



General Assembly

January Session, 2025

Substitute Bill No. 1300



AN ACT CONCERNING COMPENSATING SPOUSES FOR STATE-FUNDED HOME CARE.

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

1 Section 1. Subsection (i) of section 17b-342 of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective July 1,*
3 *2025*):

4 (i) (1) The Commissioner of Social Services shall, within available
5 appropriations, administer a state-funded portion of the Connecticut
6 home-care program for the elderly for persons (A) who are sixty-five
7 years of age and older and are not eligible for Medicaid; (B) who are
8 inappropriately institutionalized or at risk of inappropriate
9 institutionalization; (C) whose income is less than or equal to the
10 amount allowed for a person who would be eligible for medical
11 assistance if residing in a nursing facility; and (D) whose assets, if single,
12 do not exceed one hundred fifty per cent of the federal minimum
13 community spouse protected amount pursuant to 42 USC 1396r-5(f)(2)
14 or, if married, the couple's assets do not exceed two hundred per cent of
15 said community spouse protected amount. For program applications
16 received by the Department of Social Services for the fiscal years ending
17 June 30, 2016, and June 30, 2017, only persons who require the level of
18 care provided in a nursing home shall be eligible for the state-funded
19 portion of the program, except for persons residing in affordable
20 housing under the assisted living demonstration project established

21 pursuant to section 17b-347e who are otherwise eligible in accordance
22 with this section.

23 (2) Except for persons residing in affordable housing under the
24 assisted living demonstration project established pursuant to section
25 17b-347e, as provided in subdivision (3) of this subsection, any person
26 whose income is at or below two hundred per cent of the federal poverty
27 level and who is ineligible for Medicaid shall contribute three per cent
28 of the cost of his or her care. Any person whose income exceeds two
29 hundred per cent of the federal poverty level shall contribute three per
30 cent of the cost of his or her care in addition to the amount of applied
31 income determined in accordance with the methodology established by
32 the Department of Social Services for recipients of medical assistance.
33 Any person who does not contribute to the cost of care in accordance
34 with this subdivision shall be ineligible to receive services under this
35 subsection. Notwithstanding any provision of sections 17b-60 and 17b-
36 61, the department shall not be required to provide an administrative
37 hearing to a person found ineligible for services under this subsection
38 because of a failure to contribute to the cost of care.

39 (3) Any person who resides in affordable housing under the assisted
40 living demonstration project established pursuant to section 17b-347e
41 and whose income is at or below two hundred per cent of the federal
42 poverty level, shall not be required to contribute to the cost of care. Any
43 person who resides in affordable housing under the assisted living
44 demonstration project established pursuant to section 17b-347e and
45 whose income exceeds two hundred per cent of the federal poverty
46 level, shall contribute to the applied income amount determined in
47 accordance with the methodology established by the Department of
48 Social Services for recipients of medical assistance. Any person whose
49 income exceeds two hundred per cent of the federal poverty level and
50 who does not contribute to the cost of care in accordance with this
51 subdivision shall be ineligible to receive services under this subsection.
52 Notwithstanding any provision of sections 17b-60 and 17b-61, the
53 department shall not be required to provide an administrative hearing
54 to a person found ineligible for services under this subsection because

55 of a failure to contribute to the cost of care.

56 (4) The annualized cost of services provided to an individual under
57 the state-funded portion of the program shall not exceed fifty per cent
58 of the weighted average cost of care in nursing homes in the state, except
59 an individual who received services costing in excess of such amount
60 under the Department of Social Services in the fiscal year ending June
61 30, 1992, may continue to receive such services, provided the annualized
62 cost of such services does not exceed eighty per cent of the weighted
63 average cost of such nursing home care. The commissioner may allow
64 the cost of services provided to an individual to exceed the maximum
65 cost established pursuant to this subdivision in a case of extreme
66 hardship, as determined by the commissioner, provided in no case shall
67 such cost exceed that of the weighted cost of such nursing home care.

68 (5) A person who provides personal care assistance to an individual
69 enrolled in the state-funded portion of the program, including a spouse
70 of such individual, may be compensated for such assistance. The
71 Commissioner of Social Services shall prescribe training and
72 documentation requirements for such person to receive compensation
73 under the program.

This act shall take effect as follows and shall amend the following sections:		
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Section 1	July 1, 2025	17b-342(i)
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Statement of Legislative Commissioners:

The title was changed.

HS *Joint Favorable Subst. -LCO*