



General Assembly

**Substitute Bill No. 397**

February Session, 2024



**AN ACT EXPANDING MEDICAID COVERAGE OF SCHOOL-BASED HEALTH CARE.**

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

1 Section 1. (NEW) (*Effective from passage*) (a) As used in this section, (1)  
2 "Title I" means Title I of the Elementary and Secondary Education Act,  
3 P.L. 89-10, as amended by the Every Student Succeeds Act, P.L.114-95,  
4 and (2) "Title I school" means a school with a high percentage of students  
5 from low-income households that qualifies for federal financial  
6 assistance under Title I.

7 (b) The Commissioner of Social Services, in consultation with the  
8 Commissioner of Education, shall seek federal approval for a Medicaid  
9 waiver to provide Medicaid coverage for health care of any student at a  
10 Title I school and any student at a school who qualifies for free or  
11 reduced price lunches regardless of whether such student qualifies for  
12 services under the Individuals with Disabilities Education Act, 20 USC  
13 1400 et seq., as amended from time to time, or Medicaid income  
14 eligibility guidelines. The commissioner shall seek approval for such  
15 waiver in accordance with section 17b-8 of the general statutes not later  
16 than October 1, 2024.

17 (c) The Commissioner of Education, in consultation with the  
18 Commissioner of Social Services, shall develop an "opt out" form for the  
19 parent or legal guardian of any student who does not wish the student

20 to have health care services covered under Medicaid. The  
21 Commissioner of Education shall make such form available via United  
22 States mail or on the Internet web site of the Department of Education  
23 in multiple languages, including, but not limited to, English, Polish,  
24 French, Portuguese, Spanish and other languages consistent with the  
25 demographic profile of students enrolled in bilingual education  
26 programs in kindergarten through twelfth grade in the state.

27 (d) The Commissioner of Education, in consultation with the  
28 Commissioner of Social Services, shall develop a list of health care  
29 services eligible for Medicaid reimbursement to be disseminated to each  
30 local or regional board of education. The Commissioner of Social  
31 Services shall make grant payments to local or regional boards of  
32 education in amounts representing eighty per cent of the federal portion  
33 of Medicaid claims processed for students. Such grant payments shall  
34 be made on at least a quarterly basis and may represent estimates of  
35 amounts due to local or regional boards of education.

36 (e) Not later than January first annually, the Commissioner of Social  
37 Services, in consultation with the Commissioner of Education, shall file  
38 a report, in accordance with the provisions of section 11-4a of the general  
39 statutes, on Medicaid reimbursement for school health care services  
40 with the joint standing committees of the General Assembly having  
41 cognizance of matters relating to appropriations and the budgets of state  
42 agencies, children, education and human services. The report shall  
43 include recommendations on expanding Medicaid health care services  
44 provided in schools.

45 Sec. 2. (NEW) (*Effective July 1, 2024*) The Commissioner of Social  
46 Services shall amend the Medicaid state plan to provide Medicaid  
47 coverage for health care services provided to an eligible student in the  
48 office of a school nurse.

49 Sec. 3. Subdivision (5) of subsection (a) of section 10-76d of the 2024  
50 supplement to the general statutes is repealed and the following is  
51 substituted in lieu thereof (*Effective July 1, 2024*):

52 (5) Beginning with the fiscal year ending June 30, [2004] 2025, the  
53 Commissioner of Social Services shall make grant payments to local or  
54 regional boards of education in amounts representing [fifty] eighty per  
55 cent of the federal portion of Medicaid claims processed for Medicaid  
56 eligible special education and related services provided to Medicaid  
57 eligible students in the school district. Beginning with the fiscal year  
58 ending June 30, 2009, the commissioner shall exclude any enhanced  
59 federal medical assistance percentages in calculating the federal portion  
60 of such Medicaid claims processed. Such grant payments shall be made  
61 on at least a quarterly basis and may represent estimates of amounts due  
62 to local or regional boards of education. Any grant payments made on  
63 an estimated basis, including payments made by the Department of  
64 Education for the fiscal years prior to the fiscal year ending June 30,  
65 2000, shall be subsequently reconciled to grant amounts due based upon  
66 filed and accepted Medicaid claims and Medicaid rates. If, upon review,  
67 it is determined that a grant payment or portion of a grant payment was  
68 made for ineligible or disallowed Medicaid claims, the local or regional  
69 board of education shall reimburse the Department of Social Services for  
70 any grant payment amount received based upon ineligible or  
71 disallowed Medicaid claims.

72 Sec. 4. (NEW) (*Effective from passage*) (a) There is established an  
73 interagency coalition to coordinate and make recommendations  
74 concerning maximizing federal funding for Medicaid-eligible health  
75 care services in public schools in the state.

76 (b) The coalition shall convene not later than sixty days after the  
77 effective date of this section and shall meet at least quarterly. The  
78 coalition shall consist of:

79 (1) The Commissioner of Education, or the commissioner's designee;

80 (2) The Commissioner of Social Services, or the commissioner's  
81 designee; and

82 (3) The Secretary of the Office of Policy and Management, or the  
83 secretary's designee.

84 (c) Not later than January first annually, the coalition shall file a  
 85 report, in accordance with the provisions of section 11-4a of the general  
 86 statutes, with the joint standing committees of the General Assembly  
 87 having cognizance of matters relating to appropriations and the budgets  
 88 of state agencies, children, education and human services. The report  
 89 shall include, but need not be limited to: (1) The number of school  
 90 children receiving Medicaid-covered health care services in the prior  
 91 school year and any increase or decrease in the percentage of such  
 92 students per total student enrollment; (2) steps taken to expand  
 93 Medicaid coverage of student health care services, including, but not  
 94 limited to, any Medicaid waivers or state plan amendments; and (3) a  
 95 survey of efforts in other states to expand Medicaid-covered health care  
 96 services for students.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	New section
Sec. 2	<i>July 1, 2024</i>	New section
Sec. 3	<i>July 1, 2024</i>	10-76d(a)(5)
Sec. 4	<i>from passage</i>	New section

**Statement of Legislative Commissioners:**

In Sections 1 and 4, references to "services" and "health services" were changed to "health care services" for consistency.

**HS**      *Joint Favorable Subst.*