



General Assembly

**Amendment**

February Session, 2026

LCO No. 4904



Offered by:

SEN. LESSER, 9<sup>th</sup> Dist.

REP. GILCHREST, 18<sup>th</sup> Dist.

To: Subst. Senate Bill No. 498

File No. 487

Cal. No. 299

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

1 Strike everything after the enacting clause and substitute the  
2 following in lieu thereof:

3 "Section 1. (NEW) (*Effective July 1, 2026*) (a) As used in this section  
4 and section 2 of this act, (1) "self-directed home care programs" means  
5 Medicaid-funded programs that allow a consumer to hire a personal  
6 care attendant, (2) "consumer" and "personal care attendant" have the  
7 same meanings as provided in section 17b-706 of the general statutes,  
8 (3) "department" means the Department of Social Services, (4)  
9 "electronic visit verification system" means the system used to record  
10 visits to a consumer by a personal care attendant, and (5) "fiscal  
11 intermediary" means the organization that contracts with the  
12 department to provide payroll, taxes and administrative services for  
13 self-directed home care programs.

14 (b) On and after August 31, 2026, any contract entered into, amended  
15 or renewed by the Department of Social Services for fiscal intermediary  
16 services for self-directed home care programs, or department  
17 administrative policy for such programs if the department does not  
18 contract out such services, shall include financial penalties for failure to  
19 timely process payroll for personal care attendants in addition to  
20 interest of twelve per cent per annum for paychecks in arrears for two  
21 or more pay periods where interest accrued exceeds ten dollars. Such  
22 penalties shall be payable per pay period by a contractor or the  
23 department, as applicable, to a personal care attendant in accordance  
24 with the provisions set forth in subparagraphs (A) to (E), inclusive, of  
25 this subsection, provided (1) the personal care attendant has logged or  
26 attempted to log hours prior to the time submission deadline for the  
27 applicable pay period; (2) the hours have been approved by the  
28 consumer who hired the personal care attendant; and (3) the hours  
29 approved by the consumer do not exceed the hours allotted to the  
30 consumer under such consumer's care plan. The penalties shall be as  
31 follows:

32 (A) Twenty-five dollars for tardy paychecks exceeding ninety-nine  
33 dollars but not exceeding two hundred fifty dollars;

34 (B) Thirty-five dollars for tardy paychecks exceeding two hundred  
35 fifty dollars but not exceeding five hundred dollars;

36 (C) Forty-five dollars for tardy paychecks exceeding five hundred  
37 dollars but not exceeding seven hundred fifty dollars;

38 (D) Fifty-five dollars for tardy paychecks exceeding seven hundred  
39 fifty dollars but not exceeding one thousand dollars; and

40 (E) Sixty-five dollars for tardy paychecks exceeding one thousand  
41 dollars.

42 (c) In addition to the penalties for tardy pay pursuant to subsection  
43 (b) of this section, any contract entered into, amended or renewed by the  
44 Department of Social Services for fiscal intermediary services for self-

45 directed home care programs on and after August 31, 2026, shall require  
46 a contracted fiscal intermediary, or the department if the department  
47 does not contract out such services, to pay for damages resulting from  
48 tardy payments to personal care attendants of twenty-five dollars or  
49 more that have been documented by an employee organization, as  
50 defined in section 5-270 of the general statutes, representing such  
51 personal care attendants and approved by the Personal Care Attendant  
52 Workforce Council established pursuant to section 17b-706a of the  
53 general statutes. If the council and employee organization disagree on  
54 whether damages are sufficiently documented, either the council or the  
55 employee organization may proceed to arbitration on an expedited  
56 basis. For purposes of this subsection, damages may include, but are not  
57 limited to, the amount of late fees on rent or utilities and bank overdraft  
58 charges assessed against a personal care attendant in the thirty-day  
59 period preceding the issuance of a tardy paycheck. Such fees or charges  
60 shall be documented by original bills or notices.

61 (d) The Department of Social Services may assess additional penalties  
62 against any fiscal intermediary contracted with the department for self-  
63 directed home care services on and after August 31, 2026, for failing to  
64 make timely payments pursuant to contractual provisions subject to  
65 subsections (b) and (c) of this section, including, but not limited to,  
66 interest on late payments at a rate equal to the monthly effective yield  
67 for the Short Term Investment Fund administered by the Treasurer  
68 pursuant to sections 3-27a to 3-27j, inclusive, of the general statutes.

69 Sec. 2. (NEW) (*Effective July 1, 2026*) On and after August 31, 2026, any  
70 contract entered into, amended or renewed by the Department of Social  
71 Services for fiscal intermediary services for self-directed home care  
72 programs, or department administrative policy for such programs if the  
73 department does not contract out such services, shall include financial  
74 penalties for a contractor or the department when the contractor or  
75 department uses an electronic visit verification system that (1) includes  
76 hours for a personal care attendant that exceed the hours allotted to the  
77 consumer employing such personal care attendant under such

78 consumer's care plan, or (2) otherwise incorrectly indicates hours are  
79 available and reimbursable under state or federal law. Such penalties  
80 shall be the rates payable to a personal care attendant for such hours, at  
81 normal or overtime rates, as applicable, provided the personal care  
82 attendant (A) has logged or attempted to log hours on the electronic visit  
83 verification system prior to the time submission deadline for the  
84 applicable pay period; (B) the hours have been approved by the  
85 consumer who hired the personal care attendant; and (C) the personal  
86 care attendant has worked such hours. Such penalties shall be paid to  
87 the personal care attendant through the normal payroll process.

88 Sec. 3. (NEW) (*Effective July 1, 2026*) A state agency, as defined in  
89 section 4-37e of the general statutes, and any private organization  
90 contracting with a state agency, shall ensure that all communications  
91 with the public or any of their employees serving the public, including,  
92 but not limited to, any electronic system an employee uses to log hours  
93 worked, (1) comply with the requirements for effective communications  
94 under 28 CFR 35.160 et seq., and (2) are offered in a language designated  
95 for a municipality where a member of the public receiving services from  
96 an employee of such agency or such employee resides in accordance  
97 with the provisions of section 9-368l of the general statutes concerning  
98 elections communications."

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2026</i>	New section
Sec. 2	<i>July 1, 2026</i>	New section
Sec. 3	<i>July 1, 2026</i>	New section