



General Assembly

Raised Bill No. 1132

January Session, 2023

LCO No. 4840



Referred to Committee on VETERANS' AND MILITARY
AFFAIRS

Introduced by:
(VA)

***AN ACT EXCLUDING VETERANS' DISABILITY PAYMENTS FROM
INCOME FOR PURPOSES OF ELIGIBILITY FOR CERTAIN STATE
BENEFITS.***

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

1 Section 1. Subsection (g) of section 8-119kk of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective July*
3 *1, 2023*):

4 (g) The commissioner shall adopt regulations in accordance with the
5 provisions of chapter 54 to carry out the purposes of this section. The
6 regulations shall establish maximum income eligibility guidelines for
7 such rental assistance and criteria for determining the amount of rental
8 assistance which shall be provided to elderly persons, provided the
9 amount of assistance for elderly persons who are certificate holders
10 shall be the difference between thirty per cent of their adjusted gross
11 income, less a utility allowance and any veterans' disability
12 compensation, and the base rent.

13 Sec. 2. Subsection (a) of section 8-219b of the general statutes is

14 repealed and the following is substituted in lieu thereof (*Effective July*
15 *1, 2023*):

16 (a) The Commissioner of Housing, acting on behalf of the state,
17 may, in his discretion, enter into a contract with any person who is
18 sixty-two years of age or older and whose income, excluding any
19 veteran's disability compensation, does not exceed the maximum
20 qualifying income for eligibility for benefits under the program of tax
21 relief for certain elderly homeowners under section 12-170aa, to
22 provide, based on the financial needs of such person, a grant-in-aid,
23 loan or deferred loan to enable such person to finance emergency
24 repairs to or rehabilitation of a dwelling containing up to two
25 residential units, provided such person shall be the owner of such
26 dwelling and shall reside in at least one of such units. In the case of a
27 deferred loan, the contract shall require that payments on interest are
28 due immediately but that payments on principal may be made at a
29 later time.

30 Sec. 3. Subsection (b) of section 8-219e of the general statutes is
31 repealed and the following is substituted in lieu thereof (*Effective July*
32 *1, 2023*):

33 (b) The Commissioner of Housing may adopt regulations, in
34 accordance with the provisions of chapter 54, to carry out the purposes
35 of this section. Such regulations shall provide the terms and conditions
36 of grants-in-aid, loans or deferred loans made pursuant to subsection
37 (a) of this section and the eligibility and application requirements for
38 such financial assistance. In determining such eligibility requirements,
39 the commissioner shall consider establishing priorities for low and
40 moderate income families and households having a child suffering
41 from lead-paint poisoning and shall exclude from income any
42 veterans' disability compensation.

43 Sec. 4. Subsection (g) of section 8-345 of the general statutes is
44 repealed and the following is substituted in lieu thereof (*Effective July*
45 *1, 2023*):

46 (g) The commissioner shall adopt regulations in accordance with the
47 provisions of chapter 54 to carry out the purposes of this section. The
48 regulations shall establish maximum income eligibility guidelines,
49 which shall exclude from income any veterans' disability
50 compensation, for such rental assistance and criteria for determining
51 the amount of rental assistance which shall be provided to eligible
52 families.

53 Sec. 5. Subsection (c) of section 8-346 of the general statutes is
54 repealed and the following is substituted in lieu thereof (*Effective July*
55 *1, 2023*):

56 (c) The commissioner shall adopt regulations, in accordance with
57 the provisions of chapter 54, to carry out the purposes of this section.
58 Such regulations shall establish maximum income eligibility
59 guidelines, which shall exclude from income any veterans' disability
60 compensation, for such rental assistance and criteria for determining
61 the amount of rental assistance which shall be provided.

62 Sec. 6. Subdivision (1) of subsection (c) of section 17a-860 of the
63 general statutes is repealed and the following is substituted in lieu
64 thereof (*Effective July 1, 2023*):

65 (c) (1) No individual with Alzheimer's disease may participate in the
66 program if such individual (A) has an annual income, excluding any
67 veterans' disability compensation, of more than forty-one thousand
68 dollars or liquid assets of more than one hundred nine thousand
69 dollars, or (B) is receiving services under the Connecticut home-care
70 program for the elderly. On July 1, [2009] 2023, and annually
71 thereafter, the commissioner shall increase such income and asset
72 eligibility criteria over that of the previous fiscal year to reflect the
73 annual cost of living adjustment in Social Security income, if any.

74 Sec. 7. Section 17b-28i of the general statutes is repealed and the
75 following is substituted in lieu thereof (*Effective July 1, 2023*):

76 (a) To the extent permissible by federal law, the Commissioner of

77 Social Services shall disregard federal Aid and Attendance pension
78 benefits granted to a veteran or the surviving spouse of such veteran
79 and any veterans' disability compensation when determining income
80 eligibility for the state's Medicare savings, medical assistance and
81 energy assistance programs administered under section 17b-2. As used
82 in this subsection, "veteran" has the same meaning as provided in
83 section 27-103.

84 (b) The Commissioner of Social Services may seek approval of an
85 amendment to the state Medicaid plan or a waiver from federal law, if
86 necessary, to exempt such benefits and compensation from income
87 eligibility criteria.

88 Sec. 8. Subsection (b) of section 17b-80 of the general statutes is
89 repealed and the following is substituted in lieu thereof (*Effective July*
90 *1, 2023*):

91 (b) The commissioner shall disregard any earned income of a child
92 who is a student and any veterans' disability compensation in
93 determining the eligibility, standard of need and amount of assistance
94 of a family in the TFA program.

95 Sec. 9. Subsection (a) of section 17b-104 of the general statutes is
96 repealed and the following is substituted in lieu thereof (*Effective July*
97 *1, 2023*):

98 (a) The Commissioner of Social Services shall administer the
99 program of state supplementation to the Supplemental Security
100 Income Program provided for by the Social Security Act and state law.
101 The commissioner may delegate any powers and authority to any
102 deputy, assistant, investigator or supervisor, who shall have, within
103 the scope of the power and authority so delegated, all of the power
104 and authority of the Commissioner of Social Services. The standard of
105 need for the temporary family assistance program shall be fifty-five
106 per cent of the federal poverty level. The commissioner shall make a
107 reinvestigation, at least every twelve months, of all cases receiving aid

108 from the state, except that such reinvestigation may be conducted
109 every twenty-four months for recipients of assistance to the elderly or
110 disabled with stable circumstances, and shall maintain all case records
111 of the several programs administered by the Department of Social
112 Services so that such records show, at all times, full information with
113 respect to eligibility of the applicant or recipient. In the determination
114 of need under any public assistance program, such income or earnings
115 shall be disregarded as federal law requires, and such income or
116 earnings may be disregarded as federal law permits. In determining
117 eligibility, the commissioner shall disregard from income (1) Aid and
118 Attendance pension benefits granted to a veteran, as defined under
119 section 27-103, or the surviving spouse of such veteran, [and] (2) any
120 tax refund or advance payment with respect to a refundable credit to
121 the same extent such refund or advance payment would be
122 disregarded under 26 USC 6409 in any federal program or state or
123 local program financed in whole or in part with federal funds, and (3)
124 any veterans' disability compensation. The commissioner shall
125 encourage and promulgate such incentive earning programs as are
126 permitted by federal law and regulations.

127 Sec. 10. Subsection (d) of section 17b-112 of the general statutes is
128 repealed and the following is substituted in lieu thereof (*Effective July*
129 *1, 2023*):

130 (d) Under said program, no family shall be eligible that has total
131 gross earnings exceeding the federal poverty level, however, in the
132 calculation of the benefit amount for eligible families and previously
133 eligible families that become ineligible temporarily because of receipt
134 of workers' compensation benefits by a family member who
135 subsequently returns to work immediately after the period of receipt of
136 such benefits, earned income shall be disregarded up to the federal
137 poverty level. Except when determining eligibility for a six-month
138 extension of benefits pursuant to subsection (c) of this section, the
139 commissioner shall disregard the first fifty dollars per month of
140 income attributable to current child support that a family receives in

141 determining eligibility and benefit levels for temporary family
142 assistance. Any current child support in excess of fifty dollars per
143 month collected by the department on behalf of an eligible child shall
144 be considered in determining eligibility but shall not be considered
145 when calculating benefits and shall be taken as reimbursement for
146 assistance paid under this section, except that when the current child
147 support collected exceeds the family's monthly award of temporary
148 family assistance benefits plus fifty dollars, the current child support
149 shall be paid to the family and shall be considered when calculating
150 benefits. The commissioner shall disregard any veterans' disability
151 compensation that a family receives in determining eligibility and
152 benefit levels for temporary family assistance.

153 Sec. 11. Subsection (c) of section 17b-191 of the general statutes is
154 repealed and the following is substituted in lieu thereof (*Effective July*
155 *1, 2023*):

156 (c) To be eligible for cash assistance under the program, a person
157 shall (1) be (A) eighteen years of age or older; (B) a minor found by a
158 court to be emancipated pursuant to section 46b-150; or (C) under
159 eighteen years of age and the commissioner determines good cause for
160 such person's eligibility, and (2) not have assets exceeding two
161 hundred fifty dollars or, if such person is married, such person and his
162 or her spouse shall not have assets exceeding five hundred dollars. In
163 determining eligibility, the commissioner shall not consider as income
164 (A) Aid and Attendance pension benefits granted to a veteran, as
165 defined in section 27-103, or the surviving spouse of such veteran;
166 [and] (B) any tax refund or advance payment with respect to a
167 refundable credit to the same extent such refund or advance payment
168 would be disregarded under 26 USC 6409 in any federal program or
169 state or local program financed in whole or in part with federal funds;
170 and (C) any veterans' disability compensation. No person who is a
171 substance abuser and refuses or fails to enter available, appropriate
172 treatment shall be eligible for cash assistance under the program until
173 such person enters treatment. No person whose benefits from the

174 temporary family assistance program have terminated as a result of
175 time-limited benefits or for failure to comply with a program
176 requirement shall be eligible for cash assistance under the program.

177 Sec. 12. Section 17b-256f of the general statutes is repealed and the
178 following is substituted in lieu thereof (*Effective July 1, 2023*):

179 The Commissioner of Social Services shall increase income
180 disregards used to determine eligibility by the Department of Social
181 Services for the federal Qualified Medicare Beneficiary, the Specified
182 Low-Income Medicare Beneficiary and the Qualifying Individual
183 programs, administered in accordance with the provisions of 42 USC
184 1396d(p), by such amounts that shall result in persons with income
185 that is (1) less than two hundred eleven per cent of the federal poverty
186 level qualifying for the Qualified Medicare Beneficiary program, (2) at
187 or above two hundred eleven per cent of the federal poverty level but
188 less than two hundred thirty-one per cent of the federal poverty level
189 qualifying for the Specified Low-Income Medicare Beneficiary
190 program, and (3) at or above two hundred thirty-one per cent of the
191 federal poverty level but less than two hundred forty-six per cent of
192 the federal poverty level qualifying for the Qualifying Individual
193 program. The commissioner shall not apply an asset test for eligibility
194 under the Medicare Savings Program. The commissioner shall not
195 consider as income Aid and Attendance pension benefits granted to a
196 veteran, as defined in section 27-103, or the surviving spouse of such
197 veteran and any veterans' disability compensation. The Commissioner
198 of Social Services, pursuant to section 17b-10, may implement policies
199 and procedures to administer the provisions of this section while in the
200 process of adopting such policies and procedures in regulation form,
201 provided the commissioner prints notice of the intent to adopt the
202 regulations on the department's Internet web site and the eRegulations
203 System not later than twenty days after the date of implementation.
204 Such policies and procedures shall be valid until the time final
205 regulations are adopted.

206 Sec. 13. Section 17b-257e of the general statutes is repealed and the

207 following is substituted in lieu thereof (*Effective July 1, 2023*):

208 On or after April 1, 2023, the Commissioner of Social Services shall,
209 within available appropriations, provide state-funded medical
210 assistance for postpartum care for twelve months after birth to a
211 woman who does not qualify for Medicaid due to immigration status
212 and whose household income, excluding any veterans' disability
213 benefits, does not exceed two hundred sixty-three per cent of the
214 federal poverty level.

215 Sec. 14. Subsection (a) of section 17b-261 of the general statutes is
216 repealed and the following is substituted in lieu thereof (*Effective July*
217 *1, 2023*):

218 (a) Medical assistance shall be provided for any otherwise eligible
219 person (1) whose income, including any available support from legally
220 liable relatives and the income of the person's spouse or dependent
221 child, is not more than one hundred forty-three per cent, pending
222 approval of a federal waiver applied for pursuant to subsection (e) of
223 this section, of the benefit amount paid to a person with no income
224 under the temporary family assistance program, and (2) if such person
225 is an institutionalized individual as defined in Section 1917 of the
226 Social Security Act, 42 USC 1396p(h)(3), and has not made an
227 assignment or transfer or other disposition of property for less than
228 fair market value for the purpose of establishing eligibility for benefits
229 or assistance under this section. Any such disposition shall be treated
230 in accordance with Section 1917(c) of the Social Security Act, 42 USC
231 1396p(c). Any disposition of property made on behalf of an applicant
232 or recipient or the spouse of an applicant or recipient by a guardian,
233 conservator, person authorized to make such disposition pursuant to a
234 power of attorney or other person so authorized by law shall be
235 attributed to such applicant, recipient or spouse. A disposition of
236 property ordered by a court shall be evaluated in accordance with the
237 standards applied to any other such disposition for the purpose of
238 determining eligibility. The commissioner shall establish the standards
239 for eligibility for medical assistance at one hundred forty-three per

240 cent of the benefit amount paid to a household of equal size with no
241 income under the temporary family assistance program. In
242 determining eligibility, the commissioner shall not consider as income
243 Aid and Attendance pension benefits granted to a veteran, as defined
244 in section 27-103, or the surviving spouse of such veteran and any
245 veterans' disability compensation. Except as provided in section 17b-
246 277, as amended by this act, and section 17b-292, as amended by this
247 act, the medical assistance program shall provide coverage to persons
248 under the age of nineteen with household income up to one hundred
249 ninety-six per cent of the federal poverty level without an asset limit
250 and to persons under the age of nineteen, who qualify for coverage
251 under Section 1931 of the Social Security Act, with household income
252 not exceeding one hundred ninety-six per cent of the federal poverty
253 level without an asset limit, and their parents and needy caretaker
254 relatives, who qualify for coverage under Section 1931 of the Social
255 Security Act, with household income not exceeding one hundred fifty-
256 five per cent of the federal poverty level without an asset limit. Such
257 levels shall be based on the regional differences in such benefit
258 amount, if applicable, unless such levels based on regional differences
259 are not in conformance with federal law. Any income in excess of the
260 applicable amounts shall be applied as may be required by said federal
261 law, and assistance shall be granted for the balance of the cost of
262 authorized medical assistance. The Commissioner of Social Services
263 shall provide applicants for assistance under this section, at the time of
264 application, with a written statement advising them of (A) the effect of
265 an assignment or transfer or other disposition of property on eligibility
266 for benefits or assistance, (B) the effect that having income that exceeds
267 the limits prescribed in this subsection will have with respect to
268 program eligibility, and (C) the availability of, and eligibility for,
269 services provided by the Connecticut Home Visiting System,
270 established pursuant to section 17b-751b. For coverage dates on or
271 after January 1, 2014, the department shall use the modified adjusted
272 gross income financial eligibility rules set forth in Section 1902(e)(14) of
273 the Social Security Act and the implementing regulations to determine
274 eligibility for HUSKY A, HUSKY B and HUSKY D applicants, as

275 defined in section 17b-290. Persons who are determined ineligible for
276 assistance pursuant to this section shall be provided a written
277 statement notifying such persons of their ineligibility and advising
278 such persons of their potential eligibility for one of the other insurance
279 affordability programs as defined in 42 CFR 435.4.

280 Sec. 15. Subsection (a) of section 17b-277 of the general statutes is
281 repealed and the following is substituted in lieu thereof (*Effective July*
282 *1, 2023*):

283 (a) The Commissioner of Social Services shall provide, in accordance
284 with federal law and regulations, medical assistance under the
285 Medicaid program to needy pregnant women whose families have an
286 income, excluding veterans' disability compensation, not exceeding
287 two hundred fifty-eight per cent of the federal poverty level.

288 Sec. 16. Subsection (a) of section 17b-292 of the general statutes is
289 repealed and the following is substituted in lieu thereof (*Effective July*
290 *1, 2023*):

291 (a) A child who resides in a household with household income,
292 excluding any veterans' disability compensation, that exceeds one
293 hundred ninety-six per cent of the federal poverty level but does not
294 exceed three hundred eighteen per cent of the federal poverty level
295 may be eligible for benefits under HUSKY B. Not later than January 1,
296 2023, the Commissioner of Social Services shall, within available
297 appropriations, provide state-funded medical assistance to any child
298 twelve years of age and younger, regardless of immigration status, (1)
299 with a household income, excluding any veterans' disability
300 compensation, that exceeds two hundred one per cent of the federal
301 poverty level but does not exceed three hundred twenty-three per cent
302 of the federal poverty level, and (2) who does not otherwise qualify for
303 Medicaid, the Children's Health Insurance Program, or an offer of
304 affordable, employer-sponsored insurance, as defined in the
305 Affordable Care Act, as an employee or a dependent of an employee.
306 A child eligible for such assistance under this subsection shall continue

307 to receive such assistance until such child is nineteen years of age,
308 provided the child continues to meet the eligibility requirements
309 prescribed in subdivisions (1) and (2) of this subsection.

310 Sec. 17. Section 17b-292b of the general statutes is repealed and the
311 following is substituted in lieu thereof (*Effective July 1, 2023*):

312 As used in this section, "unborn child option" means a state option
313 available under the Children's Health Insurance Program pursuant to
314 Title XXI of the Social Security Act, as amended from time to time, that
315 allows states to consider an unborn child a low-income child eligible
316 for coverage of prenatal care if other conditions of eligibility under the
317 Children's Health Insurance Program are met. Not later than April 1,
318 2022, the Commissioner of Social Services shall provide medical
319 assistance for prenatal care through the unborn child option under the
320 medical assistance program established pursuant to section 17b-292, as
321 amended by this act. The commissioner shall amend the state plan for
322 the Children's Health Insurance Program to provide such medical
323 assistance to needy pregnant women whose family have an income,
324 excluding any veterans' disability compensation, not exceeding two
325 hundred fifty-eight per cent of the federal poverty level.

326 Sec. 18. Subsection (l) of section 17b-342 of the general statutes is
327 repealed and the following is substituted in lieu thereof (*Effective July*
328 *1, 2023*):

329 (l) In determining eligibility for the program described in this
330 section, the commissioner shall not consider as income (1) Aid and
331 Attendance pension benefits granted to a veteran, as defined in section
332 27-103, or the surviving spouse of such veteran, [and] (2) any tax
333 refund or advance payment with respect to a refundable credit to the
334 same extent such refund or advance payment would be disregarded
335 under 26 USC 6409 in any federal program or state or local program
336 financed in whole or in part with federal funds, and (3) any veterans'
337 disability compensation.

338 Sec. 19. Section 17b-551 of the general statutes is repealed and the
339 following is substituted in lieu thereof (*Effective January 1, 2024*):

340 Eligibility for participation in the program shall be limited to a
341 resident who is enrolled in Medicare Part B whose annual income,
342 excluding any veterans' disability compensation, does not exceed
343 forty-three thousand five hundred sixty dollars or if such resident has
344 a spouse, the combined income of such resident and his spouse,
345 excluding any veterans' disability compensation, does not exceed fifty-
346 eight thousand seven hundred forty dollars. On January 1, [2014] 2024,
347 and annually thereafter, the commissioner shall increase the income
348 limit established under this subsection over that of the previous fiscal
349 year to reflect the annual inflation adjustment in Social Security
350 income, if any. Each such adjustment shall be determined to the
351 nearest one hundred dollars.

352 Sec. 20. Subsection (a) of section 17b-801 of the general statutes is
353 repealed and the following is substituted in lieu thereof (*Effective July*
354 *1, 2023*):

355 (a) The Commissioner of Social Services shall administer a state-
356 appropriated fuel assistance program to provide, within available
357 appropriations, fuel assistance to elderly and disabled persons whose
358 household gross income is above the income eligibility guidelines for
359 the Connecticut energy assistance program but does not exceed two
360 hundred per cent of federal poverty guidelines. The income eligibility
361 guidelines for the state-appropriated fuel assistance program shall be
362 determined, annually, by the Commissioner of Social Services, in
363 conjunction with the Secretary of the Office of Policy and
364 Management. In determining eligibility, the commissioner shall not
365 consider as income Aid and Attendance pension benefits granted to a
366 veteran, as defined under section 27-103, or the surviving spouse of
367 such veteran and any veterans' disability compensation. The
368 commissioner may adopt regulations, in accordance with the
369 provisions of chapter 54, to implement the provisions of this
370 subsection.

371 Sec. 21. Subsection (a) of section 19a-59b of the general statutes is
 372 repealed and the following is substituted in lieu thereof (*Effective July*
 373 *1, 2023*):

374 (a) The Commissioner of Public Health shall establish a maternal
 375 and child health protection program. He shall contract, for purposes of
 376 the program, annually, within available appropriations, with local
 377 providers of health services to provide outpatient maternal health
 378 services and labor and delivery services to needy pregnant women and
 379 child health services to children under six years of age. Eligibility shall
 380 be limited to families who have an income, excluding any veterans'
 381 disability compensation, equal to or less than one hundred eighty-five
 382 per cent of the poverty level, according to the federal Office of
 383 Management and Budget poverty guidelines for nonfarm families, lack
 384 private, third party health insurance to cover such services. Such local
 385 providers shall determine eligibility for services under the program.
 386 The contracts shall include criteria for making such determination in
 387 accordance with this section. Outpatient services provided under the
 388 program shall include at least the outpatient services provided to
 389 Medicaid recipients. The commissioner shall conduct an outreach
 390 program designed to educate the public with regard to the program
 391 and to encourage providers to participate in the program. The
 392 commissioner, in consultation with the Commissioner of Social
 393 Services, shall seek any federal matching funds available for the
 394 program.

This act shall take effect as follows and shall amend the following sections:		
Section 1	July 1, 2023	8-119kk(g)
Sec. 2	July 1, 2023	8-219b(a)
Sec. 3	July 1, 2023	8-219e(b)
Sec. 4	July 1, 2023	8-345(g)
Sec. 5	July 1, 2023	8-346(c)
Sec. 6	July 1, 2023	17a-860(c)(1)
Sec. 7	July 1, 2023	17b-28i
Sec. 8	July 1, 2023	17b-80(b)

Sec. 9	<i>July 1, 2023</i>	17b-104(a)
Sec. 10	<i>July 1, 2023</i>	17b-112(d)
Sec. 11	<i>July 1, 2023</i>	17b-191(c)
Sec. 12	<i>July 1, 2023</i>	17b-256f
Sec. 13	<i>July 1, 2023</i>	17b-257e
Sec. 14	<i>July 1, 2023</i>	17b-261(a)
Sec. 15	<i>July 1, 2023</i>	17b-277(a)
Sec. 16	<i>July 1, 2023</i>	17b-292(a)
Sec. 17	<i>July 1, 2023</i>	17b-292b
Sec. 18	<i>July 1, 2023</i>	17b-342(l)
Sec. 19	<i>January 1, 2024</i>	17b-551
Sec. 20	<i>July 1, 2023</i>	17b-801(a)
Sec. 21	<i>July 1, 2023</i>	19a-59b(a)

VA *Joint Favorable*