



*Testimony before the Labor and Public Employees Committee
Submitted by the Department of Social Services
March 8, 2022*

S.B. 312 - AN ACT CONCERNING THE EXPANSION OF CONNECTICUT PAID SICK DAYS.

The Department of Social Services opposes language in Section 1 that establishes the Personal Care Attendant Workforce Council as the employer of any Personal Care Attendant.

The Department does not support the Personal Care Attendant Workforce Council acting on behalf of all Medicaid participants who currently hire and manage their own personal care attendants.

The Council was established in 2012 to represent the interests of the state and Personal Care Attendant (PCA) employers. The Council and the Office of Policy and Management's Office of Labor Relations negotiates and administers the PCA collective bargaining agreement with the union that represents PCAs, 1199 SEIU-NE. The Council's current role is specific to collective bargaining and intentionally was not designed to have any employer authority. In Connecticut's 'self-directed' programs, Medicaid participants are the employers. Shifting employer responsibilities from the Medicaid participant to the Council is inconsistent with the purpose and design of the self-directed program and negatively impacts the Medicaid participant's authority as an employer. In addition, there is a financial risk to this decision since the state appears to be assuming employer responsibilities.

As previously mentioned, the Council, OPM, and OLR negotiate the PCA collective bargaining agreement. The agreement is currently in negotiations. DSS defers matters related to paid sick days for PCAs to the collective bargaining process.

Legislation was passed in 2019 creating a public comprehensive paid family and medical leave insurance program. Public Act 19-25, An Act Concerning Paid Family and Medical Leave, as amended by Public Act 19-117, is now codified, with section 31-49g of the Connecticut General Statutes providing personal care attendants access to comprehensive paid family and medical leave insurance effective January 1, 2022.

Enhanced FMAP for the Community First Choice program is 56% and the Governor's Recommended funding in the 2023 budget is \$190 million, so the federal share is in the range of \$106 million.

As funds are not currently in the DSS budget, nor are funds included in the Governor's

proposed budget to fund an expansion of family and medical paid time off, the Department opposes this bill.