



# House of Representatives

**File No. 948**

General Assembly

January Session, 2025

**(Reprint of File No. 518)**

Substitute House Bill No. 7106  
As Amended by House Amendment  
Schedule "A"

Approved by the Legislative Commissioner  
May 22, 2025

## **AN ACT CONCERNING WHEELCHAIR REPAIR REQUIREMENTS.**

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

1 Section 1. Subsection (b) of section 17b-278i of the general statutes is  
2 repealed and the following is substituted in lieu thereof (*Effective July 1,*  
3 *2025*):

4 (b) Notwithstanding the provisions of subsection (a) of this section,  
5 on and after July 1, 2024, the Commissioner of Social Services shall not  
6 require a new prescription or prior authorization for the medically  
7 necessary repair of a customized wheelchair unless the original  
8 prescription for such wheelchair is more than five years old. The  
9 commissioner shall provide coverage under the medical assistance  
10 program for the medically necessary repair or replacement of a  
11 Medicaid recipient's customized wheelchair.

12 Sec. 2. Section 42-337 of the general statutes is repealed and the  
13 following is substituted in lieu thereof (*Effective July 1, 2025*):

14 As used in this section and section 42-338, as amended by this act:

15 (1) "Authorized wheelchair dealer" means any company doing  
16 business in the state selling or leasing wheelchairs, including complex  
17 rehabilitation technology wheelchairs.

18 (2) "Complex rehabilitation technology" has the same meaning as  
19 provided in section 17b-278j.

20 (3) "Complex rehabilitation technology wheelchair" means a  
21 specialized, medically necessary manual or powered wheelchair  
22 individually configured for the user with specialized equipment that  
23 requires evaluation, configuration, fitting, adjustment, programming  
24 and long-term maintenance and repair services.

25 (4) "Consumer" means the purchaser or lessee of a wheelchair,  
26 including a complex rehabilitation technology wheelchair, irrespective  
27 of whether the purchase or lease of the wheelchair is funded in whole  
28 or in part by the consumer or privately or publicly funded health  
29 insurance.

30 (5) "Timely repair" means as soon as practicable but not later than ten  
31 business days after the date of request for repair from a consumer,  
32 provided (A) the consumer makes the wheelchair available, and (B) any  
33 prior authorization required from an insurer has been acquired. [, and  
34 (C)] The timely repair period shall be tolled by any time spent waiting  
35 for prior authorization from an insurer or for delivery of necessary parts  
36 ordered for the repair by an authorized wheelchair dealer. [shall not be  
37 included in the ten business days.]

38 (6) "Wheelchair" means a manual or motorized wheeled device that  
39 enhances the mobility or positioning of an individual with a disability.  
40 [and] "Wheelchair" includes a complex rehabilitation technology  
41 wheelchair but not a mobility scooter.

42 Sec. 3. Section 42-338 of the general statutes is repealed and the  
43 following is substituted in lieu thereof (*Effective July 1, 2025*):

44 (a) An authorized wheelchair dealer shall timely repair a wheelchair,

45 including a complex rehabilitation technology wheelchair, sold or  
46 leased by such dealer in the state. An authorized wheelchair dealer who  
47 sells or leases a complex rehabilitation technology wheelchair in the  
48 state shall provide timely repair of such wheelchair at a consumer's  
49 home upon request.

50 (b) An authorized wheelchair dealer shall maintain an electronic mail  
51 address and a phone line for consumer repair requests that are  
52 accessible each business day and capable of receiving and recording  
53 messages. The authorized wheelchair dealer shall (1) respond to a  
54 request for wheelchair repair not later than one business day after the  
55 date of such request, and (2) order parts for a repair not later than three  
56 business days after assessing the need for the repair or after receiving  
57 prior authorization from an insurer for the repair.

58 (c) On and after July 1, 2024, the Office of the Healthcare Advocate,  
59 in consultation with the Department of Consumer Protection, shall  
60 maintain a phone number and electronic mail address to be posted  
61 conspicuously on the Internet web sites of the Office of the Healthcare  
62 Advocate and the department, to receive and record complaints  
63 regarding timely repair issues. Not later than January 1, 2025, and  
64 annually thereafter, the Healthcare Advocate shall submit a report to the  
65 joint standing committees of the General Assembly having cognizance  
66 of matters relating to general law, human services and insurance  
67 regarding the complaints received and recorded pursuant to this  
68 subsection. The Office of the Healthcare Advocate shall, within  
69 available appropriations, conduct a public awareness campaign to  
70 inform consumers of their rights concerning timely wheelchair repair  
71 under state law.

72 (d) [Not later than December 31, 2024, and annually thereafter, an]  
73 An authorized wheelchair dealer that contracts with the Department of  
74 Social Services to sell or lease wheelchairs to Medicaid recipients shall,  
75 until February 1, 2026, submit a monthly report to the Commissioner of  
76 Social Services and the advisory council established pursuant to section  
77 42-339, as amended by this act, regarding repair of such wheelchairs. On

78 and after February 1, 2026, all authorized wheelchair dealers who sell or  
 79 lease wheelchairs in the state, whether to persons privately insured or  
 80 who are Medicaid recipients, shall file a quarterly report with the  
 81 department and the Office of the Healthcare Advocate. The report shall  
 82 include, but need not be limited to, minimum, maximum and average  
 83 times from the date and time of a repair request for the authorized  
 84 wheelchair dealer to: (1) [respond] Respond; (2) conduct a repair  
 85 assessment (A) in the home or other community location, (B) remotely,  
 86 or (C) at a repair facility; (3) request any necessary prior authorization  
 87 from the Department of Social Services or a private insurer and receive  
 88 a decision from the department or private insurer on such request; (4)  
 89 order any wheelchair parts needed; (5) receive delivery of any needed  
 90 repair parts; and (6) complete repairs (A) in the home or other  
 91 community location, (B) remotely, or (C) at a repair facility.

92 (e) Nothing in this section shall be construed to limit the rights or  
 93 remedies of a consumer pursuant to sections 42-330 to 42-334, inclusive.

94 Sec. 4. Subsection (g) of section 42-339 of the general statutes is  
 95 repealed and the following is substituted in lieu thereof (*Effective July 1,*  
 96 *2025*):

97 (g) Not later than [January 1, 2025, and annually thereafter] February  
 98 1, 2026, the advisory council shall submit a report on its findings and  
 99 recommendations to the joint standing committees of the General  
 100 Assembly having cognizance of matters relating to aging, general law,  
 101 human services and insurance, in accordance with the provisions of  
 102 section 11-4a. The advisory council shall terminate on February 1, 2026.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2025</i>	17b-278i(b)
Sec. 2	<i>July 1, 2025</i>	42-337
Sec. 3	<i>July 1, 2025</i>	42-338
Sec. 4	<i>July 1, 2025</i>	42-339(g)

*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.*

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## **OFA Fiscal Note**

### **State Impact:**

Agency Affected	Fund-Effect	FY 26 \$	FY 27 \$
Healthcare Advocate, Off.	IF - Cost	5,000 - 10,000	None

Note: IF=Insurance Fund

**Municipal Impact:** None

### **Explanation**

**Section 3** of the bill requires the Office of the Healthcare Advocate to conduct a public awareness campaign concerning wheelchair repair laws. This results in a one-time cost of approximately \$5,000 to \$10,000 to the Insurance Fund in FY 26 associated with hiring a firm to run the campaign. Depending on the size of the campaign, the cost could be significantly higher.

House "A" strikes the language in the underlying bill and the associated fiscal impact and results in the fiscal impact described above.

### **The Out Years**

The costs identified above are not anticipated to be ongoing.

**OLR Bill Analysis****sHB 7106 (as amended by House "A")\******AN ACT CONCERNING RECOMMENDATIONS OF AN ADVISORY COUNCIL ON WHEELCHAIR REPAIR.*****SUMMARY**

This bill makes several changes to laws concerning wheelchairs that relate to Medicaid coverage, timely repair requirements, and the Complex Rehabilitation Technology and Wheelchair Repair Advisory Council. Principally, it:

1. requires the Department of Social Services (DSS) to provide coverage for the medically necessary repair or replacement of a Medicaid recipient's customized wheelchair;
2. increases the frequency of reports from authorized wheelchair dealers (any company doing business in the state selling or leasing wheelchairs) on repair times and extends this reporting requirement to all dealers, not just those who contract with DSS;
3. requires the Office of the Healthcare Advocate (OHA) to conduct a public awareness campaign, within available appropriations, to inform customers about their rights concerning timely wheelchair repair under state law; and
4. terminates the Complex Rehabilitation Technology and Wheelchair Repair Advisory Council on February 1, 2026, and makes conforming changes to related reporting requirements.

By law, a wheelchair is a manual or motorized wheeled device that enhances a person's mobility or position, including complex rehabilitation technology wheelchairs, which are specialized, medically

necessary manual or powered wheelchairs that are individually configured for the user with specialized equipment that requires evaluation, configuration, fitting, adjustment, programming, and long-term maintenance and repair services. The bill specifies that wheelchairs do not include mobility scooters.

\*House Amendment "A" replaces the underlying bill (File 518) and eliminates provisions (1) requiring Medicaid coverage of transportation, preventative maintenance, and shipping; (2) allowing DSS to recoup or withhold Medicaid payments to noncompliant wheelchair dealers; (3) requiring wheelchair dealers to employ staff and stock parts sufficient to ensure customers receive timely and emergency repairs; and (4) expanding state employee health plan coverage requirements for timely wheelchair repair. It also adds a provision to sunset the Complex Rehabilitation Technology and Wheelchair Repair Advisory Council.

EFFECTIVE DATE: July 1, 2025

### **MEDICAID COVERAGE**

The bill requires DSS to provide coverage for the medically necessary repair or replacement of a Medicaid recipient's customized wheelchair. Existing law subjects wheelchair repairs and parts replacements to DSS's review and approval and requires DSS to provide Medicaid coverage for a customized wheelchair only when medically necessary and when it determines that a standard wheelchair does not meet a person's needs.

Under current law and the bill, the DSS commissioner may implement policies and procedures needed to administer the bill's provisions while adopting regulations.

### **TIMELY REPAIR REQUIREMENTS**

Existing law requires authorized wheelchair dealers to timely repair them, as soon as practicable but no later than 10 business days after the consumer requests a repair. Under current law, any time spent waiting for parts delivery or an insurer's prior authorization is excluded from

the 10-day limit. The bill instead tolls the 10-day limit for any time waiting for these actions. The bill also specifies that these timely repair requirements do not limit a consumer's rights under existing state laws on nonconformities (e.g., defects) in assistive technology devices.

### **TIMELY REPAIR REPORTS**

Current law requires authorized wheelchair dealers who contract with DSS to sell or lease wheelchairs to Medicaid recipients to report to the DSS commissioner and the Complex Rehabilitation Technology and Wheelchair Repair Advisory Council on minimum, maximum, and average times to complete repairs and comply with other requirements (e.g., requesting prior authorizations).

The bill makes this reporting requirement monthly, rather than annual, until February 1, 2026. Starting on that date, the bill (1) makes the report quarterly; (2) requires dealers to file the report with OHA, rather than the advisory council; and (3) extends this reporting requirement to all dealers, regardless of whether they contract with DSS. It also makes related conforming changes.

### **ADVISORY COUNCIL**

Under current law, the Complex Rehabilitation Technology and Wheelchair Repair Advisory Council monitors wheelchair repairs, makes recommendations to improve repair times, and reports its findings annually by January 1 to the Aging, General Law, Human Services, and Insurance and Real Estate committees. The bill makes the advisory council's last report due February 1, 2026, and terminates the council on that date.

### **BACKGROUND**

#### ***Related Bill***

sSB 1251 (File 427), favorably reported by the Human Services Committee, makes systemic noncompliance with timely wheelchair repair requirements a Connecticut Unfair Trade Practices Act violation.



**COMMITTEE ACTION**

Human Services Committee

Joint Favorable Substitute

Yea    16    Nay   6    (03/18/2025)