" means the Secretary of the United States Department
23 of Health and Human Services;]

24 [(7)] ~~(6)~~ "State administering agency" means "state administering
25 agency", as defined in [Subtitle I of Public Law 105-33] 42 USC 1395eee,
26 as amended from time to time.

27 (b) [Not later than July 1, 1998, the] The commissioner [shall establish
28 a pilot program in which PACE providers deliver] may submit a
29 Medicaid state plan amendment to add PACE program services, within
30 available appropriations, to [eligible individuals in this state pursuant
31 to a PACE program agreement. Under said program, the commissioner,
32 in consultation with the Insurance Commissioner, may initially enter
33 into contracts with integrated service networks which have successfully
34 completed a feasibility study, in conjunction with a PACE technical
35 assistance center, for the provision of PACE program services] the
36 Medicaid state plan.

37 (c) The Department of Social Services shall be the state administering
38 agency for the state of Connecticut responsible for administering PACE
39 program [agreements in this state. The department, upon request, shall
40 assist the secretary in establishing procedures for entering into,
41 extending and terminating PACE program agreements for the operation
42 of PACE programs by PACE providers in this state] agreement services.
43 Upon approval of the Medicaid state plan amendment, the department
44 shall establish participation criteria for eligible individuals and PACE

45 providers and make payments for PACE program services from funds
46 appropriated to the Medicaid account.

47 [(d) The commissioner shall provide medical assistance under this
48 section for PACE program services to eligible individuals who are
49 eligible for medical assistance in this state and enrolled in a PACE
50 program under a PACE program agreement. The commissioner shall
51 seek any waiver from federal law necessary to permit federal
52 participation for Medicaid expenditures for PACE programs in this
53 state.]

54 [(e)] (d) The commissioner may adopt regulations in accordance with
55 chapter 54 to implement the provisions of this section. The
56 commissioner, pursuant to section 17b-10, may implement policies and
57 procedures to implement the provisions of this section while in the
58 process of adopting such policies and procedures in regulation form,
59 provided the commissioner posts notice of the intent to adopt the
60 regulation on the eRegulations System not later than twenty days after
61 the date of implementation. Such policies and procedures shall be valid
62 until the time final regulations are adopted.

63 Sec. 2. Section 17b-372a of the general statutes is repealed and the
64 following is substituted in lieu thereof (*Effective from passage*):

65 (a) Notwithstanding any provision of the general statutes, the
66 Commissioners of Social Services, Correction and Mental Health and
67 Addiction Services may establish or contract for the establishment of a
68 chronic or convalescent nursing home on state-owned or private
69 property to care for individuals who (1) require the level of care
70 provided in a nursing home, and (2) are transitioning from a
71 correctional facility in the state, or (3) receive services from the
72 Department of Mental Health and Addiction Services. A nursing home
73 developed under this section is not required to comply with the
74 provisions of sections 17b-352 to 17b-354, inclusive.

75 (b) The Commissioner of Correction, pursuant to section 18-100i, as
76 amended by this act, shall conduct a criminal offender background

77 check, including, but not limited to, sexual offenses committed inside
78 and outside the state, of any individual under the commissioner's
79 supervision before such individual is released by the commissioner for
80 placement in such nursing home. The commissioner, in consultation
81 with such nursing home, shall ensure that any such individual, whose
82 offenses inside or outside the state require registration pursuant to
83 chapter 969, shall complete registration requirements pursuant to said
84 chapter.

85 Sec. 3. Subsection (c) of section 18-100i of the general statutes is
86 repealed and the following is substituted in lieu thereof (*Effective from*
87 *passage*):

88 (c) Any inmate released from the custody of the Commissioner of
89 Correction pursuant to subsection (a) of this section shall be supervised
90 in the community by the Department of Correction. The commissioner
91 shall conduct a criminal offender background check, including, but not
92 limited to, sexual offenses committed inside and outside the state, of any
93 such inmate before such inmate is released for placement in such
94 licensed community-based nursing home. The commissioner, in
95 consultation with such nursing home, shall ensure that any such inmate,
96 whose offenses inside or outside the state require registration pursuant
97 to chapter 969, shall complete registration requirements pursuant to
98 said chapter.

99 Sec. 4. Section 17b-28c of the general statutes is repealed. (*Effective July*
100 *1, 2023*)

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2023</i>	17b-428
Sec. 2	<i>from passage</i>	17b-372a
Sec. 3	<i>from passage</i>	18-100i(c)
Sec. 4	<i>July 1, 2023</i>	Repealer section

Statement of Purpose:

To establish a program of all-inclusive care for the elderly and require the Commissioner of Correction to conduct sex offender background checks and registration, if required, of any former inmate transferred to a nursing home facility.

[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.]