



House of Representatives

General Assembly

File No. 280

February Session, 2024

House Bill No. 5365

House of Representatives, April 4, 2024

The Committee on Human Services reported through REP. GILCHREST of the 18th Dist., Chairperson of the Committee on the part of the House, that the bill ought to pass.

AN ACT CONCERNING TECHNICAL REVISIONS TO STATUTES CONCERNING HUMAN SERVICES.

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

1 Section 1. Subsection (c) of section 4-124xx of the 2024 supplement to
2 the general statutes is repealed and the following is substituted in lieu
3 thereof (*Effective from passage*):

4 (c) The Chief Workforce Officer, in consultation with the Labor
5 Commissioner, shall develop a plan for the Human Services Career
6 Pipeline program that includes, but [is] shall not be limited to: (1) A
7 strategy to increase the number of state residents pursuing careers in
8 human services, (2) recommended salary and working conditions
9 necessary to retain an adequate number of human services providers to
10 serve state residents, and (3) estimated funding needed to support the
11 Human Services Career Pipeline program.

12 Sec. 2. Subsection (b) of section 17a-215g of the 2024 supplement to
13 the general statutes is repealed and the following is substituted in lieu
14 thereof (*Effective from passage*):

15 (b) Not later than January 1, 2024, and annually thereafter, the state-
16 wide coordinator of programs and services provided by state agencies
17 for individuals with autism spectrum disorder, appointed pursuant to
18 section 4-67bb, shall file a report, in accordance with the provisions of
19 section 11-4a and in consultation with the Commissioner of Social
20 Services, on (1) the number of persons waiting for services in the
21 program, (2) the number of underserved persons in the program
22 waiting for additional services, (3) the number of persons added to and
23 subtracted from the waiting list in the previous calendar year, (4)
24 whether such waiting list has increased or decreased over the previous
25 calendar year and, if so, by how [may] many persons, and (5)
26 recommendations to further reduce the waiting list and associated costs
27 with the joint standing committees of the General Assembly having
28 cognizance of matters relating to appropriations and the budgets of state
29 agencies and human services.

30 Sec. 3. Section 17a-238b of the 2024 supplement to the general statutes
31 is repealed and the following is substituted in lieu thereof (*Effective from*
32 *passage*):

33 The Commissioner of Developmental Services, in consultation with
34 the Commissioner of Social Services and the Secretary of the Office of
35 Policy and Management, shall reduce waiting lists for services in
36 Medicaid waiver programs established under Section 1915(c) of the
37 Social Security Act and administered by the Department of
38 Developmental Services. Not later than January 1, 2024, and annually
39 thereafter, the staff person employed pursuant to section 4-67bb to help
40 agencies coordinate programs and services for individuals who have an
41 intellectual or developmental disability other than autism spectrum
42 disorder shall file a report, in accordance with the provisions of section
43 11-4a and in consultation with the Commissioner of Developmental
44 Services, on (1) the number of persons waiting for services in the waiver
45 programs and the number of underserved persons waiting for
46 additional services in the waiver programs, (2) the number of persons
47 added to and subtracted from such waiting lists for the previous
48 calendar year, and (3) whether such waiting lists have increased or

49 decreased over the previous calendar year and, if so, by how [may]
50 many persons with the joint standing committees of the General
51 Assembly having cognizance of matters relating to appropriations and
52 the budgets of state agencies, human services and public health.

53 Sec. 4. Subdivision (3) of subsection (a) of section 17b-278l of the 2024
54 supplement to the general statutes is repealed and the following is
55 substituted in lieu thereof (*Effective from passage*):

56 (3) "Medical services" means (A) prescription drugs approved by the
57 federal Food and Drug Administration for the treatment of obesity on
58 an outpatient basis, and (B) nutritional counseling provided by a
59 registered dietitian-nutritionist certified pursuant to section 20-206n;

60 Sec. 5. Subsection (a) of section 17b-451 of the 2024 supplement to the
61 general statutes is repealed and the following is substituted in lieu
62 thereof (*Effective from passage*):

63 (a) A mandatory reporter who has reasonable cause to suspect or
64 believe that any elderly person has been abused, neglected, exploited or
65 abandoned, or is in a condition that is the result of such abuse, neglect,
66 exploitation or abandonment, or is in need of protective services, shall,
67 not later than twenty-four hours after such suspicion or belief arose,
68 report such information or cause a report to be made in any reasonable
69 manner to the Commissioner of Social Services or to the person or
70 persons designated by the commissioner to receive such reports. Any
71 mandatory reporter who fails for the first time to make such report
72 within the prescribed time shall retake the mandatory training on
73 detecting potential abuse, neglect, exploitation and abandonment of
74 elderly persons and provide the commissioner with proof of successful
75 completion of such training. Any mandatory reporter who subsequently
76 fails to make such report within the prescribed time period shall be fined
77 not more than five hundred dollars and shall retake the mandatory
78 training on detecting potential abuse, neglect, exploitation and
79 abandonment of elderly persons and provide the commissioner with
80 proof of successful completion of such training. If such person
81 intentionally fails to make such report within the prescribed time

82 period, such person shall be guilty of a class C misdemeanor for the first
83 offense and a class A misdemeanor for any subsequent offense. Any
84 institution, organization, agency or facility employing individuals to
85 care for persons sixty years of age or older shall provide mandatory
86 training on detecting potential abuse, neglect, exploitation and
87 abandonment of such persons and inform such employees of their
88 obligations under this section. For purposes of this subsection,
89 "mandatory reporter" means any (1) physician or surgeon licensed
90 under the provisions of chapter 370, (2) resident physician or intern in
91 any hospital in this state, whether or not so licensed, (3) registered nurse,
92 (4) nursing home administrator, nurse's aide or orderly in a nursing
93 home facility or residential care home, (5) person paid for caring for a
94 resident in a nursing home facility or residential care home, (6) staff
95 person employed by a nursing home facility or residential care home,
96 (7) residents' advocate, other than a representative of the Office of the
97 Long-Term Care Ombudsman, as established under section 17a-870,
98 including the State Ombudsman, (8) licensed practical nurse, medical
99 examiner, dentist, optometrist, chiropractor, podiatrist, social worker,
100 member of the clergy, police officer, pharmacist, psychologist or
101 physical therapist, (9) person paid for caring for an elderly person by
102 any institution, organization, agency or facility, including, but not
103 limited to, any employee of a community-based services provider,
104 senior center, home care agency, homemaker and companion agency,
105 adult day care center, village-model community and congregate
106 housing facility, (10) person licensed or certified as an emergency
107 medical services provider pursuant to chapter 368d or 384d, including
108 any such emergency medical services provider who is a member of a
109 municipal fire department, (11) driver of a paratransit vehicle, as
110 defined in section 13b-38k, (12) licensed professional counselor, (13)
111 adult probation officer, (14) adult parole officer, (15) physician assistant,
112 (16) dental hygienist, and (17) resident services coordinator, clinical care
113 coordinator and manager employed by a housing authority or
114 municipal developer operating an elderly housing project.

115 Sec. 6. Section 46b-116w of the 2024 supplement to the general
116 statutes is repealed and the following is substituted in lieu thereof

117 (Effective from passage):

118 Notwithstanding section 3-6c, the [state] Department of Children and
119 Families is authorized to enter into an agreement with a federally
120 recognized Indian tribe or an Indian tribe recognized by the state of
121 Connecticut located within the geographic boundaries of the state
122 respecting the care and custody of Indian children and jurisdiction over
123 child custody proceedings, including agreements which may provide
124 for orderly transfer of jurisdiction, providing services to Indian families,
125 and agreements providing for concurrent jurisdiction between the state
126 and such tribe. Such agreements shall contain a provision allowing
127 either party to revoke such agreement upon written notice of one
128 hundred eighty days to the other party, and such agreement shall
129 address the impact of such revocation on a proceeding over which a
130 court had assumed jurisdiction at the time of revocation.

131 Sec. 7. Section 46b-116x of the 2024 supplement to the general statutes
132 is repealed and the following is substituted in lieu thereof (*Effective from*
133 *passage*):

134 Where any petitioner in an Indian child custody proceeding before a
135 state court has improperly removed the child from custody of the parent
136 or Indian custodian or has improperly retained custody after a visit or
137 other temporary relinquishment of custody, the court shall decline
138 jurisdiction over such petition and shall forthwith return the child to
139 [his] the parent or Indian custodian unless returning the child to [his]
140 the parent or custodian would subject the child to a substantial and
141 immediate danger or threat of such danger.

142 Sec. 8. Subsection (a) of section 17b-80 of the general statutes is
143 repealed and the following is substituted in lieu thereof (*Effective from*
144 *passage*):

145 (a) The commissioner, upon receipt of an application for aid, shall
146 promptly and with due diligence make an investigation, such
147 investigation to be completed within forty-five days after receipt of the
148 application or within sixty days after receipt of the application in the

149 case of an application in which a determination of disability must be
150 made. If an application for an award is not acted on within forty-five
151 days after the filing of an application, or within sixty days in the case of
152 an application in which a determination of disability must be made, the
153 applicant may apply to the commissioner for a hearing in accordance
154 with sections 17b-60 and 17b-61. The commissioner shall grant aid only
155 if he finds the applicant eligible therefor, in which case he shall grant aid
156 in such amount, determined in accordance with levels of payments
157 established by the commissioner, as is needed in order to enable the
158 applicant to support himself, or, in the case of temporary family
159 assistance, to enable the relative to support such dependent child or
160 children and himself, in health and decency, including the costs of such
161 medical care as he deems necessary and reasonable, not in excess of the
162 amounts set forth in the various fee schedules promulgated by the
163 Commissioner of Social Services for medical, dental and allied services
164 and supplies or the charges made for comparable services and supplies
165 to the general public, whichever is less, and the cost of necessary
166 hospitalization as is provided in section 17b-239, over and above
167 hospital insurance or other such benefits, including workers'
168 compensation and claims for negligent or wilful injury. The
169 commissioner, subject to the provisions of subsection (b) of this section,
170 shall in determining need, take into consideration any available income
171 and resources of the individual claiming assistance. The commissioner
172 shall make periodic investigations to determine eligibility and may, at
173 any time, modify, suspend or discontinue an award previously made
174 when such action is necessary to carry out the provisions of the state
175 supplement program, medical assistance program, temporary family
176 assistance program, state-administered general assistance program or
177 supplemental nutrition assistance program. The parent or parents of
178 any child for whom aid is received under the temporary family
179 assistance program and any beneficiary receiving assistance under the
180 state supplement program shall be conclusively presumed to have
181 accepted the provisions of sections 17b-93 [,] and 17b-95.

182 Sec. 9. Subsection (b) of section 17b-93 of the general statutes is
183 repealed and the following is substituted in lieu thereof (*Effective from*

184 *passage*):

185 (b) Nothing in this section shall be interpreted to preclude the state,
186 in an IV-D support case, from retaining child support collected from a
187 parent subject to a support order of the Superior Court or family support
188 magistrate based on an assignment of support rights provided in
189 accordance with section 17b-77, unless retaining such support would
190 conflict with federal law. The state of Connecticut shall have a lien
191 against property of any kind or interest in any property, estate or claim
192 of any kind of the parent of an aid to dependent children or temporary
193 family assistance beneficiary, in addition and not in substitution of any
194 other state claim, for amounts owing under any order for support of any
195 court or any family support magistrate, including any arrearage under
196 such order, [provided household] except the following shall be exempt
197 from such lien: (1) Household goods and other personal property
198 identified in section 52-352b, (2) real property pursuant to section 17b-
199 79 [, as long as such property] that is used as a home for the beneficiary,
200 and (3) money received for the replacement of real or personal property.
201 [, shall be exempt from such lien.]

202 Sec. 10. Section 17b-129 of the general statutes is repealed and the
203 following is substituted in lieu thereof (*Effective from passage*):

204 (a) If any beneficiary of aid under sections 17b-122, 17b-124 to 17b-
205 132, inclusive, 17b-136 to 17b-138, inclusive, 17b-194 to 17b-197,
206 inclusive, 17b-222 to 17b-250, inclusive, 17b-263, 17b-340 to 17b-350,
207 inclusive, 17b-689b and 17b-743 to 17b-747, inclusive, has a cause of
208 action, a town that provided aid to such beneficiary shall have a claim
209 against the proceeds of such cause of action for the amount of such aid
210 or fifty per cent of the proceeds received by such beneficiary after
211 payment of all expenses connected with the cause of action, whichever
212 is less, which shall have priority over all other unsecured claims and
213 unrecorded encumbrances. Such claim shall be a lien, subordinate to
214 any interest the state may possess, [under section 17b-94,] against the
215 proceeds from such cause of action, for the amount established in
216 accordance with this section, and such lien shall have priority over all

217 other claims except attorney's fees for such causes of action, expenses of
218 suit, costs of hospitalization connected with the cause of action by
219 whomever paid, over and above hospital insurance or other such
220 benefits, and, for such period of hospitalization as was not paid for by
221 the town, physician's fees for services during any such period as are
222 connected with the cause of action over and above medical insurance or
223 other such benefits. [Where the state also has a claim against the
224 proceeds of such cause of action under section 17b-94, the total amount
225 of the claims by the state under said section and the] The total amount
226 of the claims by the town under this subsection shall not exceed fifty per
227 cent of the proceeds received by the recipient after the allowable
228 expenses and the town's claim shall be reduced accordingly. The
229 proceeds of such causes of action shall be assignable to the town for
230 payment of such lien irrespective of any other provision of law except
231 section [17b-94] 17b-93. Upon presentation to the attorney for the
232 beneficiary of an assignment of such proceeds executed by the
233 beneficiary or his conservator or guardian, such assignment shall
234 constitute an irrevocable direction to the attorney to pay the town in
235 accordance with its terms.

236 (b) In the case of an inheritance of an estate by a beneficiary of aid
237 under sections 17b-122, 17b-124 to 17b-132, inclusive, 17b-136 to 17b-
238 138, inclusive, 17b-194 to 17b-197, inclusive, 17b-222 to 17b-250,
239 inclusive, 17b-263, 17b-340 to 17b-350, inclusive, 17b-689b and 17b-743
240 to 17b-747, inclusive, fifty per cent of the assets of the estate payable to
241 the beneficiary or the amount of such assets equal to the amount of
242 assistance paid, whichever is less, shall be assignable to the town.
243 [Where the state also has an assignment of such assets under section
244 17b-94, the total amount of the claims of the state under said section and]
245 The total amount of the claims of the town under this subsection shall
246 not exceed fifty per cent of the assets of the estate payable to the
247 beneficiary and the town's assigned share shall be reduced accordingly.
248 The Court of Probate shall accept any such assignment executed by the
249 beneficiary and filed by the town with the court prior to the distribution
250 of such inheritance, and to the extent of such inheritance not already
251 distributed, the court shall order distribution in accordance therewith.

252 If the town receives any assets of an estate pursuant to any such
253 assignment, the town shall be subject to the same duties and liabilities
254 concerning such assigned assets as the beneficiary.

255 (c) No claim shall be made, or lien applied, against any payment
256 made pursuant to chapter 135, any payment made pursuant to section
257 47-88d or 47-287, any moneys received as a settlement or award in a
258 housing or employment or public accommodation discrimination case,
259 any court-ordered retroactive rent abatement, including any made
260 pursuant to subsection (e) of section 47a-14h, or section 47a-4a, 47a-5 or
261 47a-57, or any security deposit refund pursuant to subsection (d) of
262 section 47a-21 paid to a beneficiary of assistance under sections 17b-122,
263 17b-124 to 17b-132, inclusive, 17b-136 to 17b-138, inclusive, 17b-194 to
264 17b-197, inclusive, 17b-222 to 17b-250, inclusive, 17b-263, 17b-340 to 17b-
265 350, inclusive, 17b-689b and 17b-743 to 17b-747, inclusive.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	4-124xx(c)
Sec. 2	<i>from passage</i>	17a-215g(b)
Sec. 3	<i>from passage</i>	17a-238b
Sec. 4	<i>from passage</i>	17b-278l(a)(3)
Sec. 5	<i>from passage</i>	17b-451(a)
Sec. 6	<i>from passage</i>	46b-116w
Sec. 7	<i>from passage</i>	46b-116x
Sec. 8	<i>from passage</i>	17b-80(a)
Sec. 9	<i>from passage</i>	17b-93(b)
Sec. 10	<i>from passage</i>	17b-129

HS *Joint Favorable*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note**State Impact:** None**Municipal Impact:** None**Explanation**

The bill, which makes various technical and clarifying changes, has no fiscal impact.

The Out Years**State Impact:** None**Municipal Impact:** None

OLR Bill Analysis

HB 5365

***AN ACT CONCERNING TECHNICAL REVISIONS TO STATUTES
CONCERNING HUMAN SERVICES.***

SUMMARY

This bill makes technical changes to human services statutes.

EFFECTIVE DATE: Upon passage

COMMITTEE ACTION

Human Services Committee

Joint Favorable

Yea 22 Nay 0 (03/19/2024)