

Long-Term Services and Supports Legislation

Passed in the 2023 Session of the Connecticut General Assembly

Updated July 10, 2023

Special Act 23-17 (sSB 1053) - AN ACT ESTABLISHING A TASK FORCE TO STUDY AND MAKE RECOMMENDATIONS CONCERNING THE ELDERLY NUTRITION PROGRAM (Signed by the Governor June 29, 2023)

This bill establishes a 14-person task force to study and make recommendations concerning the elderly nutrition program administered by the Department of Aging and Disability Services (ADS). The study shall include, but need not be limited to, a review of the (1) eligibility requirements for the program, (2) types of meals provided, (3) costs of the meal preparation and delivery, (4) number of participants in the program compared to the estimated number of persons in need of nutritional services, (5) adequacy of funding levels, and (6) process for contracting with providers of elderly nutrition services. The task force shall submit a report to the Human Services Committee by January 15, 2024. *Effective Upon Passage*

Special Act 23-22 (HB 6855) - AN ACT ESTABLISHING A TASK FORCE TO STUDY MINIMUM STANDARDS FOR TIMELY REPAIR OF COMPLEX REHABILITATION TECHNOLOGY (Signed by the Governor June 28, 2023)

The bill establishes a 19-person task force to study minimum standards for the timely repair of complex rehabilitation technology, including, but not limited to, improving timelines for assessment and repair of such technology by a manufacturer or authorized service provider upon notification from a consumer about the need for repairs. By February 1, 2024, the task force shall submit a report to the committees having cognizance of matters relating to aging, consumer protection, human services, insurance and public health. *Effective Upon Passage*

Public Act 23-30 (HB 6677) - AN ACT CONCERNING ADULT DAY CENTERS. (Signed by the Governor June 7, 2023)

This bill makes various changes related to the delivery of, and reimbursement for, adult day services. Specifically, it: (1) requires the Department of Social Services (DSS) commissioner to develop a plan to increase eligibility for adult day services under the Connecticut Home Care Program for Elders (CHCPE) and report to the Aging Committee on the plan by February 1, 2024; (2) allows the commissioner to submit a Medicaid state plan amendment to the federal Centers for Medicare and Medicaid Services (CMS) to cover Program of All-Inclusive Care for Elderly (PACE) services under Medicaid, within available appropriations; (3) eliminates an obsolete provision related to a PACE services pilot program; and (4) makes various technical changes. *Effective Date: July 1, 2023, except that the provision on the DSS commissioner's adult day services plan takes effect upon passage.*

Public Act 23-31 (HB 6733) - AN ACT CONCERNING THE DEPARTMENT OF PUBLIC HEALTH'S RECOMMENDATIONS REGARDING VARIOUS REVISIONS TO THE PUBLIC HEALTH STATUTES. (Signed by the Governor June 7, 2023)

This bill contains numerous provisions related to the Department of Public Health (DPH). The sections germane to the LTSS system are as follows:

§§ 1 & 2 — ASSISTED LIVING SERVICES AGENCIES Allows assisted living services agencies to provide nursing services and assistance with activities of daily living to people who are not chronic and stable under limited conditions. *Effective Upon Passage*

§ 12 — DPH QUALITY OF CARE PROGRAM Allows DPH to revise its quality of care program's standardized data sets for health care facilities and methods to provide public accountability for facilities' health care delivery systems. *Effective Date: July 1, 2023*

Public Act 23-39 (SB 956) - AN ACT REQUIRING DISCHARGE STANDARDS REGARDING FOLLOW-UP APPOINTMENTS AND PRESCRIPTION MEDICATIONS FOR PATIENTS BEING DISCHARGED FROM A HOSPITAL OR NURSING HOME FACILITY. (Signed by the Governor June 12, 2023)

This bill requires Department of Public Health regulations setting minimum standards for hospital and nursing home discharge planning services to require written discharge plans to include (1) the date and location of each follow-up medical appointment scheduled before the patient's discharge and (2) to the extent known to the facility, a list of all medications the patient is currently taking and will take after discharge. Additionally, when a hospital or nursing home discharges a patient to his or her home, the bill requires the facility to electronically send to the patient's pharmacy each prescription ordered by a facility employee for the patient before discharge that he or she will need after discharge.

Under existing law, unchanged by the bill, these regulations must also require (1) written discharge plans made in consultation with the patient, or the patient's family or representative, and the patient's physician and (2) a procedure to give the patient notice of their discharge and a copy of their discharge plan before discharge. *Effective Date: October 1, 2023*

Public Act 23-48 (HB 5781) - AN ACT CONCERNING NOTICE OF A PROPOSED INVOLUNTARY TRANSFER OR DISCHARGE OF A NURSING FACILITY RESIDENT, FAMILY COUNCILS IN MANAGED RESIDENTIAL COMMUNITIES, COORDINATION OF DEMENTIA SERVICES, NURSING HOME TRANSPARENCY AND HOMEMAKER-COMPANION AGENCIES. (Signed by the Governor June 13, 2023)

§§ 1-3 — INVOLUNTARY TRANSFER OR DISCHARGE NOTIFICATION Requires nursing homes to notify the Long-Term Care Ombudsman about an involuntary transfer or discharge on the same day the resident is notified; failure to do so invalidates the transfer. *Effective Upon Passage*

§§ 4 & 5 — MANAGED RESIDENTIAL COMMUNITIES FAMILY COUNCILS Requires managed residential communities to encourage and help establish family councils by January 1, 2024. *Effective Date: October 1, 2023*

§ 6 — DEMENTIA SERVICES COORDINATOR Establishes a dementia services coordinator position within the Department of Aging and Disability Services. *Effective Date: October 1, 2023*

§ 7 — NURSING HOME FACILITY COST REPORTING REQUIREMENTS Requires nursing homes to submit annual narrative cost expenditures summaries to DSS; requires the DSS commissioner to create a uniform narrative summary form for nursing homes to use; subjects

nursing homes that do not comply with the reporting requirements to a fine of up to \$10,000.
Effective Date: July 1, 2023

§ 8 — NURSING HOME PRIVATE EQUITY OWNERSHIP Requires nursing home licensure applicants to disclose any private equity company or real estate investment trust that owns any part of the home and give DPH the owner's audited and certified financial statements. *Effective Date: July 1, 2023*

§ 9 — RELATED PARTY INCOME REPORTING Requires chronic and convalescent nursing homes that receive Medicaid funding to annually report a profit and loss statement from each related party that receives at least \$30,000 of income from the home. *Effective Date: July 1, 2023*

§ 10 — MEDICAID RATE SETTING GUIDEBOOK FOR NURSING HOMES Requires the DSS commissioner to develop and post online a guidebook that explains in plain language the Medicaid nursing home rate setting process. *Effective Upon Passage*

§ 11 — TRANSITION PLAN FOR HOMEMAKER-COMPANION AGENCY OVERSIGHT Requires the Office of Policy and Management (OPM) to develop a plan and proposed timeline to transfer homemaker-companion agency oversight from the Department of Consumer Protection (DCP) to DPH; the plan must also include recommendations on training standards and appropriate use of the term "care" to describe homemaker-companion services. *Effective Upon Passage*

§ 12 — HOMEMAKER-COMPANION AGENCY REGISTRATION REVOCATION Adds failure to give a consumer written notice that the agency provides nonmedical care to a list of violations for which DCP may revoke, suspend, or refuse to issue or renew a homemaker-companion agency's registration; requires DCP to revoke a homemaker-companion agency's registration if the agency is found to have violated any revokable provisions three times in a calendar year. *Effective Upon Passage*

§ 13 — HOMEMAKER-COMPANION AGENCY CONTRACTS & SERVICE PLANS Requires homemaker-companion agencies to develop a service plan or contract in consultation with the consumer; the service plan or contract must include (1) a person-centered plan of care, (2) anticipated oversight by the agency of the employee assigned to the consumer, and (3) how often the person who oversees the agency's employee and the consumer will meet. *Effective Date: October 1, 2023*

§§ 13 & 14 — HOMEMAKER-COMPANION AGENCY CONSUMER COMPLAINTS Requires DCP to post on its website a guide detailing the process for consumers to file complaints against a homemaker-companion agency; requires agencies to give consumers a printed copy of this guide with their contract or service plan. *§14 Effective Upon Passage*

§§ 15-17 — HOMEMAKER-COMPANION AGENCY ADVERTISING AND SCOPE OF SERVICES Requires every homemaker-companion agency to create a brochure and maintain a website detailing the services it provides; allows a homemaker-companion agency to (1) use the word "care" in its business name and advertising and (2) advertise having employees trained to provide services to people with memory difficulties, if certain requirements are met; requires a homemaker-companion agency to give consumers written notice that the agency provides nonmedical care and obtain the consumer's signature on this notice before providing services *Effective Upon Passage*

Public Act 23-97 (SB 9) - AN ACT CONCERNING HEALTH AND WELLNESS FOR CONNECTICUT RESIDENTS (Signed by the Governor June 28, 2023)

This bill contains numerous provisions. The sections germane to the LTSS system are as follows:

§ 7 — STATE DEPARTMENT OF EDUCATION (SDE) HEALTH CARE CAREER PROMOTION Requires the education commissioner to use an existing plan to promote health care careers and provide health care job shadowing and internship experiences; requires the commissioner to give the plan to school boards and support its implementation. *Effective Date: July 1, 2023*

§ 8 — HEALTH CARE WORKFORCE WORKING GROUP Requires the Office of Workforce Strategy (OWS) to convene a working group to develop recommendations to expand the state's health care workforce. The bill requires the working group to report to the Public Health and Higher Education and Employment Advancement committees by January 1, 2024. *Effective Upon Passage*

§ 11 — PERSONAL CARE ATTENDANT (PCA) CAREER PATHWAYS PROGRAM Requires DSS to establish a PCA career pathways program, including both basic skills and specialized skills pathways, to improve PCAs' quality of care and incentivize their recruitment and retention in the state. *Effective Date: July 1, 2023*

Public Act 23-99 (sHB 6767) - AN ACT CONCERNING THE DEPARTMENT OF CONSUMER PROTECTION'S RECOMMENDATIONS REGARDING LICENSING AND ENFORCEMENT. (Signed by the Governor June 29, 2023)

This bill implements the Department of Consumer Protection's (DCP) recommendations concerning licensing and enforcement. The sections germane to LTSS are as follows:

§§ 18 & 19 — HOMEMAKER-COMPANION AGENCIES

Expands disclosure requirements for homemaker-companion agencies, such as when an agency changes service rates or ceases operations; requires background checks of certain prospective agency owners. *Effective Date: October 1, 2023*

Public Act 23-111 (SB 1065) - AN ACT CONCERNING THE DEPARTMENT OF DEVELOPMENTAL SERVICES' RECOMMENDATIONS REGARDING VARIOUS TECHNICAL REVISIONS TO DEVELOPMENTAL SERVICES STATUTES. (Signed by the Governor June 26, 2023)

This bill makes various minor and technical changes to Department of Developmental Services (DDS)-related statutes. Including updating terminology by replacing references to the DDS "ombudsman" with "ombudsperson." It also removes obsolete language on ombudsperson vacancies. Additionally, the bill conforms to existing practice by reflecting that certain types of residential programs are certified, rather than licensed, by DDS. (In practice, this applies to "continuous residential supports," a shared living arrangement for up to three people with available staff support.) Lastly, it removes obsolete language on DDS day care programs and makes related technical changes. *Effective Upon Passage*

Public Act 23-121 (sHB 6729) - AN ACT CONCERNING THE DEPARTMENT OF MENTAL HEALTH AND ADDICTION SERVICES' RECOMMENDATIONS REGARDING THE MEMBERSHIP OF VARIOUS ADVISORY BOARDS AND COUNCILS. (Signed by the Governor June 27, 2023)

This bill requires, rather than allows, all Department of Mental Health and Addiction Services' (DMHAS) state-operated facilities to have an advisory board. Under current law, facilities with advisory boards must have their superintendent or director make member appointments. The bill requires these appointing authorities to appoint at least two members with lived experience with behavioral health disorders to their respective boards. The bill also eliminates the advisory board to the Connecticut Mental Health Center (CMHC), a community mental health center that DMHAS operates in collaboration with the Yale Department of Psychiatry. Under current law, CMHC is not allowed to have a superintendent- or director-appointed advisory board and instead has a nine-member CMHC Advisory Board that the DMHAS commissioner appoints. Of these appointments, two each must be nominated by the Yale-New Haven Health System and Yale University. The bill instead subjects the center to its advisory board requirements for all other state-operated facilities. The bill also (1) expands the existing Connecticut Valley Hospital Advisory Council from 13 to 15 members and (2) requires it to include, on and after January 1, 2024, at least two members appointed by the DMHAS commissioner with lived experience with behavioral health disorders. Under current law, the DMHAS commissioner appoints six members of the council; the bill correspondingly increases her number of appointments to eight. Existing law, unchanged by the bill, requires the council to advise DMHAS on topics such as building use, security, and clients residing at the facility and their discharge. Lastly, the bill makes technical and conforming changes. *Effective Date: Upon passage, except the advisory board requirements for state-operated facilities are effective October 1, 2023*

Public Act 23-122 (HB 6731) - AN ACT CONCERNING THE DEPARTMENT OF PUBLIC HEALTH'S RECOMMENDATIONS REGARDING CHANGE IN OWNERSHIP OF HEALTH CARE FACILITIES. (Signed by the Governor June 27, 2023)

This bill does several things: (A) generally expands the circumstances under which licensed health care facility or institution ("facility") ownership changes need prior approval from the Department of Public Health (DPH). It does so by eliminating exemptions in current law for (1) changes in ownership or beneficial ownership of under 10% of the stock of a corporation that owns or operates the facility or (2) certain transfers to relatives. As under current law, these provisions apply to all DPH-licensed institutions (e.g., hospitals, behavioral health facilities, nursing homes, outpatient surgical facilities, or home health care agencies); (B) requires proposed new owners to submit several documents and other information to DPH as part of its review of the transfer, such as (1) a copy of the sale or transfer agreement; (2) organizational charts, if applicable; and (3) information on certain prior penalties or sanctions in any stat;. (C) allows DPH to inspect facilities before approving an ownership change; current law requires an inspection; (D) establishes the criteria that the commissioner must consider when evaluating an application and sets conditions under which she may deny it (for example, if other facilities the person owned or operated were subject to specified adverse actions); (E) prohibits someone from applying to acquire ownership in a facility if DPH denied a prior application by the person's relative; (F) gives the commissioner the discretion to waive specified requirements for certain applicants; (G) It also creates an exemption from prior approval requirements for certain transfers

involving outpatient surgical facilities or nonprofit hospitals: (H) makes related changes by lowering the ownership threshold, from 10% to 5%, for certain notification requirements concerning nursing home licensing and ownership transfers; and (I) makes technical and conforming changes. *Effective Date: October 1, 2023*

Public Act 23-137 (sHB 5001) - AN ACT CONCERNING RESOURCES AND SUPPORT SERVICES FOR PERSONS WITH AN INTELLECTUAL OR DEVELOPMENTAL DISABILITY. (Signed by the Governor June 27, 2023)

This bill contains numerous provisions. The sections germane to the LTSS system are as follows:

§ 1 — TRANSITIONAL LIFE SKILLS COLLEGE PROGRAM

The bill requires the Department of Developmental Services (DDS) commissioner to produce a plan to establish a Transitional Life Skills College program to provide transitional tools and life skills development for participants with IDD who are at least age 22 and transitioning from (1) the K-12 education system or (2) living with parents or guardians to living independently or quasi-independently through a DDS-administered residential program. *Effective Date: July 1, 2023*

§ 2 — OPM EVALUATION OF IDD EMPLOYMENT ASSISTANCE PROGRAMS

Requires the OPM secretary to (1) analyze existing employee assistance programs for people with IDD and other disabilities, (2) recommend financial incentives for businesses to hire them, and (3) create a related workforce plan. *Effective Upon Passage*

§ 3 — REDUCING DDS MEDICAID WAIVER PROGRAM WAITLISTS

Requires the DDS commissioner to reduce the waiting lists for services in DDS-administered Medicaid waiver programs; requires the new statewide coordinator of IDD programs (see § 14 below) and services (other than Autism Spectrum Disorder (ASD)) to annually report to the legislature on the waiting lists. *Effective Date: July 1, 2023*

§ 4 — REDEFINING IDD AND SERVICE ELIGIBILITY

Requires the OPM secretary to (1) develop and recommend new statutory definitions for IDD, (2) identify related programs that may need to be updated based on the new definitions, (3) evaluate whether IQ should be used in the definitions, and (4) evaluate the level-of-need assessment tool used by state agencies serving people with IDD. *Effective Upon Passage*

§ 5 — AUTISM MEDICAID WAIVER PROGRAM EXPANSION

Requires the DSS commissioner, within available appropriations, to expand the Medicaid waiver program for people with ASD to reduce the number of people on the program's waiting list. *Effective Date: July 1, 2023*

§§ 7 & 8 — LOCAL VOLUNTARY PUBLIC SAFETY REGISTRATION SYSTEM FOR PEOPLE WITH IDD

Creates a voluntary public safety registration system that municipal police departments may implement for children and adults with IDD to collect specified information that can help emergency services personnel interact with these children and adults. (*Note: this provision was amended in the implementer. See Sec. 170 of PA 23-204, on p.12 of this document.*)

§§ 9 & 10 — EMERGENCY SERVICES AWARENESS PROGRAMS AND SENSORY KITS

Requires DDS, the Department of Children and Families (DCF), and the Department of Emergency Services and Public Protection (DESPP), to develop guidelines and best practices for municipal emergency services awareness programs for children and adults with specified disorders and disabilities; requires the Department of Administrative Services (DAS) to develop and acquire sensory kits for emergency services personnel who interact with these children and adults and allows municipalities to apply to DESPP for these kits by September 1, 2025; authorizes DESPP to determine the eligibility criteria and formula for distributing the kits. *Effective Upon Passage*

§ 11 — HUMAN SERVICES CAREER PIPELINE PROGRAM

Requires the Chief Workforce Officer to establish a Human Services Career Pipeline program to ensure there is a sufficient human services workforce to serve the needs of residents who are elderly or have disabilities. *Effective Date: July 1, 2023*

§ 12 — RIGHTS OF PEOPLE UNDER DDS SUPERVISION Requires the DDS commissioner to review the rights of people placed or treated under the commissioner's supervision in public or private facilities to determine whether modifications are needed. *Effective Upon Passage*

§ 13 — STATE AGENCY ONLINE DATA PORTAL Requires OPM to create a plan to develop an online portal to share information across agencies to ensure efficient and safe service delivery. *Effective Date: July 1, 2023*

§ 14 — ESTABLISHMENT OF NEW PROGRAM COORDINATOR POSITIONS Requires OPM to establish two new positions for statewide coordinators of services for people with ASD and other IDD. *Effective Upon Passage*

§ 16 — FUNDS FOR GROUP HOME COMPLIANCE WITH FIRE REGULATIONS Requires DAS, by January 1, 2025, and within available appropriations, to give financial assistance to private group home providers to comply with certain fire regulations; requires DAS to assess the level of need for these funds and review other states' fire regulations. *Effective Date: July 1, 2024*

§ 17 — IDD AWARENESS AND ADVOCACY DAY Designates May 23 as "Intellectual and Developmental Disabilities Awareness and Advocacy Day." *Effective Upon Passage*

§ 18 — PILOT PROGRAM FOR PEOPLE WITH ASD Requires DSS to establish a two-year pilot program with a hospital to provide nonresidential outpatient day services for people with ASD. *Effective Date: July 1, 2023*

§ 19 — IDD AND DEMENTIA STUDY Requires the ADS commissioner to study the higher prevalence of dementia and other conditions in people with IDD and determine whether state programs address this. The bill requires the ADS commissioner to report to the Aging, Appropriations, and Human Services committees by June 1, 2024. *Effective Upon Passage*

§ 20 — STUDY ON TRANSPORTATION NEEDS FOR PEOPLE WITH IDD Requires the Department of Transportation (DOT) to study the demand and need for statewide and local transportation services for people with IDD. The DOT commissioner must report on the study results and recommendations to the Human Services, Public Health, and Transportation committees by January 1, 2025. *Effective Upon Passage*

§ 21 — STUDY ON NONMEDICAL TRANSPORTATION SERVICES FOR PEOPLE WITH AN INTELLECTUAL DISABILITY Requires DOT to study ways to provide nonmedical transportation for people with an intellectual disability. The DOT commissioner must report on the study results

and recommendations to the Human Services and Transportation committees by July 1, 2025.
Effective Upon Passage

§ 22 — MODERNIZING AND MAINTAINING BUS STOPS AND SHELTERS Requires DOT and each transit district to jointly develop plans to modernize and maintain Connecticut’s bus stops and shelters and for new construction of them to be done according to these plans. This includes ensuring all bus stops and shelters are constructed and maintained in compliance with the federal Americans with Disabilities Act’s (ADA’s) physical accessibility guidelines. *Effective Upon Passage*

§ 23 — NORTHWEST NONMEDICAL TRANSPORTATION SERVICES PILOT PROGRAM Requires DDS to create a pilot program to provide nonmedical transportation services to people with an intellectual disability in northwestern Connecticut. *Effective Upon Passage*

§ 25 — VIDEO PRESENTATION ON INTERACTING WITH PEOPLE WITH DISABILITIES Requires (1) the Department of Motor Vehicles (DMV) to create a video presentation that instructs and gives best practices on ways to appropriately interact with certain people with disabilities, (2) DMV and certain other departments to post the presentation on their websites, and (3) applicants for a public passenger license endorsement to watch the presentation. *Effective Date: October 1, 2023*

§ 53 — SUPPORTIVE HOUSING GRANTS FOR NONPROFITS Requires DDS to establish a program to provide grants to qualifying private nonprofits for supportive housing for people with an intellectual disability or other developmental disabilities; creates related administration and reporting requirements. *Effective Date: July 1, 2023*

§ 54 — COMMUNITY-BASED GROUP HOMES PLAN FOR REENTERING INDIVIDUALS Requires the DDS commissioner to (1) within available appropriations and in collaboration with the housing and correction commissioners, create a plan for a comprehensive program for community-based group homes for people with intellectual disabilities reentering society from the correctional system and (2) submit the plan to the legislative committees of cognizance January 1, 2024. *Effective Date: October 1, 2023*

§ 55 — MUNICIPAL AFFORDABLE HOUSING PLANS Expands the municipal affordable housing planning requirement by requiring plans submitted to OPM after October 1, 2023, to specify how the municipality will improve affordable housing unit accessibility for people with an intellectual disability or other developmental disabilities. *Effective Date: October 1, 2023*

§§ 56-59 — ABLE ACCOUNTS Authorizes a personal income tax deduction up to \$5,000 for individuals or \$10,000 for joint filers for contributions made to “Achieving a Better Life Experience” (ABLE) accounts; establishes a credit against the corporation business and personal income taxes for contributions employers make into employees’ ABLE accounts, capped at \$2,500 per employee per year; exempts ABLE accounts from claims by the state against the estates of Medicaid beneficiaries; and requires an ABLE program director of outreach be designated. *Effective Date: October 1, 2023, except the tax deduction and tax credit provisions take effect January 1, 2024 and apply to taxable and income years beginning on or after that date*

§ 60 — COMPENSATION FOR FAMILY CAREGIVERS Requires DSS to apply for federal approval to compensate family caregivers under DDS-administered Medicaid waivers (*Note: this provision was amended in the implementer. See Sec. 171 of PA 23-204, on p.12 of this document.*)

Public Act 23-168 (sSB 1088 - AN ACT CONCERNING FINANCIAL EXPLOITATION OF SENIOR CITIZENS. (Signed by the Governor June 27, 2023)

This bill authorizes disclosures and other processes, including temporary account holds, by broker-dealers, investment advisors, financial institutions (e.g., banks and credit unions), and probate courts to address the financial exploitation of “eligible adults” (i.e., state residents ages 60 or older). The bill authorizes the probate court, rather than any court of competent jurisdiction, to hear petitions on holds by broker-dealers and investment advisors. The bill shields entities that make authorized disclosures from liability in certain cases. The bill also adds several provisions on powers of attorney (POAs); expressly does not limit immunities, causes of action, or remedies provided under the Connecticut Uniform Power of Attorney Act (§§ 1-4). Additionally, the bill (1) lowers the evidentiary standard used for determining when ownership of a joint account at a bank or credit union would not vest to the surviving account owners (§ 5) and (2) explicitly requires financial institutions to comply with certain federal and state law requirements on providing electronic or paper periodic statements (§ 6). *Effective Date: July 1, 2024, except the provisions on determining joint account ownership and providing electronic or paper periodic statements are effective October 1, 2023*

Public Act 23-168 (sHB 6775) - AN ACT CONCERNING MANDATED REPORTERS. (Signed by the Governor June 28, 2023)

This bill expands the list of mandated reporters who must report to the Department of Social Services (DSS) when they suspect that an elderly person needs protective services. The bill adds the following professions and titles to the list: (1) licensed professional counselors; (2) adult probation officers; (3) adult parole officers; (4) physician assistants; (5) dental hygienists; and (6) resident service coordinators, clinical care coordinators, and managers employed at housing authorities, or municipal developers operating elderly housing projects.

Effective Date: July 1, 2023

Public Act 23-186 (sSB 989) - AN ACT CONCERNING NONPROFIT PROVIDER RETENTION OF CONTRACT SAVINGS, COMMUNITY HEALTH WORKER MEDICAID REIMBURSEMENT AND STUDIES OF MEDICAID RATES OF REIMBURSEMENT, NURSING HOME TRANSPORTATION AND NURSING HOME WAITING LISTS. (Signed by the Governor June 28, 2023)

This bill (1) requires the Department of Social Services (DSS) to conduct a two-part study of Medicaid rates of reimbursement. The study must include (1) an examination of rates for physician specialists, dentists, and behavioral health providers, and (2) a review of the reimbursement system for all other aspects of the Medicaid program. *Effective Upon Passage*

(2) requires state agencies that contract with a nonprofit private provider organization for health and human services to allow such nonprofit organization to retain any savings from a purchase of service contract at the end of each fiscal year, after meeting certain requirements. *Effective Date: July 1, 2023*

(3) eliminates an OPM incentive program for nonprofit human service providers, similar to the program established in Section 2. *Effective Date: July 1, 2023*

(4) requires the Department of Social Services (DSS) to design and implement a program to provide Medicaid reimbursement to certified community health workers. *Effective Date: July 1, 2023*

(5) allows facilities to provide nonemergency transportation to residents in certain circumstances. *Effective Date: July 1, 2023*

(6) establishes a working group concerning nursing home waiting list requirements. The bill requires the LTC Ombudsman and the commissioners of DSS and DPH to report to the Human Services and Public Health committees by January 1, 2024. *Effective Upon Passage*

Public Act 23-198 (sSB 1215) - AN ACT CONCERNING CERTAIN EMPLOYEES WORKING IN INTERMEDIATE CARE FACILITIES. (Signed by the Governor June 28, 2023)

Department of Developmental Services' (DDS) contracted private providers received funding in FY 23 to provide wage and benefit enhancements to their DDS-funded employees. The bill enables providers to use this funding to support employees who work in Department of Social Services funded Intermediate Care Facilities for individuals with Intellectual Disability (ICF/ID), as originally intended. This includes providers who have not received funding and will receive funding as described above. The providers must use the funds for the purpose of the same enhancements received by their DDS contracted employees. *Effective Upon Passage*

Public Act 23-204 (HB 6941) - AN ACT CONCERNING THE STATE BUDGET FOR THE BIENNIUM ENDING JUNE 30, 2025, AND MAKING APPROPRIATIONS THEREFOR, AND PROVISIONS RELATED TO REVENUE AND OTHER ITEMS IMPLEMENTING THE STATE BUDGET. (Signed by the Governor in Original June 12, 2023)

This is the bill that both details and implements the budget. The sections relevant to the LTSS system are as follows:

The Medicaid budget line item includes adding Agency-Based Services under the Community First Choice (CFC) program. To support consumer choice and increase access to long-term services and supports in the community, this adds an agency-based option to the Medicaid state plan. This will provide Medicaid consumers with more choice in where, how, and by whom they receive their care, and will support Connecticut's goal of rebalancing the state's long-term care system by reducing the number of consumers receiving services in, and Medicaid funding going towards, institutional care. The budget accounts for savings of \$12.3M in Fiscal Year (FY) 2024, and a cost of \$3.1M in FY 2025.

§ 60 — MEDICAID WAIVER APPENDIX K REPORT Requires the DSS commissioner to report to the Appropriations and Human Services committees by January 1, 2024, on the implementation of emergency amendments to home- and community-based Medicaid waivers. *Effective Upon Passage*

§§ 165 & 446 — PROGRAM OF ALL-INCLUSIVE CARE FOR ELDERLY Allows the DSS commissioner to submit a Medicaid state plan amendment to cover Program of All-Inclusive Care for Elderly services under Medicaid, within available appropriations. *Effective Date: July 1, 2023*

§ 170 — LOCAL VOLUNTARY PUBLIC SAFETY REGISTRATION SYSTEM FOR PEOPLE WITH IDD Creates a local voluntary public safety registration system for people with IDD, limiting

the registration system to children with IDD and setting up a notification and opt-in procedure municipal police departments must follow when registrants turn 18. *(Note: This provision amends Secs. 7-8 of PA 23-137, on p. 7 of this document) Effective Upon Passage*

§ 171 — COMPENSATION FOR FAMILY CAREGIVERS Requires DSS to amend current Medicaid waivers, rather than applying for new ones, to authorize compensation for family caregivers in DDS-administered waiver programs. *(Note: This provision amends Sec. 60 of PA 23-137, on p. 9 of this document) Effective Upon Passage*

§§ 261-263, 279-281 & 443 — AUTISM SPECTRUM DISORDER (ASD) AND OPM. Makes OPM, rather than DSS, the lead agency to coordinate ASD services and transfers many of DSS's ASD-related duties to OPM; requires the Autism Spectrum Disorder Advisory Council (ASDAC) to report to OPM, rather than DSS. The Division of Autism Spectrum Disorder Services remains within the Department of Social Services to oversee the operation of Medicaid state plan services and the Medicaid waiver program for autism spectrum disorder services. *Effective Date: July 1, 2023*

§ 272 — STATE SUPPLEMENT PROGRAM (SSP) BENEFIT START DATE Aligns the start date for SSP eligibility for a residential care home or rated housing facility resident with the date the person begins residing in the home or a facility, subject to a 90-day limit based on when DSS received the application. *Effective Date: October 1, 2023*

§ 273 — DSS PAYMENTS TO NON-ICF-ID BOARDING HOMES Generally caps FYs 24 rates at FY 23 levels for room and board at private residential facilities and similar facilities that are not ICF-ID (Intermediate Care Facilities for Individuals with Intellectual Disability); allows DSS to provide fair rent increases at the department's discretion for FY 24 and subsequent fiscal years. *Effective Date: July 1, 2023*

§ 274 — DSS PAYMENTS TO ICF-IDS For ICF-IDs, establishes a methodology for inflationary adjustments, but prohibits inflationary increases, for FYs 24 to 26; generally requires rates for FYs 24 to 26 to be based on corresponding cost reports; maintains per diem, per bed rates at \$501 for FYs 24 and 25, but eliminates the minimum rate for FY 26; allows DSS to provide discretionary fair rent increases and determine when to rebase rates based on change in ownership. *Effective Date: July 1, 2023*

§§ 275 & 291 — NURSING HOME MEDICAID RATES Requires DSS to issue individualized quality metrics reports to nursing homes; requires DSS to report on rate withholds; makes conforming changes to transition to an acuity-based reimbursement methodology; establishes a methodology for determining inflationary adjustments and prohibits inflationary adjustments for FYs 23 and 24. *Effective Upon Passage*

§ 276 — FLAT RATE FOR RESIDENTIAL SERVICES Freezes FY 24 rates at FY 16 levels for residential care homes, community living arrangements, and community companion homes that receive a flat rate rather than a cost-based rate. *Effective Date: July 1, 2023*

§ 277 — RESIDENTIAL CARE HOME RATES Requires DSS to determine FY 24 rates based on 2022 cost report filings; allows rate increases, within available appropriations, for FYs 24 and 25 for certain costs, but prohibits rate increases based on any inflation factor for FY 24; establishes a method for calculating inflationary rate increases in subsequent years; and requires DSS to determine when a change in ownership requires a rebasing of rates. *Effective Date: July 1, 2023*

§ 282 — RATES FOR COMPLEX CARE NURSING SERVICES Requires DSS to raise adult rates for at-home complex care nursing services to equal the pediatric rate and prohibits age-based rate differentials for these services. *Effective Date: January 1, 2024*

§ 288 — STATE-CONTRACTED PROVIDERS FOR IDD SERVICES Authorizes state-contracted providers who received rate increases in FYs 22-23 for wage and benefit increases for employees providing services to people with IDD to use these funds in FY 23 for wage increases for certain intermediate care facility employees. *Effective Upon Passage*

§ 290 — CONNECTICUT PARTNERSHIP FOR LONG-TERM CARE PROGRAM ADMINISTRATION Officially moves the Connecticut Partnership for Long-Term Care, and its function to provide public information, from ADS to OPM. *Effective Date: October 1, 2023*

§ 298 — WORKING GROUP ON SKILLED NURSING FACILITY EXCESS LICENSED BED CAPACITY Requires DSS to (1) appoint and convene a ten-member working group to review and evaluate excess licensed bed capacity at skilled nursing facilities; (2) report to each individual nursing home the implications of the working group's findings and recommendations on the nursing home's Medicaid rate; and (3) recommend Medicaid rate adjustments to address excess licensed bed capacity. The bill requires the working group to submit an interim report by December 31, 2023, and a final report by June 30, 2024, to the Human Services Committee. *Effective Upon Passage*

§ 302 — HUSKY C INCOME LIMIT Expands eligibility for HUSKY C. The bill increases the HUSKY C income limit from 143% of the Temporary Family Assistance (TFA) cash benefit to 105% of Federal Poverty Level (FPL), after any authorized income disregards. Currently, 143% of the TFA monthly cash benefit amount is \$700 for an individual and \$946 for a two-person family. For 2023, 105% of FPL is \$1,276 per month for an individual and \$1,725 for a two-person family. HUSKY C provides Medicaid coverage to people who are age 65 or older, blind, or living with a disability. *Effective Date: October 1, 2024*