



General Assembly

**Substitute Bill No. 5333**

February Session, 2022



**AN ACT CONCERNING THE PROGRAM OF ALL-INCLUSIVE CARE FOR THE ELDERLY.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 17b-428 of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective July 1, 2022*):

3 (a) As used in this section:

4 (1) "Commissioner" means the Commissioner of Social Services;

5 (2) "PACE program" has the same meaning as provided in 42 USC  
6 1395eee, as amended from time to time, and includes a program of all-  
7 inclusive care for the elderly;

8 [(2)] (3) "Eligible individual" means "PACE program eligible  
9 individual", as defined in [Subtitle I of Public Law 105-33] 42 USC  
10 1395eee, as amended from time to time, or in a [waiver application]  
11 Medicaid state plan amendment approved by the United States  
12 Department of Health and Human Services;

13 [(3) "PACE program" means "PACE program", as defined in Subtitle  
14 I of Public Law 105-33, as amended from time to time, and includes a  
15 program of all-inclusive care for the elderly;]

16 (4) "PACE program agreement" means "PACE program agreement",  
17 as defined in [Subtitle I of Public Law 105-33] 42 USC 1395eee, as  
18 amended from time to time;

19 (5) "PACE provider" means "PACE provider", as defined in [Subtitle  
20 I of Public Law 105-33] 42 USC 1395eee, as amended from time to time;  
21 and

22 [(6) "Secretary" means the Secretary of the United States Department  
23 of Health and Human Services;]

24 [(7)] (6) "State administering agency" means "state administering  
25 agency", as defined in [Subtitle I of Public Law 105-33] 42 USC 1395eee,  
26 as amended from time to time.

27 (b) [Not later than July 1, 1998, the] The commissioner [shall establish  
28 a pilot program in which PACE providers deliver] may submit a  
29 Medicaid state plan amendment to add PACE program services, within  
30 available appropriations, to [eligible individuals in this state pursuant  
31 to a PACE program agreement. Under said program, the commissioner,  
32 in consultation with the Insurance Commissioner, may initially enter  
33 into contracts with integrated service networks which have successfully  
34 completed a feasibility study, in conjunction with a PACE technical  
35 assistance center, for the provision of PACE program services] the  
36 Medicaid state plan.

37 (c) The Department of Social Services shall be the state administering  
38 agency for the state of Connecticut responsible for administering PACE  
39 program [agreements in this state. The department, upon request, shall  
40 assist the secretary in establishing procedures for entering into,  
41 extending and terminating PACE program agreements for the operation  
42 of PACE programs by PACE providers in this state] agreement services.  
43 Upon approval of the Medicaid state plan amendment, the department  
44 shall establish participation criteria for eligible individuals and PACE  
45 providers and make payments for PACE program services from funds  
46 appropriated to the Medicaid account.

47 [(d) The commissioner shall provide medical assistance under this  
48 section for PACE program services to eligible individuals who are  
49 eligible for medical assistance in this state and enrolled in a PACE  
50 program under a PACE program agreement. The commissioner shall  
51 seek any waiver from federal law necessary to permit federal  
52 participation for Medicaid expenditures for PACE programs in this  
53 state.]

54 [(e)] (d) The commissioner may adopt regulations in accordance with  
55 chapter 54 to implement the provisions of this section. The  
56 commissioner, pursuant to section 17b-10, may implement policies and  
57 procedures to implement the provisions of this section while in the  
58 process of adopting such policies and procedures in regulation form,  
59 provided the commissioner posts notice of the intent to adopt the  
60 regulation on the eRegulations System not later than twenty days after  
61 the date of implementation. Such policies and procedures shall be valid  
62 until the time final regulations are adopted.

63 Sec. 2. Section 17b-28c of the general statutes is repealed. (Effective July  
64 1, 2022)

This act shall take effect as follows and shall amend the following sections:		
Section 1	July 1, 2022	17b-428
Sec. 2	July 1, 2022	Repealer section

**Statement of Legislative Commissioners:**  
Section 1(a)(6) was deleted, Section 1(a)(7) was redesignated as Section 1(a)(6) and "and" was added in Section 1(a)(5) for accuracy.

**HS** Joint Favorable Subst.