



General Assembly

January Session, 2021

Substitute Bill No. 6319



**AN ACT CONCERNING PAYMENT RECOVERIES AND INCENTIVES
UNDER PUBLIC ASSISTANCE PROGRAMS.**

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

1 Section 1. Section 4a-16 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective July 1, 2021*):

3 When any person supported or cared for by the state [under] (1) in a
4 program of public assistance, [or] (2) in an institution maintained by the
5 Department of Developmental Services or Department of Mental Health
6 and Addiction Services, [or] (3) when an inmate of the Department of
7 Correction, or [when any] (4) as a child committed to the Commissioner
8 of Social Services or Commissioner of Children and Families dies
9 leaving only personal estate, including personal assets owing and due
10 the estate after death, not exceeding the aggregate value, as described in
11 section 45a-273, the Commissioner of Administrative Services or the
12 commissioner's authorized representative shall, upon [filing with]
13 completing a financial accounting of the estate's assets and debt, make
14 a reasonable effort to inform the next of kin of the decedent in writing
15 that the commissioner or the commissioner's designee intends to
16 become the legal representative of the estate for the purpose of securing
17 partial or full reimbursement of the claim of the state for care or
18 assistance rendered to the decedent. The commissioner, or the
19 commissioner's designee, not later than thirty days after making a

20 reasonable effort to contact the next of kin of the decedent, shall file with
21 the [probate court] Probate Court having jurisdiction of such estate a
22 certificate that the total estate is under the aggregate value, as described
23 in section 45a-273, and the claim of the state, together with the expense
24 of last illness not exceeding three hundred seventy-five dollars and
25 funeral and burial expenses in accordance with section 17b-84 or section
26 17b-131, equals or exceeds the amount of such estate. [, be issued a
27 certificate by said court] The court shall issue a certificate to the
28 commissioner, or the commissioner's designee, stating that the
29 commissioner, or the commissioner's designee, is the legal
30 representative of such estate [only for the following purpose. The
31 commissioner shall have authority to] and may claim such estate, the
32 commissioner's receipt for the same to be a valid discharge of the
33 liability of any person turning over the same, and [to] settle the same by
34 payment of the expense of last illness not exceeding three hundred
35 seventy-five dollars, expense of funeral and burial in accordance with
36 section 17b-84 or 17b-131 and the remainder as partial or full
37 reimbursement of the claim of the state for care or assistance rendered
38 to the decedent. The commissioner, or the commissioner's designee,
39 shall file with said [probate court] Probate Court a statement of the
40 settlement of such estate as herein provided.

41 Sec. 2. Subsection (c) of section 4-216 of the general statutes is
42 repealed and the following is substituted in lieu thereof (*Effective July 1,*
43 *2021*):

44 (c) The secretary shall establish [a pilot] an incentive program for
45 nonprofit providers of human services that shall (1) allow providers
46 who otherwise meet contractual requirements to retain [a percentage of]
47 any savings realized by the providers from the contracted cost for
48 services, and (2) provide that future contracted amounts from the state
49 for the same types of services are not reduced solely to reflect savings
50 achieved in previous contracts by such providers. [The pilot incentive
51 program shall include eight nonprofit providers of human services with
52 state contracts of the following amounts: (A) Two with contracts of at

53 least fifty million dollars, (B) two with contracts of at least twenty
54 million dollars but less than fifty million dollars, (C) two with contracts
55 of at least five million dollars but less than twenty million dollars, and
56 (D) two with contracts of less than five million dollars.] For purposes of
57 this subsection, "nonprofit providers of human services" includes, but is
58 not limited to, nonprofit providers of services to persons with
59 intellectual, physical or mental disabilities or autism spectrum disorder.

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| This act shall take effect as follows and shall amend the following sections: | | |
| Section 1 | <i>July 1, 2021</i> | 4a-16 |
| Sec. 2 | <i>July 1, 2021</i> | 4-216(c) |

HS *Joint Favorable Subst. -LCO*

JUD *Joint Favorable*