



General Assembly

**Substitute Bill No. 1359**

January Session, 2025



**AN ACT CONCERNING VARIOUS REVISIONS TO STATUTES  
CONCERNING THE DEPARTMENT OF SOCIAL SERVICES.**

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

1 Section 1. Subsection (d) of section 52-362d of the general statutes is  
2 repealed and the following is substituted in lieu thereof (*Effective from*  
3 *passage*):

4 (d) Whenever an order of the Superior Court or a family support  
5 magistrate of this state, or an order of another state that has been  
6 registered in this state, for support of a minor child or children is issued  
7 and such payments have been ordered through the IV-D agency, or  
8 when a request from another state for assistance enforcing an order that  
9 has not been registered in this state is received by the IV-D agency and  
10 such request meets the requirements of 42 USC 666(a)(14), and the  
11 obligor against whom such support order was issued owes overdue  
12 support under such order in the amount of five hundred dollars or  
13 more, the IV-D agency, as defined in subdivision (12) of subsection (b)  
14 of section 46b-231, or Support Enforcement Services of the Superior  
15 Court may notify (1) any state or local agency or officer with authority  
16 (A) to hold assets or property for such obligor including, but not limited  
17 to, any property unclaimed or presumed abandoned under part III of  
18 chapter 32, or (B) to distribute benefits to such obligor including, but not  
19 limited to, unemployment compensation and workers' compensation,

20 (2) any person having or expecting to have custody or control of or  
21 authority to distribute any amounts due such obligor under any  
22 judgment or settlement, (3) any financial institution holding assets of  
23 such obligor, and (4) any public or private entity administering a public  
24 or private retirement fund in which such obligor has an interest that  
25 such obligor owes overdue support in a IV-D support case. Upon receipt  
26 of such notice, such agency, officer, person, institution or entity shall  
27 withhold delivery or distribution of any such property, benefits,  
28 amounts, assets or funds until receipt of further notice from the IV-D  
29 agency.

30 Sec. 2. Subsections (a) to (c), inclusive, of section 46b-215e of the  
31 general statutes are repealed and the following is substituted in lieu  
32 thereof (*Effective from passage*):

33 (a) Notwithstanding any provision of the general statutes, whenever  
34 a child support obligor is institutionalized or incarcerated, the Superior  
35 Court or a family support magistrate shall establish an initial order for  
36 current support, or modify an existing order for current support, upon  
37 proper motion, based upon the obligor's present income and substantial  
38 assets, if any, in accordance with the child support guidelines  
39 established pursuant to section 46b-215a. [Downward modification of  
40 an existing support order based solely on a loss of income due to  
41 incarceration or institutionalization shall not be granted in the case of a  
42 child support obligor who is incarcerated or institutionalized for an  
43 offense against the custodial party or the child subject to such support  
44 order.]

45 (b) In IV-D support cases, as defined in section 46b-231, when the  
46 child support obligor is institutionalized or incarcerated for more than  
47 ninety days, any existing support order, as defined in section 46b-231,  
48 shall be modified to zero dollars effective upon the date that a support  
49 enforcement officer files an affidavit in the Family Support Magistrate  
50 Division. The affidavit shall include: (1) The beginning and expected  
51 end dates of such obligor's institutionalization or incarceration; and (2)  
52 a statement by such officer that (A) a diligent search failed to identify

53 any income or assets that could be used to satisfy the child support order  
54 while the obligor is incarcerated or institutionalized, and (B) [the offense  
55 for which the obligor is institutionalized or incarcerated was not an  
56 offense against the custodial party or the child subject to such support  
57 order, and (C)] a notice in accordance with subsection (c) of this section  
58 was provided to the custodial party and an objection form was not  
59 received from such party.

60 (c) Prior to filing an affidavit under subsection (b) of this section, the  
61 support enforcement officer shall provide notice to the custodial party  
62 in accordance with section 52-57 or by certified mail, return receipt  
63 requested. The notice shall state in clear and simple language that: (1)  
64 Such child support order shall be modified unless the custodial party  
65 objects not later than fifteen calendar days after receipt of such notice on  
66 the grounds that [(A)] the obligor has sufficient income or assets to  
67 comply with the support order, [or (B) the obligor is incarcerated or  
68 institutionalized for an offense against the custodial party or the child  
69 subject to such support order;] and (2) the custodial party may object to  
70 the proposed modification by delivering a signed objection form, or  
71 other written notice or motion, indicating the nature of the objection or  
72 grounds of the motion, to the support enforcement officer not later than  
73 fifteen calendar days after receipt of such notice. Upon receipt of any  
74 objection or motion, the support enforcement officer shall promptly  
75 arrange with the clerk of the Family Support Magistrate Division to  
76 enter the appearance of the custodial party, set the matter for a hearing,  
77 send a file-stamped copy of the objection or motion to the IV-D agency  
78 of the state to whom the support order is payable, and notify all parties  
79 of the hearing date set. The court or family support magistrate shall  
80 promptly hear the objection or motion and determine whether the child  
81 support order should be modified in accordance with subsection (b) of  
82 this section.

83 Sec. 3. Subsection (b) of section 19a-697 of the general statutes is  
84 repealed and the following is substituted in lieu thereof (*Effective October*  
85 *1, 2025*):

86 (b) A managed residential community shall post in a prominent place  
87 in the managed residential community the resident's bill of rights,  
88 including those rights set forth in subsection (a) of this section. The  
89 posting of the resident's bill of rights shall include contact information  
90 for (1) the Department of Public Health and the Office of the State Long-  
91 Term Care Ombudsman, including the names, addresses and telephone  
92 numbers of persons within such agencies who handle questions,  
93 comments or complaints concerning managed residential community,  
94 and (2) the Department of Social Services to report the suspected abuse,  
95 neglect, exploitation or abandonment of an elderly person, or that an  
96 elderly person may be in need of protective services.

97 Sec. 4. Subsection (d) of section 17b-105a of the general statutes is  
98 repealed and the following is substituted in lieu thereof (*Effective July 1,*  
99 *2025*):

100 (d) Not later than December 31, 2024, the Commissioner of Social  
101 Services shall enter into a contract with an outside vendor to update the  
102 system utilized by the Department of Social Services to administer the  
103 supplemental nutrition assistance program for the purpose of enabling  
104 the department to stagger the distribution of program benefits so that  
105 benefits are distributed, in accordance with federal law, to cohorts of  
106 program beneficiaries designated by the commissioner at multiple  
107 intervals during each month. Not later than March 1, 2026, the  
108 commissioner shall commence staggering the distribution of such  
109 benefits to such cohorts of beneficiaries each month, in accordance with  
110 federal law. Not later than April 1, 2026, [and annually thereafter,] the  
111 commissioner shall report, in accordance with the provisions of section  
112 11-4a, to the joint standing committee of the General Assembly having  
113 cognizance of matters relating to human services regarding the  
114 staggering of distribution benefits pursuant to this subsection.

115 Sec. 5. Subsections (a) and (b) of section 17b-244 of the general statutes  
116 are repealed and the following is substituted in lieu thereof (*Effective July*  
117 *1, 2026*):

118 (a) The room and board component of the rates to be paid by the state  
119 to private facilities and facilities operated by regional education service  
120 centers which are licensed to provide residential care pursuant to  
121 section 17a-227, but not certified to participate in the Title XIX Medicaid  
122 program as intermediate care facilities for individuals with intellectual  
123 disabilities, shall be determined annually by the Commissioner of Social  
124 Services, except that rates effective April 30, 1989, shall remain in effect  
125 through October 31, 1989. Any facility with real property other than  
126 land placed in service prior to July 1, 1991, shall, for the fiscal year  
127 ending June 30, 1995, receive a rate of return on real property equal to  
128 the average of the rates of return applied to real property other than land  
129 placed in service for the five years preceding July 1, 1993. For the fiscal  
130 year ending June 30, 1996, and any succeeding fiscal year, the rate of  
131 return on real property for property items shall be revised every five  
132 years. The commissioner shall, upon submission of a request by such  
133 facility, allow actual debt service, comprised of principal and interest,  
134 on the loan or loans in lieu of property costs allowed pursuant to section  
135 17-313b-5 of the regulations of Connecticut state agencies, whether  
136 actual debt service is higher or lower than such allowed property costs,  
137 provided such debt service terms and amounts are reasonable in  
138 relation to the useful life and the base value of the property. In the case  
139 of facilities financed through the Connecticut Housing Finance  
140 Authority, the commissioner shall allow actual debt service, comprised  
141 of principal, interest and a reasonable repair and replacement reserve  
142 on the loan or loans in lieu of property costs allowed pursuant to section  
143 17-313b-5 of the regulations of Connecticut state agencies, whether  
144 actual debt service is higher or lower than such allowed property costs,  
145 provided such debt service terms and amounts are determined by the  
146 commissioner at the time the loan is entered into to be reasonable in  
147 relation to the useful life and base value of the property. The  
148 commissioner may allow fees associated with mortgage refinancing  
149 provided such refinancing will result in state reimbursement savings,  
150 after comparing costs over the terms of the existing proposed loans. For  
151 the fiscal year ending June 30, 1992, the inflation factor used to  
152 determine rates shall be one-half of the gross national product

153 percentage increase for the period between the midpoint of the cost year  
154 through the midpoint of the rate year. For fiscal year ending June 30,  
155 1993, the inflation factor used to determine rates shall be two-thirds of  
156 the gross national product percentage increase from the midpoint of the  
157 cost year to the midpoint of the rate year. For the fiscal years ending  
158 June 30, 1996, and June 30, 1997, no inflation factor shall be applied in  
159 determining rates. The Commissioner of Social Services shall prescribe  
160 uniform forms on which such facilities shall report their costs. Such rates  
161 shall be determined on the basis of a reasonable payment for necessary  
162 services. Any increase in grants, gifts, fund-raising or endowment  
163 income used for the payment of operating costs by a private facility in  
164 the fiscal year ending June 30, 1992, shall be excluded by the  
165 commissioner from the income of the facility in determining the rates to  
166 be paid to the facility for the fiscal year ending June 30, 1993, provided  
167 any operating costs funded by such increase shall not obligate the state  
168 to increase expenditures in subsequent fiscal years. Nothing contained  
169 in this section shall authorize a payment by the state to any such facility  
170 in excess of the charges made by the facility for comparable services to  
171 the general public. The service component of the rates to be paid by the  
172 state to private facilities and facilities operated by regional education  
173 service centers which are licensed to provide residential care pursuant  
174 to section 17a-227, but not certified to participate in the Title XIX  
175 Medicaid programs as intermediate care facilities for individuals with  
176 intellectual disabilities, shall be determined annually by the  
177 Commissioner of Developmental Services in accordance with section  
178 17b-244a. For the fiscal year ending June 30, 2008, no facility shall receive  
179 a rate that is more than two per cent greater than the rate in effect for  
180 the facility on June 30, 2007, except any facility that would have been  
181 issued a lower rate effective July 1, 2007, due to interim rate status or  
182 agreement with the department, shall be issued such lower rate effective  
183 July 1, 2007. For the fiscal year ending June 30, 2009, no facility shall  
184 receive a rate that is more than two per cent greater than the rate in effect  
185 for the facility on June 30, 2008, except any facility that would have been  
186 issued a lower rate effective July 1, 2008, due to interim rate status or  
187 agreement with the department, shall be issued such lower rate effective

188 July 1, 2008. For the fiscal years ending June 30, 2010, and June 30, 2011,  
189 rates in effect for the period ending June 30, 2009, shall remain in effect  
190 until June 30, 2011, except that (1) the rate paid to a facility may be higher  
191 than the rate paid to the facility for the period ending June 30, 2009, if a  
192 capital improvement required by the Commissioner of Developmental  
193 Services for the health or safety of the residents was made to the facility  
194 during the fiscal years ending June 30, 2010, or June 30, 2011, and (2) any  
195 facility that would have been issued a lower rate for the fiscal year  
196 ending June 30, 2010, or June 30, 2011, due to interim rate status or  
197 agreement with the department, shall be issued such lower rate. For the  
198 fiscal year ending June 30, 2012, rates in effect for the period ending June  
199 30, 2011, shall remain in effect until June 30, 2012, except that (A) the  
200 rate paid to a facility may be higher than the rate paid to the facility for  
201 the period ending June 30, 2011, if a capital improvement required by  
202 the Commissioner of Developmental Services for the health or safety of  
203 the residents was made to the facility during the fiscal year ending June  
204 30, 2012, and (B) any facility that would have been issued a lower rate  
205 for the fiscal year ending June 30, 2012, due to interim rate status or  
206 agreement with the department, shall be issued such lower rate. Any  
207 facility that has a significant decrease in land and building costs shall  
208 receive a reduced rate to reflect such decrease in land and building costs.  
209 The rate paid to a facility may be increased if a capital improvement  
210 approved by the Department of Developmental Services, in consultation  
211 with the Department of Social Services, for the health or safety of the  
212 residents was made to the facility during the fiscal year ending June 30,  
213 2014, or June 30, 2015, only to the extent such increases are within  
214 available appropriations. For the fiscal years ending June 30, 2016, and  
215 June 30, 2017, rates shall not exceed those in effect for the period ending  
216 June 30, 2015, except the rate paid to a facility may be higher than the  
217 rate paid to the facility for the period ending June 30, 2015, if a capital  
218 improvement approved by the Department of Developmental Services,  
219 in consultation with the Department of Social Services, for the health or  
220 safety of the residents was made to the facility during the fiscal year  
221 ending June 30, 2016, or June 30, 2017, to the extent such rate increases  
222 are within available appropriations. For the fiscal years ending June 30,

2016, and June 30, 2017, and each succeeding fiscal year, any facility that would have been issued a lower rate, due to interim rate status, a change in allowable fair rent or agreement with the department, shall be issued such lower rate. For the fiscal years ending June 30, 2018, and June 30, 2019, rates shall not exceed those in effect for the period ending June 30, 2017, except the rate paid to a facility may be higher than the rate paid to the facility for the period ending June 30, 2017, if a capital improvement approved by the Department of Developmental Services, in consultation with the Department of Social Services, for the health or safety of the residents was made to the facility during the fiscal year ending June 30, 2018, or June 30, 2019, to the extent such rate increases are within available appropriations. For the fiscal years ending June 30, 2020, and June 30, 2021, rates shall not exceed those in effect for the fiscal year ending June 30, 2019, except the rate paid to a facility may be higher than the rate paid to the facility for the fiscal year ending June 30, 2019, if a capital improvement approved by the Department of Developmental Services, in consultation with the Department of Social Services, for the health or safety of the residents was made to the facility during the fiscal year ending June 30, 2020, or June 30, 2021, to the extent such rate increases are within available appropriations. For the fiscal years ending June 30, 2022, and June 30, 2023, rates shall be based upon rates in effect for the fiscal year ending June 30, 2021, inflated by the gross domestic product deflator applicable to each rate year, except the commissioner may, in the commissioner's discretion and within available appropriations, provide pro rata fair rent increases to facilities which have documented fair rent additions placed in service in the cost report years ending September 30, 2020, and September 30, 2021, that are not otherwise included in rates issued, or if a rate adjustment for a capital improvement approved by the Department of Developmental Services, in consultation with the Department of Social Services, for the health or safety of the residents was made to the facility during the fiscal year ending June 30, 2022, or June 30, 2023. For the fiscal year ending June 30, 2024, rates shall not exceed those in effect for the fiscal year ending June 30, 2023, except the rate paid to a facility may be higher than the rate paid to the facility for the fiscal year ending June 30, 2023,



258 if a capital improvement approved by the Department of  
259 Developmental Services, in consultation with the Department of Social  
260 Services, for the health or safety of the residents was made to the facility  
261 during the fiscal year ending June 30, 2024, to the extent such rate  
262 increases are within available appropriations. Notwithstanding any  
263 provision of this chapter or of any regulation adopted pursuant to title  
264 17 or 17b, any subsequent increase to allowable operating costs,  
265 excluding fair rent, shall be inflated by the gross domestic product  
266 deflator when funding is specifically appropriated for such purposes in  
267 the enacted budget. The rate of inflation shall be computed by  
268 comparing the most recent rate year to the average of the gross domestic  
269 product deflator for the previous four fiscal quarters ending March  
270 thirty-first. Any increase to rates based on inflation shall be applied  
271 prior to the application of any other budget adjustment factors that may  
272 impact such rates.

273 (b) Notwithstanding the provisions of subsection (a) of this section,  
274 state rates of payment for the fiscal years ending June 30, 2018, June 30,  
275 2019, June 30, 2020, and June 30, 2021, for residential care homes and  
276 community living arrangements that receive the flat rate for residential  
277 services under section 17-311-54 of the regulations of Connecticut state  
278 agencies shall be set in accordance with section 298 of public act 19-117.  
279 For the fiscal years ending June 30, 2022, and June 30, 2023, rates shall  
280 be based upon rates in effect for the fiscal year ending June 30, 2021,  
281 inflated by the gross domestic product deflator applicable to each rate  
282 year. Notwithstanding any provision of this chapter, any subsequent  
283 increase to allowable operating costs, excluding fair rent, shall be  
284 inflated by the gross domestic product deflator when funding is  
285 specifically appropriated for such purposes in the enacted budget. The  
286 rate of inflation shall be computed by comparing the most recent rate  
287 year to the average of the gross domestic product deflator for the  
288 previous four fiscal quarters ending March thirty-first. Any increase to  
289 rates based on inflation shall be applied prior to the application of any  
290 other budget adjustment factors that may impact such rates.

291 Sec. 6. Subsection (c) of section 17a-247b of the general statutes is

292 repealed and the following is substituted in lieu thereof (*Effective from*  
293 *passage*):

294 (c) The department shall make information in the registry available  
295 only to: (1) Authorized agencies, for the purpose of protective service  
296 determinations; (2) employers who employ employees to provide  
297 services to an individual who receives services or funding from the  
298 department or the Medicaid waiver program for autism spectrum  
299 disorder administered by the Department of Social Services, as  
300 described in section 17a-215c; (3) the Departments of Children and  
301 Families, Mental Health and Addiction Services, Social Services and  
302 Administrative Services and the Office of Labor Relations, for the  
303 purpose of determining whether an applicant for employment with the  
304 Departments of Children and Families, Developmental Services, Mental  
305 Health and Addiction Services and Social Services appears on the  
306 registry; or (4) charitable organizations that recruit volunteers to  
307 support programs for persons with intellectual disability or autism  
308 spectrum disorder, upon application to and approval by the  
309 commissioner, for purposes of conducting background checks on such  
310 volunteers.

311 Sec. 7. (NEW) (*Effective from passage*) As used in this section, "custom-  
312 made, noninvasive breast prosthesis" means an exterior, custom-made  
313 form to fit the individual physical profile of a mastectomy patient to  
314 restore such patient's symmetrical appearance after surgery. The  
315 Commissioner of Social Services shall (1) develop and distribute to  
316 Medicaid-enrolled providers a bulletin concerning Medicaid coverage  
317 for a custom-made, noninvasive breast prosthesis, (2) include  
318 information on such coverage in newsletters to persons enrolled in the  
319 Medicaid program, and (3) in collaboration with the Commissioner of  
320 Public Health, develop an outreach program for breast cancer survivors  
321 concerning such available coverage.

<p>This act shall take effect as follows and shall amend the following sections:</p>
--

Section 1	<i>from passage</i>	52-362d(d)
Sec. 2	<i>from passage</i>	46b-215e(a) to (c)
Sec. 3	<i>October 1, 2025</i>	19a-697(b)
Sec. 4	<i>July 1, 2025</i>	17b-105a(d)
Sec. 5	<i>July 1, 2026</i>	17b-244(a) and (b)
Sec. 6	<i>from passage</i>	17a-247b(c)
Sec. 7	<i>from passage</i>	New section

**HS**      *Joint Favorable Subst.*