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## **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)