



General Assembly

Amendment

February Session, 2026

LCO No. 5152



Offered by:

SEN. LESSER, 9th Dist.

REP. GILCHREST, 18th 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."

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