General Assembly

Raised Bill No. 1151

January Session, 2025

LCO No. **3514**

Referred to Committee on VETERANS' AND MILITARY AFFAIRS

Introduced by:
(VA)

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

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

Section 1. Subsection (a) of section 17b-28i of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2025, and applicable to applications filed on or after July 1, 2025*):

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

Sec. 2. Subsection (a) of section 17b-104 of the general statutes is

repealed and the following is substituted in lieu thereof (*Effective July 1, 2025, and applicable to applications filed on or after July 1, 2025*):

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

Sec. 3. Subsection (c) of section 17b-191 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1,*

2025, and applicable to applications filed on or after July 1, 2025):

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

Sec. 4. Section 17b-256f of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2025, and applicable to applications filed on or after July 1, 2025*):

(a) The Commissioner of Social Services shall increase income disregards used to determine eligibility by the Department of Social Services for the federal Qualified Medicare Beneficiary, the Specified Low-Income Medicare Beneficiary and the Qualifying Individual programs, administered in accordance with the provisions of 42 USC 1396d(p), by such amounts that shall result in persons with income that is (1) less than two hundred eleven per cent of the federal poverty level

qualifying for the Qualified Medicare Beneficiary program, (2) at or above two hundred eleven per cent of the federal poverty level but less than two hundred thirty-one per cent of the federal poverty level qualifying for the Specified Low-Income Medicare Beneficiary program, and (3) at or above two hundred thirty-one per cent of the federal poverty level but less than two hundred forty-six per cent of the federal poverty level qualifying for the Qualifying Individual program.

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

Sec. 5. Subsection (a) of section 17b-261 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2025, and applicable to applications filed on or after July 1, 2025*):

(a) (1) Medical assistance shall be provided for any otherwise eligible person **[**(1)**]** (A) whose income, including any available support from legally liable relatives and the income of the person's spouse or dependent child, is not more than one hundred fifty-nine per cent, pending approval of a federal waiver applied for pursuant to subsection (e) of this section, of the benefit amount paid to a person with no income under the temporary family assistance program, and **[**(2)**]** (B) if such person is an institutionalized individual as defined in Section 1917 of the Social Security Act, 42 USC 1396p(h)(3), and has not made an

assignment or transfer or other disposition of property for less than fair market value for the purpose of establishing eligibility for benefits or assistance under this section. Any such disposition shall be treated in accordance with Section 1917(c) of the Social Security Act, 42 USC 1396p(c). Any disposition of property made on behalf of an applicant or recipient or the spouse of an applicant or recipient by a guardian, conservator, person authorized to make such disposition pursuant to a power of attorney or other person so authorized by law shall be attributed to such applicant, recipient or spouse. A disposition of property ordered by a court shall be evaluated in accordance with the standards applied to any other such disposition for the purpose of determining eligibility.

(2) The commissioner shall establish the standards for eligibility for medical assistance at one hundred fifty-nine per cent of the benefit amount paid to a household of equal size with no income under the temporary family assistance program. In determining eligibility, the commissioner shall **[**not consider as**]** disregard from income all United States Department of Veterans Affairs-administered non-service-connected pension benefits, Aid and Attendance pension benefits and Housebound pension benefits that are granted to a veteran, as defined in section 27-103, or the surviving spouse of such veteran. Except as provided in section 17b-277 and section 17b-292, the medical assistance program shall provide coverage to persons under the age of nineteen with household income up to one hundred ninety-six per cent of the federal poverty level without an asset limit and to persons under the age of nineteen, who qualify for coverage under Section 1931 of the Social Security Act, with household income not exceeding one hundred ninety-six per cent of the federal poverty level without an asset limit, and their parents and needy caretaker relatives, who qualify for coverage under Section 1931 of the Social Security Act, with household income not exceeding one hundred thirty-three per cent of the federal poverty level without an asset limit. Such levels shall be based on the regional differences in such benefit amount, if applicable, unless such levels based on regional differences are not in conformance with federal

law. Any income in excess of the applicable amounts shall be applied as may be required by said federal law, and assistance shall be granted for the balance of the cost of authorized medical assistance.

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

Sec. 6. Subsection (l) of section 17b-342 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2025, and applicable to applications filed on or after July 1, 2025*):

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

Sec. 7. Subsection (a) of section 17b-801 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2025, and applicable to applications filed on or after July 1, 2025*):

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

This act shall take effect as follows and shall amend the following sections:		
Section 1	*July 1, 2025, and applicable to applications filed on or after July 1, 2025*	17b-28i(a)
Sec. 2	*July 1, 2025, and applicable to applications filed on or after July 1, 2025*	17b-104(a)
Sec. 3	*July 1, 2025, and applicable to applications filed on or after July 1, 2025*	17b-191(c)

Sec. 4	*July 1, 2025, and applicable to applications filed on or after July 1, 2025*	17b-256f
Sec. 5	*July 1, 2025, and applicable to applications filed on or after July 1, 2025*	17b-261(a)
Sec. 6	*July 1, 2025, and applicable to applications filed on or after July 1, 2025*	17b-342(l)
Sec. 7	*July 1, 2025, and applicable to applications filed on or after July 1, 2025*	17b-801(a)

VA *Joint Favorable*