

Human Services Committee JOINT FAVORABLE REPORT

Bill No.: HB-5373

AN ACT CONCERNING VARIOUS REVISIONS TO HUMAN SERVICES

Title: STATUTES.

Vote Date: 3/19/2024

Vote Action: Joint Favorable Substitute

PH Date: 3/5/2024

File No.:

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SPONSORS OF BILL:

Human Services Committee

REASONS FOR BILL:

This bill seeks to repeal and substitute outdated and obsolete provisions of the Connecticut General Statutes that are no longer relevant to the Department of Social Services (DSS). It also seeks to make technical corrections to various statutes. The Superior Court readily handles appeals of agency hearing decisions on a regular basis, and these revisions will eliminate the unnecessary burden of contracting with, providing administrative oversight of, and state funding for arbitrators.

SUBSTITUTE LANGUAGE:

The substitute language cuts provisions eliminating arbitration in the DSS audit and the rate appeals rehearing.

RESPONSE FROM ADMINISTRATION/AGENCY:

Department of Social Services, Commissioner, Andrea Barton-Reeves; supports this bill stating this legislation will repeal outdated and obsolete provisions of the Connecticut General Statutes that are no longer relevant to the Department, make technical corrections to various statutes, and require all administrative appeals to be filed in the Superior Court as consistent with other state agencies.

External Affairs, State of Connecticut Judicial Branch; takes no position on the legislation and suggests that the effective dates for Sections 5 and 6 be pushed back to October 1, 2024. It is stated that the current dates would not provide enough time for the changes requested to be made.

NATURE AND SOURCES OF SUPPORT:

None expressed.

NATURE AND SOURCES OF OPPOSITION:

The following organizations have submitted testimony in opposition to this bill. It is stated that they are concerned with Section 5 of the bill, which would remove the option of binding arbitration for appeals contested by agencies. It is stated that this legislation would make it difficult for health centers and other providers to receive fair rates. It is suggested that keeping the current arbitration process is a reasonable option. *(This was changed in substitute language.)*

Charter Oak Health Center, CEO, Rick Markello

Community Health & Wellness Center of Greater Torrington, CEO, Joanne Borduas

Community Health Center Association of Connecticut, CEO, Shawn Frick

Cornell Scott Hill Health Center, CEO, Michael Taylor

Fair Haven Community Health, CEO, Suzanne Lagarde

United Community & Family Services Healthcare, President, Jennifer Granger

Wheeler, President & CEO, Sabrina Trocchi

NATURE AND SOURCES OF GENERAL COMMENTS:

Connecticut Association of Health Care Facilities/Connecticut Center for Assisted Living, President & CEO, Matthew Barrett; neither supports nor opposes and recommends against repealing a Medicaid provider's rights to appeal under an arbitration process. It is suggested if this provision were to move forward, the language of the bill should be revised to make clear that nothing in this provision would limit the rights Medicaid providers have to appeal a final decision of the agency under the state's Uniform Administrative Procedures Act.

LeadingAge Connecticut, President, Mag Morelli; states that they do not object to including the new language in the statute affording the right to a Superior Court appeal but suggest that the statute should continue to permit arbitration as a more cost-effective alternative that may be appropriate in certain cases.

Reported by: Ashley Orser

Date: March 25, 2024