
OLR Bill Analysis

sHB 7106

AN ACT CONCERNING RECOMMENDATIONS OF AN ADVISORY COUNCIL ON WHEELCHAIR REPAIR.

SUMMARY

This bill expands requirements for companies that sell or lease wheelchairs in the state ("authorized wheelchair dealers") to address emergency repairs, customer notifications, reporting, staffing, and schedule management. Principally, it:

1. expands Medicaid and state employee health plan coverage requirements for timely wheelchair repair;
2. requires Medicaid coverage for medically necessary customized wheelchair repair or replacement, and other related costs (e.g., maintenance and shipment of needed parts);
3. starting October 1, 2025, allows the Department of Social Services (DSS) commissioner to recoup or withhold Medicaid payments for authorized wheelchair dealers who demonstrate systemic noncompliance with timely repair requirements;
4. requires authorized wheelchair dealers to (a) notify customers in writing of their rights to timely and emergency repairs and (b) employ staff and stock parts sufficient to ensure customers receive these repairs;
5. requires all authorized wheelchair dealers, instead of only those DSS contracts with, to report to DSS on their compliance with repair requirements and requires them to report monthly, instead of annually; and
6. provides that the bill's provisions do not limit a consumer's rights and remedies under existing laws on nonconformities in

assistive technology devices (e.g., refunding, repairing, or replacing defective devices).

By law, a wheelchair is a manual or motorized wheeled device that enhances a person's mobility or position, including complex rehabilitation technology (CRT) 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.

EFFECTIVE DATE: July 1, 2025, except provisions on state employee health plan coverage are effective January 1, 2026

WHEELCHAIR DEALER REQUIREMENTS

Timely and Emergency Repair

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 additionally requires authorized wheelchair dealers to provide emergency repairs when a consumer's wheelchair is rendered completely inoperable. Emergency repairs are repair services on weekends and holidays and may include remote repair services if it renders the wheelchair operable. Under the bill, dealers must provide emergency repairs of CRT wheelchairs at a consumer's home upon request, as is currently required for timely repair.

Responding to Repair Requests

Current law requires wheelchair dealers to respond to repair requests within one business day after receiving them. The bill requires dealers to also assess the need for the repair within this timeframe.

Existing law also requires wheelchair dealers to (1) maintain an email

address and phone line for repair requests and (2) order parts for a repair within three business days after assessing the need for a repair or receiving an insurer's prior authorization.

Staffing, Scheduling, and Receipts

The bill requires authorized wheelchair dealers to employ staff and stock parts sufficient to ensure timely repair and any needed emergency repair. Dealers must also have a domestic overnight and international express delivery option for parts needed for repairs that are not already on the dealer's premises.

Under the bill, dealers must use a scheduling management system that provides the following:

1. at least 24-hour notice to a consumer of a nonemergency repair's date and time,
2. follow-up emails to a consumer after a repair request to summarize the request and the estimated time remaining to complete it, and
3. a contact number or email address at the authorized dealer to resolve problems with its response to a repair request.

After completing a repair, the bill requires dealers to give consumers written receipts that include the repair type and the dates the repair was requested and completed.

Monthly 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 needed insurance prior authorizations).

The bill makes this reporting requirement monthly, rather than annual, and expands the report's required content to include the

number of staff the dealer employs, including repair technicians, and their duties.

Beginning September 1, 2025, the bill also extends this monthly reporting requirement to all dealers, regardless of whether they contract with DSS, and requires them to also submit an annual report that compiles the data in the monthly reports to the DSS commissioner and the council. It makes related conforming changes.

Additionally, the bill requires the council to approve a uniform definition for the term “wheelchair repair technician” and associated qualifications for dealers to use in their reports. The council must give this information to dealers by August 1, 2025.

Notification and Public Outreach

The bill requires authorized wheelchair dealers to notify customers in writing of their rights to timely and emergency repairs when the wheelchair is sold or leased, in an annual mailing, on the dealer’s website, and in all electronic communications with consumers. Dealers must do this in consultation with the Office of the Healthcare Advocate (OHA).

The bill also requires OHA, within available appropriations, to conduct a public awareness campaign to inform consumers of their rights to timely wheelchair repairs.

EXPANDED COVERAGE FOR WHEELCHAIR REPAIR

Medical Assistance Coverage

The bill requires the DSS commissioner to provide medical assistance coverage for the following services:

1. medically necessary repair or replacement of a Medicaid recipient’s customized wheelchair,
2. a Medicaid recipient’s transportation to an authorized wheelchair dealer’s repair facility to repair a customized wheelchair,

3. annual preventative maintenance for a Medicaid recipient's customized wheelchair, and
4. payment for domestic overnight delivery or express international delivery of a customized wheelchair part needed for a repair but not on the authorized wheelchair dealer's premises.

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.

Withholding Medicaid Reimbursement

Beginning October 1, 2025, the bill allows the DSS commissioner to recoup or withhold Medicaid payments for an authorized wheelchair dealer who demonstrates systemic noncompliance with timely repair requirements. Under the bill, systemic noncompliance means a dealer's failure to meet timely repair requirements for more than five percent of repair requests in a 30-day period.

State Employee Health Plan Coverage

The bill requires the state comptroller to provide coverage under the state employee health plan for medically necessary wheelchairs and their timely repair, as described above, unless otherwise required under a collective bargaining requirement.

BACKGROUND

Related Bill

sSB 1251, 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)