



Senate

General Assembly

File No. 427

January Session, 2025

Substitute Senate Bill No. 1251

Senate, April 2, 2025

The Committee on Human Services reported through SEN. LESSER of the 9th Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

AN ACT IMPLEMENTING THE GOVERNOR'S RECOMMENDATIONS CONCERNING A DRIVER TRAINING PROGRAM FOR PERSONS WITH DISABILITIES, LEGISLATIVE OVERSIGHT OF MEDICAID STATE PLAN AMENDMENTS AND PENALTIES FOR VIOLATING TIMELY WHEELCHAIR REPAIR STANDARDS.

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

1 Section 1. Section 14-11b of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective July 1, 2025*):

3 (a) There shall be within the Department of [Aging and Disability
4 Services] Motor Vehicles a unit for the purpose of evaluating and
5 training persons with disabilities in the operation of motor vehicles.
6 There shall be assigned to the driver training unit for persons with
7 disabilities such staff as is necessary for the orderly administration of
8 the driver training program for persons with disabilities. The personnel
9 assigned to the driver training unit for persons with disabilities shall,
10 while engaged in the evaluation, [or] instruction or examination of a
11 person with disabilities, have the authority and immunities with respect
12 to such activities as are granted under the general statutes to motor

13 vehicle inspectors. [The] Said Commissioner of Motor Vehicles may
14 permit a person whose license has been withdrawn as a result of a
15 condition that makes such person eligible for evaluation and training
16 under this section to operate a motor vehicle while accompanied by
17 personnel assigned to the driver training unit for persons with
18 disabilities. [When a person with disabilities has successfully completed
19 the driver training program for persons with disabilities, the
20 Department of Aging and Disability Services shall certify such
21 completion in writing to the Commissioner of Motor Vehicles and shall
22 recommend any license restrictions or limitations to be placed on the
23 license of such person. The Commissioner of Motor Vehicles may accept
24 such certification in lieu of the driving skills portion of the examination
25 prescribed under subsection (e) of section 14-36. If such person with
26 disabilities has met all other requirements for obtaining a license, the
27 Commissioner of Motor Vehicles shall issue a license with such
28 restrictions recommended by the Department of Aging and Disability
29 Services.]

30 (b) Any resident of this state who has a serious physical or mental
31 disability which does not render the resident incapable of operating a
32 motor vehicle and who must utilize special equipment in order to
33 operate a motor vehicle and who cannot obtain instruction in the
34 operation of a motor vehicle through any alternate program, including,
35 but not limited to, other state, federal or privately operated drivers'
36 schools shall be eligible for instruction under the Department of [Aging
37 and Disability Services] Motor Vehicles driver training program for
38 persons with disabilities.

39 Sec. 2. Section 17b-8 of the general statutes is amended by adding
40 subsection (e) as follows (*Effective July 1, 2025*):

41 (NEW) (e) Notwithstanding the provisions of subsection (a) of this
42 section, the Commissioner of Social Services shall submit any Medicaid
43 state plan amendment not subject to the legislative approval process of
44 subsection (a) of this section to the joint standing committees of the
45 General Assembly having cognizance of matters relating to

46 appropriations and the budgets of state agencies and human services
47 not later than thirty days prior to the commissioner's submission of such
48 amendment for federal approval. Said committees may schedule a
49 hearing on such state plan amendment in accordance with subsection
50 (a) of this section not later than thirty days after receipt of such
51 amendment. If the committees schedule such hearing, the commissioner
52 shall not submit such state plan amendment for federal approval unless
53 the committees vote to approve the state plan amendment in accordance
54 with subsection (a) of this section. If the committees approve such state
55 plan amendment with amendments, the commissioner shall submit
56 such state plan amendment as amended by the committees.

57 Sec. 3. (NEW) (*Effective July 1, 2025*) The Commissioner of Social
58 Services shall submit any Medicaid state plan amendment subject to the
59 provisions of subsection (e) of section 17b-8 of the general statutes, as
60 amended by this act, for review to the Council on Medical Assistance
61 Program Oversight, established pursuant to section 17b-28 of the
62 general statutes, not later than thirty days prior to the commissioner's
63 submission of such amendment for federal approval.

64 Sec. 4. (NEW) (*Effective November 1, 2025*) (a) As used in this section,
65 (1) "authorized wheelchair dealer", "timely repair" and "wheelchair"
66 have the same meanings as provided in section 42-337 of the general
67 statutes; and (2) "systemic noncompliance" means the failure by an
68 authorized wheelchair dealer to meet timely repair requirements in
69 accordance with section 42-338 of the general statutes for more than five
70 per cent of repair requests in a thirty-day period.

71 (b) On and after November 1, 2025, it shall be an unfair or deceptive
72 act or practice pursuant to subsection (a) of section 42-110b of the
73 general statutes for an authorized wheelchair dealer whose repair
74 record meets the definition of systemic noncompliance to fail to comply
75 with timely repair requirements in accordance with section 42-338 of the
76 general statutes.

This act shall take effect as follows and shall amend the following sections:

Section 1	<i>July 1, 2025</i>	14-11b
Sec. 2	<i>July 1, 2025</i>	17b-8(e)
Sec. 3	<i>July 1, 2025</i>	New section
Sec. 4	<i>November 1, 2025</i>	New section

Statement of Legislative Commissioners:

The title was changed; in Section 2(e), "schedule a vote" and "schedule such vote" were changed to "schedule a hearing" and "schedule such hearing" for consistency with the general statutes, and "it" was changed to "the state plan amendment in accordance with subsection (a) of this section" for clarity.

HS

Joint Favorable Subst.

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:

Agency Affected	Fund-Effect	FY 26 \$	FY 27 \$
Aging and Disability Services, Dept.	GF - Transfer from	(265,500)	(265,500)
Department of Motor Vehicles	TF - Transfer to	265,500	265,500
State Comptroller - Fringe Benefits	GF - Transfer from	(149,500)	(159,400)
State Comptroller - Fringe Benefits	TF - Transfer to	149,500	159,400
Consumer Protection, Dept.	GF - Cost	106,733	149,099
State Comptroller - Fringe Benefits ¹	GF - Cost	38,566	57,849

Note: GF=General Fund; TF=Transportation Fund

Municipal Impact: None

Explanation

Section 1 transfers the Driver Training Program from the Department of Aging and Disability Services (ADS) within the General Fund (GF) to the Department of Motor Vehicles (DMV) within the Special Transportation Fund (STF). This provision results in an even transfer of \$415,000 in FY 26 and \$424,900 in FY 27 from the GF to the STF and includes three filled positions and associated salaries and fringe benefit costs as well as other program expenses.

Section 2 requires the Department of Social Services (DSS) to submit all state plan amendments (SPAs) for approval by the Appropriations and Human Services committees at least 30 days before submitting them

¹The fringe benefit costs for most state employees are budgeted centrally in accounts administered by the Comptroller. The estimated active employee fringe benefit cost associated with most personnel changes is 40.71% of payroll in FY 26.

for federal approval. To the extent this delays or prevents a change that otherwise would have occurred, the state could experience a fiscal impact that cannot be determined at this time.

Section 3, which requires DSS to submit SPAs to the Council on Medical Assistance Program Oversight (MAPOC) for review, has no fiscal impact.

Section 4 makes systemic noncompliance with timely wheelchair repair requirements an unfair trade practice violation resulting in a cost to the state. To enforce the unfair trade practice violation the Department of Consumer Protection will have to hire one special investigator and one consumer information representative for salary and other expenses cost of \$106,733 in FY 26² and \$149,099 in FY 27, along with associated fringe benefit costs of \$38,566 in FY 26 and \$57,849 in FY 27. The two additional employees are needed to manage the complaints, gather information, and perform investigations.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to employee wage increases and inflation.

²The costs in FY 26 reflect eight months of expenditures due to the bill's November 1, 2025, effective date.

OLR Bill Analysis**sSB 1251*****AN ACT IMPLEMENTING THE GOVERNOR'S RECOMMENDATIONS CONCERNING A DRIVER TRAINING PROGRAM FOR PERSONS WITH DISABILITIES, LEGISLATIVE OVERSIGHT OF MEDICAID STATE PLAN AMENDMENTS AND PENALTIES FOR VIOLATING TIMELY WHEELCHAIR REPAIR STANDARDS.*****SUMMARY**

This bill makes various changes affecting human services-related statutes, including the following:

1. transferring a program for driver training for people with disabilities from the Department of Aging and Disability Services (ADS) to the Department of Motor Vehicles (DMV),
2. increasing legislative oversight for Medicaid state plan amendments (SPAs), and
3. making systemic noncompliance with timely wheelchair repair requirements an unfair trade practice.

EFFECTIVE DATE: July 1, 2025, except the provision on timely wheelchair repair takes effect November 1, 2025.

§ 1 — DRIVER TRAINING PROGRAM TRANSFER

The bill transfers, from ADS to DMV, a unit to evaluate and train people with disabilities on driving motor vehicles. As under existing law, the unit serves any state resident with a serious physical or mental disability who can drive a motor vehicle using special equipment but cannot get instruction through existing drivers' education schools.

Correspondingly, the bill eliminates provisions:

1. requiring ADS to certify successful program completion and

recommend any license restrictions or limits to DMV,

2. allowing DMV to accept ADS certification in lieu of the driving skills portion of the driving test, and
3. requiring DMV to issue a driver's license with restrictions ADS recommends if the person has met all other requirements for getting a license.

The bill gives unit personnel the same authority as motor vehicle inspectors when they are examining people with disabilities, in addition to when they are evaluating or instructing them as under existing law.

§§ 2 & 3 — LEGISLATIVE OVERSIGHT FOR MEDICAID SPAS

The bill expands requirements for legislative approval of Medicaid SPAs. Existing law only requires the Department of Social Services (DSS) to submit a Medicaid SPA to the Appropriations and Human Services committees for approval if the change would have required a waiver before the federal Affordable Care Act became law.

The bill requires the DSS commissioner to submit all other SPAs to the Appropriations and Human Services committees at least 30 days before she submits them for federal approval. The committees may schedule a hearing on the SPA within 30 days after receiving it, under the same process as under existing law for the committees to approve waiver applications and amendments and certain SPAs described above. If the committees schedule a hearing on the SPA, the bill prohibits the DSS commissioner from submitting it for federal approval unless the committees vote to approve it. Similarly, if the committees approve the SPA with amendments, the bill requires the DSS commissioner to submit the SPA for federal approval as amended by the committees.

The bill also requires the DSS commissioner to submit these SPAs to the Council on Medical Assistance Program Oversight for review at least 30 days before submitting them for federal approval.

§ 4 — PENALTIES FOR SYSTEMIC NONCOMPLIANCE ON TIMELY WHEELCHAIR REPAIRS

Starting November 1, 2025, the bill makes systemic noncompliance with timely wheelchair repair requirements a Connecticut Unfair Trade Practices Act (CUTPA) violation (see BACKGROUND).

Under the bill, systemic noncompliance means a wheelchair dealer failed to meet timely repair requirements for more than five percent of repair requests in a 30-day period. Existing law generally requires wheelchair dealers to repair wheelchairs within 10 business days after a consumer requests a repair and also sets requirements for in-home repairs, responding to repair requests, and reporting to DSS (see BACKGROUND).

BACKGROUND***Related Bills***

SB 1474, favorably reported by the Human Services Committee, also expands requirements for legislative approval of Medicaid SPAs.

SB 1158 (File 153), favorably reported by the Human Services Committee, establishes a Department on Aging and renames ADS as the Department of Disability Services.

sHB 7106, favorably reported by the Human Services Committee, expands timely wheelchair repair requirements to address emergency repairs and staffing requirements.

CUTPA

By law, CUTPA prohibits businesses from engaging in unfair and deceptive acts or practices. It allows the DCP commissioner, under specified procedures, to issue regulations defining an unfair trade practice, investigate complaints, issue cease and desist orders, order restitution in cases involving less than \$10,000, impose civil penalties of up to \$5,000, enter into consent agreements, ask the attorney general to seek injunctive relief, and accept voluntary statements of compliance. It also allows individuals to sue. Courts may issue restraining orders; award actual and punitive damages, costs, and reasonable attorney's

fees; and impose civil penalties of up to \$5,000 for willful violations and up to \$25,000 for a restraining order violation.

Timely Wheelchair Repair Requirements

Existing law requires any company that sells or leases wheelchairs in the state to timely repair them, as soon as practicable but not later than 10 business days after the consumer requests a repair. Dealers must also provide timely repair of complex rehabilitation technology wheelchairs at a consumer's home upon request.

Under existing law, wheelchair dealers must also (1) maintain an email address and phone line for repair requests, (2) respond to repair requests within one day, and (3) order parts for a repair within three business days after assessing the need for a repair or receiving prior authorization from an insurer.

The law also sets an annual reporting requirement for wheelchair dealers that contract with DSS. Dealers must report information on minimum, maximum, and average wait times for various actions related to wheelchair repair to the DSS commissioner and the Complex Rehabilitation Technology and Wheelchair Repair Advisory Council (CGS § 42-338).

COMMITTEE ACTION

Human Services Committee

Joint Favorable Substitute

Yea 16 Nay 6 (03/18/2025)