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sSB-498

AN ACT CONCERNING PENALTIES FOR TARDY PAYCHECKS
FOR PERSONAL CARE ATTENDANTS AND EXPANDING PUBLIC
ACCESS TO STATE PROGRAMS.

AMENDMENT

LCO No.: 5152

File Copy No.: 487

Senate Calendar No.: 299

OFA Fiscal Note

See Fiscal Note Details

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

The amendment establishes penalties related to late or inaccurate payments to self-directed PCAs. The amendment requires penalties to be paid by the fiscal intermediary (FI) contractor or by DSS if no contractor is in place. DSS currently contracts with a fiscal intermediary for a variety of services including managing individual client budgets, processing of Medicaid claims, and processing of payroll for PCAs. To the extent penalties are imposed, DSS may incur related costs.

Specifically, penalties include financial penalties for failing to timely process PCA payroll (\$25 to \$60 per check), 12% interest for certain paychecks behind by two or more pay periods, payment for damages of \$25 or more due to late payment, and potential additional penalties DSS may assess on the fiscal intermediary for failing to make timely payments according to contractual requirements. The amendment also specifies penalties apply when the Electronic Visit Verification System (EVVS) includes hours that exceed those allotted to the consumer or incorrectly shows hours that are available and reimbursable. These penalties are valued at the rates payable to a PCA for such hours.

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