



General Assembly

Amendment

February Session, 2024

LCO No. 3698



Offered by:
SEN. MARX, 20th Dist.

To: Subst. Senate Bill No. 344

File No. 164

Cal. No. 129

"AN ACT CONCERNING CERTAIN FEDERAL VETERANS' BENEFITS AND INCOME ELIGIBILITY DETERMINATIONS FOR CERTAIN PUBLIC ASSISTANCE PROGRAMS."

1 Strike everything after the enacting clause and substitute the
2 following in lieu thereof:

3 "Section 1. 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4 repealed and the following is substituted in lieu thereof (*Effective July 1,*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 *2024, and applicable to applications filed on or after July 1, 2024*):

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

15 Sec. 2. Subsection (a) of section 17b-104 of the general statutes is
16 repealed and the following is substituted in lieu thereof (*Effective July 1,*
17 *2024, and applicable to applications filed on or after July 1, 2024*):

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

48 Sec. 3. Subsection (c) of section 17b-191 of the 2024 supplement to the

49 general statutes is repealed and the following is substituted in lieu
50 thereof (*Effective July 1, 2024, and applicable to applications filed on or after*
51 *July 1, 2024*):

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

75 Sec. 4. Section 17b-256f of the general statutes is repealed and the
76 following is substituted in lieu thereof (*Effective July 1, 2024, and*
77 *applicable to applications filed on or after July 1, 2024*):

78 (a) The Commissioner of Social Services shall increase income
79 disregards used to determine eligibility by the Department of Social
80 Services for the federal Qualified Medicare Beneficiary, the Specified
81 Low-Income Medicare Beneficiary and the Qualifying Individual

82 programs, administered in accordance with the provisions of 42 USC
83 1396d(p), by such amounts that shall result in persons with income that
84 is (1) less than two hundred eleven per cent of the federal poverty level
85 qualifying for the Qualified Medicare Beneficiary program, (2) at or
86 above two hundred eleven per cent of the federal poverty level but less
87 than two hundred thirty-one per cent of the federal poverty level
88 qualifying for the Specified Low-Income Medicare Beneficiary program,
89 and (3) at or above two hundred thirty-one per cent of the federal
90 poverty level but less than two hundred forty-six per cent of the federal
91 poverty level qualifying for the Qualifying Individual program.

92 (b) The commissioner shall not apply an asset test for eligibility under
93 the Medicare Savings Program. The commissioner shall [not consider
94 as] disregard from income all United States Department of Veterans
95 Affairs-administered non-service-connected pension benefits, Aid and
96 Attendance pension benefits and Housebound pension benefits, that are
97 granted to a veteran, as defined in section 27-103, or the surviving
98 spouse of such veteran. The Commissioner of Social Services, pursuant
99 to section 17b-10, may implement policies and procedures to administer
100 the provisions of this section while in the process of adopting such
101 policies and procedures in regulation form, provided the commissioner
102 prints notice of the intent to adopt the regulations on the department's
103 Internet web site and the eRegulations System not later than twenty
104 days after the date of implementation. Such policies and procedures
105 shall be valid until the time final regulations are adopted.

106 Sec. 5. Subsection (a) of section 17b-261 of the 2024 supplement to the
107 general statutes is repealed and the following is substituted in lieu
108 thereof (*Effective July 1, 2024, and applicable to applications filed on or after*
109 *July 1, 2024*):

110 (a) (1) Medical assistance shall be provided for any otherwise eligible
111 person [(1)] (A) whose income, including any available support from
112 legally liable relatives and the income of the person's spouse or
113 dependent child, is not more than one hundred forty-three per cent,
114 pending approval of a federal waiver applied for pursuant to subsection

115 (e) of this section, of the benefit amount paid to a person with no income
116 under the temporary family assistance program, and [(2)] (B) if such
117 person is an institutionalized individual as defined in Section 1917 of
118 the Social Security Act, 42 USC 1396p(h)(3), and has not made an
119 assignment or transfer or other disposition of property for less than fair
120 market value for the purpose of establishing eligibility for benefits or
121 assistance under this section. Any such disposition shall be treated in
122 accordance with Section 1917(c) of the Social Security Act, 42 USC
123 1396p(c). Any disposition of property made on behalf of an applicant or
124 recipient or the spouse of an applicant or recipient by a guardian,
125 conservator, person authorized to make such disposition pursuant to a
126 power of attorney or other person so authorized by law shall be
127 attributed to such applicant, recipient or spouse. A disposition of
128 property ordered by a court shall be evaluated in accordance with the
129 standards applied to any other such disposition for the purpose of
130 determining eligibility.

131 (2) The commissioner shall establish the standards for eligibility for
132 medical assistance at one hundred forty-three per cent of the benefit
133 amount paid to a household of equal size with no income under the
134 temporary family assistance program. In determining eligibility, the
135 commissioner shall [not consider as] disregard from income all United
136 States Department of Veterans Affairs-administered non-service-
137 connected pension benefits, Aid and Attendance pension benefits and
138 Housebound pension benefits, that are granted to a veteran, as defined
139 in section 27-103, or the surviving spouse of such veteran. Except as
140 provided in section 17b-277 and section 17b-292, the medical assistance
141 program shall provide coverage to persons under the age of nineteen
142 with household income up to one hundred ninety-six per cent of the
143 federal poverty level without an asset limit and to persons under the age
144 of nineteen, who qualify for coverage under Section 1931 of the Social
145 Security Act, with household income not exceeding one hundred
146 ninety-six per cent of the federal poverty level without an asset limit,
147 and their parents and needy caretaker relatives, who qualify for
148 coverage under Section 1931 of the Social Security Act, with household

149 income not exceeding one hundred fifty-five per cent of the federal
150 poverty level without an asset limit. Such levels shall be based on the
151 regional differences in such benefit amount, if applicable, unless such
152 levels based on regional differences are not in conformance with federal
153 law. Any income in excess of the applicable amounts shall be applied as
154 may be required by said federal law, and assistance shall be granted for
155 the balance of the cost of authorized medical assistance.

156 (3) The Commissioner of Social Services shall provide applicants for
157 assistance under this section, at the time of application, with a written
158 statement advising them of (A) the effect of an assignment or transfer or
159 other disposition of property on eligibility for benefits or assistance, (B)
160 the effect that having income that exceeds the limits prescribed in this
161 subsection will have with respect to program eligibility, and (C) the
162 availability of, and eligibility for, services provided by the Connecticut
163 Home Visiting System, established pursuant to section 17b-751b. For
164 coverage dates on or after January 1, 2014, the department shall use the
165 modified adjusted gross income financial eligibility rules set forth in
166 Section 1902(e)(14) of the Social Security Act and the implementing
167 regulations to determine eligibility for HUSKY A, HUSKY B and
168 HUSKY D applicants, as defined in section 17b-290. Persons who are
169 determined ineligible for assistance pursuant to this section shall be
170 provided a written statement notifying such persons of their ineligibility
171 and advising such persons of their potential eligibility for one of the
172 other insurance affordability programs as defined in 42 CFR 435.4.

173 Sec. 6. Subsection (a) of section 17b-261 of the 2024 supplement to the
174 general statutes, as amended by section 302 of public act 23-204, is
175 repealed and the following is substituted in lieu thereof (*Effective October*
176 *1, 2024, and applicable to applications filed on or after July 1, 2024*):

177 (a) (1) Medical assistance shall be provided for any otherwise eligible
178 person [(1)] (A) whose income, including any available support from
179 legally liable relatives and the income of the person's spouse or
180 dependent child, is not more than one hundred five per cent of the
181 federal poverty level, after any authorized income disregards, and [(2)]

182 (B) if such person is an institutionalized individual as defined in Section
183 1917 of the Social Security Act, 42 USC 1396p(h)(3), and has not made
184 an assignment or transfer or other disposition of property for less than
185 fair market value for the purpose of establishing eligibility for benefits
186 or assistance under this section. Any such disposition shall be treated in
187 accordance with Section 1917(c) of the Social Security Act, 42 USC
188 1396p(c). Any disposition of property made on behalf of an applicant or
189 recipient or the spouse of an applicant or recipient by a guardian,
190 conservator, person authorized to make such disposition pursuant to a
191 power of attorney or other person so authorized by law shall be
192 attributed to such applicant, recipient or spouse. A disposition of
193 property ordered by a court shall be evaluated in accordance with the
194 standards applied to any other such disposition for the purpose of
195 determining eligibility.

196 (2) The commissioner shall establish the standards for eligibility for
197 medical assistance at one hundred five per cent of the federal poverty
198 level, after any authorized income disregards. In determining eligibility,
199 the commissioner shall [not consider as] disregard from income all
200 United States Department of Veterans Affairs-administered non-
201 service-connected pension benefits, Aid and Attendance pension
202 benefits and Housebound pension benefits, that are granted to a
203 veteran, as defined in section 27-103, or the surviving spouse of such
204 veteran. Except as provided in section 17b-277 and section 17b-292, the
205 medical assistance program shall provide coverage to persons under the
206 age of nineteen with household income up to one hundred ninety-six
207 per cent of the federal poverty level without an asset limit and to
208 persons under the age of nineteen, who qualify for coverage under
209 Section 1931 of the Social Security Act, with household income not
210 exceeding one hundred ninety-six per cent of the federal poverty level
211 without an asset limit, and their parents and needy caretaker relatives,
212 who qualify for coverage under Section 1931 of the Social Security Act,
213 with household income not exceeding one hundred fifty-five per cent of
214 the federal poverty level without an asset limit. Such levels shall be
215 based on the regional differences in such benefit amount, if applicable,

216 unless such levels based on regional differences are not in conformance
217 with federal law. Any income in excess of the applicable amounts shall
218 be applied as may be required by said federal law, and assistance shall
219 be granted for the balance of the cost of authorized medical assistance.

220 (3) The Commissioner of Social Services shall provide applicants for
221 assistance under this section, at the time of application, with a written
222 statement advising them of (A) the effect of an assignment or transfer or
223 other disposition of property on eligibility for benefits or assistance, (B)
224 the effect that having income that exceeds the limits prescribed in this
225 subsection will have with respect to program eligibility, and (C) the
226 availability of, and eligibility for, services provided by the Connecticut
227 Home Visiting System, established pursuant to section 17b-751b. For
228 coverage dates on or after January 1, 2014, the department shall use the
229 modified adjusted gross income financial eligibility rules set forth in
230 Section 1902(e)(14) of the Social Security Act and the implementing
231 regulations to determine eligibility for HUSKY A, HUSKY B and
232 HUSKY D applicants, as defined in section 17b-290. Persons who are
233 determined ineligible for assistance pursuant to this section shall be
234 provided a written statement notifying such persons of their ineligibility
235 and advising such persons of their potential eligibility for one of the
236 other insurance affordability programs as defined in 42 CFR 435.4.

237 Sec. 7. Subsection (l) of section 17b-342 of the general statutes is
238 repealed and the following is substituted in lieu thereof (*Effective July 1,*
239 *2024, and applicable to applications filed on or after July 1, 2024*):

240 (l) In determining eligibility for the program described in this section,
241 the commissioner shall [not consider as] disregard from income (1) all
242 United States Department of Veterans Affairs-administered non-
243 service-connected pension benefits, Aid and Attendance pension
244 benefits and Housebound pension benefits, that are granted to a
245 veteran, as defined in section 27-103, or the surviving spouse of such
246 veteran, and (2) any tax refund or advance payment with respect to a
247 refundable credit to the same extent such refund or advance payment
248 would be disregarded under 26 USC 6409 in any federal program or

249 state or local program financed in whole or in part with federal funds.

250 Sec. 8. Subsection (a) of section 17b-801 of the general statutes is
251 repealed and the following is substituted in lieu thereof (*Effective July 1,*
252 *2024, and applicable to applications filed on or after July 1, 2024*):

253 (a) The Commissioner of Social Services shall administer a state-
254 appropriated fuel assistance program to provide, within available
255 appropriations, fuel assistance to elderly and disabled persons whose
256 household gross income is above the income eligibility guidelines for
257 the Connecticut energy assistance program but does not exceed two
258 hundred per cent of federal poverty guidelines. The income eligibility
259 guidelines for the state-appropriated fuel assistance program shall be
260 determined, annually, by the Commissioner of Social Services, in
261 conjunction with the Secretary of the Office of Policy and Management.
262 In determining eligibility, the commissioner shall [not consider as]
263 disregard from income all United States Department of Veterans
264 Affairs-administered non-service-connected pension benefits, Aid and
265 Attendance pension benefits and Housebound pension benefits, that are
266 granted to a veteran, as defined under section 27-103, or the surviving
267 spouse of such veteran. The commissioner may adopt regulations, in
268 accordance with the provisions of chapter 54, to implement the
269 provisions of this subsection."

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| This act shall take effect as follows and shall amend the following sections: | | |
| Section 1 | <i>July 1, 2024, and applicable to applications filed on or after July 1, 2024</i> | 17b-28i(a) |
| Sec. 2 | <i>July 1, 2024, and applicable to applications filed on or after July 1, 2024</i> | 17b-104(a) |

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| Sec. 3 | <i>July 1, 2024, and applicable to applications filed on or after July 1, 2024</i> | 17b-191(c) |
| Sec. 4 | <i>July 1, 2024, and applicable to applications filed on or after July 1, 2024</i> | 17b-256f |
| Sec. 5 | <i>July 1, 2024, and applicable to applications filed on or after July 1, 2024</i> | 17b-261(a) |
| Sec. 6 | <i>October 1, 2024, and applicable to applications filed on or after July 1, 2024</i> | 17b-261(a) |
| Sec. 7 | <i>July 1, 2024, and applicable to applications filed on or after July 1, 2024</i> | 17b-342(l) |
| Sec. 8 | <i>July 1, 2024, and applicable to applications filed on or after July 1, 2024</i> | 17b-801(a) |