
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)