



General Assembly

**Amendment**

January Session, 2023

LCO No. 6492



Offered by:  
REP. NOLAN, 39<sup>th</sup> Dist.

To: House Bill No. 6004

File No. 225

Cal. No. 162

**"AN ACT ELIMINATING SERVICE IN TIME OF WAR AS AN  
ELIGIBILITY CRITERION FOR CERTAIN VETERANS' BENEFITS."**

1 After the last section, add the following and renumber sections and  
2 internal references accordingly:

3 "Sec. 501. Subsection (a) of section 17b-28i of the general statutes is  
4 repealed and the following is substituted in lieu thereof (*Effective July 1,*  
5 *2023, and applicable to applications filed on or after July 1, 2023*):

6 (a) To the extent permissible by federal law, the Commissioner of  
7 Social Services shall disregard all federal [Aid and Attendance pension]  
8 benefits administered by the United States Department of Veterans  
9 Affairs that are granted to a veteran or the surviving spouse of such  
10 veteran when determining income eligibility for the state's Medicare  
11 savings, medical assistance and energy assistance programs  
12 administered under section 17b-2. As used in this subsection, "veteran"  
13 has the same meaning as provided in section 27-103.

14 Sec. 502. Subsection (a) of section 17b-104 of the general statutes is

15 repealed and the following is substituted in lieu thereof (*Effective July 1,*  
16 *2023, and applicable to applications filed on or after July 1, 2023*):

17 (a) The Commissioner of Social Services shall administer the program  
18 of state supplementation to the Supplemental Security Income Program  
19 provided for by the Social Security Act and state law. The commissioner  
20 may delegate any powers and authority to any deputy, assistant,  
21 investigator or supervisor, who shall have, within the scope of the  
22 power and authority so delegated, all of the power and authority of the  
23 Commissioner of Social Services. The standard of need for the  
24 temporary family assistance program shall be fifty-five per cent of the  
25 federal poverty level. The commissioner shall make a reinvestigation, at  
26 least every twelve months, of all cases receiving aid from the state,  
27 except that such reinvestigation may be conducted every twenty-four  
28 months for recipients of assistance to the elderly or disabled with stable  
29 circumstances, and shall maintain all case records of the several  
30 programs administered by the Department of Social Services so that  
31 such records show, at all times, full information with respect to  
32 eligibility of the applicant or recipient. In the determination of need  
33 under any public assistance program, such income or earnings shall be  
34 disregarded as federal law requires, and such income or earnings may  
35 be disregarded as federal law permits. In determining eligibility, the  
36 commissioner shall disregard from income (1) [Aid and Attendance  
37 pension] all federal benefits administered by the United States  
38 Department of Veterans Affairs that are granted to a veteran, as defined  
39 [under] in section 27-103, or the surviving spouse of such veteran, and  
40 (2) any tax refund or advance payment with respect to a refundable  
41 credit to the same extent such refund or advance payment would be  
42 disregarded under 26 USC 6409 in any federal program or state or local  
43 program financed in whole or in part with federal funds. The  
44 commissioner shall encourage and promulgate such incentive earning  
45 programs as are permitted by federal law and regulations.

46 Sec. 503. Subsection (c) of section 17b-191 of the general statutes is  
47 repealed and the following is substituted in lieu thereof (*Effective July 1,*  
48 *2023, and applicable to applications filed on or after July 1, 2023*):

49 (c) To be eligible for cash assistance under the program, a person shall  
50 (1) be (A) eighteen years of age or older; (B) a minor found by a court to  
51 be emancipated pursuant to section 46b-150; or (C) under eighteen years  
52 of age and the commissioner determines good cause for such person's  
53 eligibility, and (2) not have assets exceeding two hundred fifty dollars  
54 or, if such person is married, such person and his or her spouse shall not  
55 have assets exceeding five hundred dollars. In determining eligibility,  
56 the commissioner shall [not consider as] disregard from income (A) [Aid  
57 and Attendance pension] all federal benefits administered by the United  
58 States Department of Veterans Affairs that are granted to a veteran, as  
59 defined in section 27-103, or the surviving spouse of such veteran; and  
60 (B) any tax refund or advance payment with respect to a refundable  
61 credit to the same extent such refund or advance payment would be  
62 disregarded under 26 USC 6409 in any federal program or state or local  
63 program financed in whole or in part with federal funds. No person who  
64 is a substance abuser and refuses or fails to enter available, appropriate  
65 treatment shall be eligible for cash assistance under the program until  
66 such person enters treatment. No person whose benefits from the  
67 temporary family assistance program have terminated as a result of  
68 time-limited benefits or for failure to comply with a program  
69 requirement shall be eligible for cash assistance under the program.

70 Sec. 504. Section 17b-256f of the general statutes is repealed and the  
71 following is substituted in lieu thereof (*Effective July 1, 2023, and*  
72 *applicable to applications filed on or after July 1, 2023*):

73 The Commissioner of Social Services shall increase income disregards  
74 used to determine eligibility by the Department of Social Services for the  
75 federal Qualified Medicare Beneficiary, the Specified Low-Income  
76 Medicare Beneficiary and the Qualifying Individual programs,  
77 administered in accordance with the provisions of 42 USC 1396d(p), by  
78 such amounts that shall result in persons with income that is (1) less  
79 than two hundred eleven per cent of the federal poverty level qualifying  
80 for the Qualified Medicare Beneficiary program, (2) at or above two  
81 hundred eleven per cent of the federal poverty level but less than two  
82 hundred thirty-one per cent of the federal poverty level qualifying for

83 the Specified Low-Income Medicare Beneficiary program, and (3) at or  
84 above two hundred thirty-one per cent of the federal poverty level but  
85 less than two hundred forty-six per cent of the federal poverty level  
86 qualifying for the Qualifying Individual program. The commissioner  
87 shall not apply an asset test for eligibility under the Medicare Savings  
88 Program. The commissioner shall [not consider as] disregard from  
89 income [Aid and Attendance pension] all federal benefits administered  
90 by the United States Department of Veterans Affairs that are granted to  
91 a veteran, as defined in section 27-103, or the surviving spouse of such  
92 veteran. The Commissioner of Social Services, pursuant to section 17b-  
93 10, may implement policies and procedures to administer the provisions  
94 of this section while in the process of adopting such policies and  
95 procedures in regulation form, provided the commissioner prints notice  
96 of the intent to adopt the regulations on the department's Internet web  
97 site and the eRegulations System not later than twenty days after the  
98 date of implementation. Such policies and procedures shall be valid  
99 until the time final regulations are adopted.

100 Sec. 505. Subsection (a) of section 17b-261 of the general statutes is  
101 repealed and the following is substituted in lieu thereof (*Effective July 1,*  
102 *2023, and applicable to applications filed on or after July 1, 2023*):

103 (a) Medical assistance shall be provided for any otherwise eligible  
104 person (1) whose income, including any available support from legally  
105 liable relatives and the income of the person's spouse or dependent  
106 child, is not more than one hundred forty-three per cent, pending  
107 approval of a federal waiver applied for pursuant to subsection (e) of  
108 this section, of the benefit amount paid to a person with no income  
109 under the temporary family assistance program, and (2) if such person  
110 is an institutionalized individual as defined in Section 1917 of the Social  
111 Security Act, 42 USC 1396p(h)(3), and has not made an assignment or  
112 transfer or other disposition of property for less than fair market value  
113 for the purpose of establishing eligibility for benefits or assistance under  
114 this section. Any such disposition shall be treated in accordance with  
115 Section 1917(c) of the Social Security Act, 42 USC 1396p(c). Any  
116 disposition of property made on behalf of an applicant or recipient or

117 the spouse of an applicant or recipient by a guardian, conservator,  
118 person authorized to make such disposition pursuant to a power of  
119 attorney or other person so authorized by law shall be attributed to such  
120 applicant, recipient or spouse. A disposition of property ordered by a  
121 court shall be evaluated in accordance with the standards applied to any  
122 other such disposition for the purpose of determining eligibility. The  
123 commissioner shall establish the standards for eligibility for medical  
124 assistance at one hundred forty-three per cent of the benefit amount  
125 paid to a household of equal size with no income under the temporary  
126 family assistance program. In determining eligibility, the commissioner  
127 shall [not consider as] disregard from income [Aid and Attendance  
128 pension] all federal benefits administered by the United States  
129 Department of Veterans Affairs that are granted to a veteran, as defined  
130 in section 27-103, or the surviving spouse of such veteran. Except as  
131 provided in section 17b-277 and section 17b-292, the medical assistance  
132 program shall provide coverage to persons under the age of nineteen  
133 with household income up to one hundred ninety-six per cent of the  
134 federal poverty level without an asset limit and to persons under the age  
135 of nineteen, who qualify for coverage under Section 1931 of the Social  
136 Security Act, with household income not exceeding one hundred  
137 ninety-six per cent of the federal poverty level without an asset limit,  
138 and their parents and needy caretaker relatives, who qualify for  
139 coverage under Section 1931 of the Social Security Act, with household  
140 income not exceeding one hundred fifty-five per cent of the federal  
141 poverty level without an asset limit. Such levels shall be based on the  
142 regional differences in such benefit amount, if applicable, unless such  
143 levels based on regional differences are not in conformance with federal  
144 law. Any income in excess of the applicable amounts shall be applied as  
145 may be required by said federal law, and assistance shall be granted for  
146 the balance of the cost of authorized medical assistance. The  
147 Commissioner of Social Services shall provide applicants for assistance  
148 under this section, at the time of application, with a written statement  
149 advising them of (A) the effect of an assignment or transfer or other  
150 disposition of property on eligibility for benefits or assistance, (B) the  
151 effect that having income that exceeds the limits prescribed in this

152 subsection will have with respect to program eligibility, and (C) the  
153 availability of, and eligibility for, services provided by the Connecticut  
154 Home Visiting System, established pursuant to section 17b-751b. For  
155 coverage dates on or after January 1, 2014, the department shall use the  
156 modified adjusted gross income financial eligibility rules set forth in  
157 Section 1902(e)(14) of the Social Security Act and the implementing  
158 regulations to determine eligibility for HUSKY A, HUSKY B and  
159 HUSKY D applicants, as defined in section 17b-290. Persons who are  
160 determined ineligible for assistance pursuant to this section shall be  
161 provided a written statement notifying such persons of their ineligibility  
162 and advising such persons of their potential eligibility for one of the  
163 other insurance affordability programs as defined in 42 CFR 435.4.

164 Sec. 506. Subsection (l) of section 17b-342 of the general statutes is  
165 repealed and the following is substituted in lieu thereof (*Effective July 1,*  
166 *2023, and applicable to applications filed on or after July 1, 2023*):

167 (l) In determining eligibility for the program described in this section,  
168 the commissioner shall [not consider as] disregard from income (1) [Aid  
169 and Attendance pension] all federal benefits administered by the United  
170 States Department of Veterans Affairs that are granted to a veteran, as  
171 defined in section 27-103, or the surviving spouse of such veteran, and  
172 (2) any tax refund or advance payment with respect to a refundable  
173 credit to the same extent such refund or advance payment would be  
174 disregarded under 26 USC 6409 in any federal program or state or local  
175 program financed in whole or in part with federal funds.

176 Sec. 507. Subsection (a) of section 17b-801 of the general statutes is  
177 repealed and the following is substituted in lieu thereof (*Effective July 1,*  
178 *2023, and applicable to applications filed on or after July 1, 2023*):

179 (a) The Commissioner of Social Services shall administer a state-  
180 appropriated fuel assistance program to provide, within available  
181 appropriations, fuel assistance to elderly and disabled persons whose  
182 household gross income is above the income eligibility guidelines for  
183 the Connecticut energy assistance program but does not exceed two

184 hundred per cent of federal poverty guidelines. The income eligibility  
 185 guidelines for the state-appropriated fuel assistance program shall be  
 186 determined, annually, by the Commissioner of Social Services, in  
 187 conjunction with the Secretary of the Office of Policy and Management.  
 188 In determining eligibility, the commissioner shall [not consider as]  
 189 disregard from income [Aid and Attendance pension] all federal  
 190 benefits administered by the United States Department of Veterans  
 191 Affairs that are granted to a veteran, as defined [under] in section 27-  
 192 103, or the surviving spouse of such veteran. The commissioner may  
 193 adopt regulations, in accordance with the provisions of chapter 54, to  
 194 implement the provisions of this subsection."

This act shall take effect as follows and shall amend the following sections:		
Sec. 501	<i>July 1, 2023, and applicable to applications filed on or after July 1, 2023</i>	17b-28i(a)
Sec. 502	<i>July 1, 2023, and applicable to applications filed on or after July 1, 2023</i>	17b-104(a)
Sec. 503	<i>July 1, 2023, and applicable to applications filed on or after July 1, 2023</i>	17b-191(c)
Sec. 504	<i>July 1, 2023, and applicable to applications filed on or after July 1, 2023</i>	17b-256f
Sec. 505	<i>July 1, 2023, and applicable to applications filed on or after July 1, 2023</i>	17b-261(a)
Sec. 506	<i>July 1, 2023, and applicable to applications filed on or after July 1, 2023</i>	17b-342(l)

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Sec. 507	<i>July 1, 2023, and applicable to applications filed on or after July 1, 2023</i>	17b-801(a)
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