

OFFICE OF FISCAL ANALYSIS

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SB-123

AN ACT REQUIRING PUBLIC HEARINGS FOR CERTAIN RATE
INCREASES AT ASSISTED LIVING FACILITIES.

AMENDMENT

LCO No.: 5644

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OFA Fiscal Note

See Fiscal Note Details

The amendment strikes the language in the underlying bill and the associated fiscal impact.

Section 1, which requires assisted living service agencies to hold informational hearings related to certain fee increases, has no fiscal impact to the state.

Section 2 of the amendment results in potential savings beginning in FY 27 to municipalities that choose to jointly appoint municipal agents for aging, as expenses relating to the agents can now be shared across multiple municipalities. The section also adds a requirement concerning conflicts of interest that does not have a fiscal impact.

Section 3, which adjusts the requirements for which multifamily housing projects must have at least one emergency power generator, does not result in a fiscal impact to the state or to municipalities as this only concerns private parties.

Section 4, which requires home health aide agencies to provide their home health aide employees and contractors certain personal protective equipment (PPE) for no cost, does not result in a fiscal impact to the state.

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Reviewer: ES

5/1/26
(FN)

Sections 5 and 6 could result in increased Medicaid costs to DSS associated with allowing DSS to approve requests to add new Medicaid-certified beds to existing or new nursing homes. To the extent this results in a higher cost per bed than Medicaid would otherwise support, or new costs related to a new facility, the state will incur associated allowable Medicaid expenditures. The actual fiscal impact is dependent on the scope and approval of such requests.

Section 6 also adds to the list of items DSS must consider when determining whether to approve or deny requests for additional nursing home beds. To the extent considering the Center for Medicare and Medicaid Services' (CMS) five-star quality rating system alters the decision DSS would have otherwise made, the agency could experience an impact, which cannot be determined at this time.

Section 7 modifies minimum data set requirements for audit purposes. This could impact nursing home rates to the extent limiting the timeframe in which minimum data set information must be submitted adjusts the calculation of Medicaid acuity-based per diem rates paid to nursing homes.

The preceding Fiscal Impact statement is prepared for the benefit of the members of the General Assembly, solely for the purposes of information, summarization and explanation and does not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.