



General Assembly

Substitute Bill No. 7338

January Session, 2019



**AN ACT INCREASING FUNDING FOR ELDERLY NUTRITION,
ENSURING EQUITABLE RATES FOR PROVIDERS OF MEALS ON
WHEELS AND COLLECTING DATA ON MALNUTRITION.**

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

1 Section 1. Section 17b-343 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective July 1, 2019*):

3 The Commissioner of Social Services shall establish annually the
4 maximum allowable rate to be paid by agencies for homemaker
5 services, chore person services, companion services, respite care, meals
6 on wheels, adult day care services, case management and assessment
7 services, transportation, mental health counseling and elderly foster
8 care. [, except that the maximum allowable rates in effect July 1, 1990,
9 shall remain in effect during the fiscal years ending June 30, 1992, and
10 June 30, 1993.] The Commissioner of Social Services shall prescribe
11 uniform forms on which agencies providing such services shall report
12 their costs for such services. Such rates shall be determined on the
13 basis of a reasonable payment for necessary services rendered. The
14 maximum allowable rates established by the Commissioner of Social
15 Services for the Connecticut home-care program for the elderly
16 established under section 17b-342 shall constitute the rates required
17 under this section until revised in accordance with this section. The
18 Commissioner of Social Services shall establish a fee schedule, to be
19 effective on and after July 1, 1994, for homemaker services, chore
20 person services, companion services, respite care, meals on wheels,

21 adult day care services, case management and assessment services,
22 transportation, mental health counseling and elderly foster care. The
23 commissioner may annually increase [any fee in] the fee schedule
24 based on an increase in the cost of services. The commissioner shall
25 increase the fee schedule effective July 1, 2000, by not less than five per
26 cent, for adult day care services. The commissioner shall increase the
27 fee schedule effective July 1, 2011, by four dollars per person, per day
28 for adult day care services. Effective July 1, 2019, and annually
29 thereafter, the commissioner shall increase the fee schedule for meals
30 on wheels providers serving participants in the Connecticut home-care
31 program for the elderly by, at minimum, the cost-of-living adjustment
32 as measured by the consumer price index. The commissioner may
33 increase any fee payable to a meals on wheels provider upon the
34 application of such provider evidencing extraordinary costs related to
35 delivery of meals on wheels in sparsely populated rural regions of the
36 state. Nothing contained in this section shall authorize a payment by
37 the state to any agency for such services in excess of the amount
38 charged by such agency for such services to the general public.

39 Sec. 2. Subsection (c) of section 17a-305 of the general statutes is
40 repealed and the following is substituted in lieu thereof (*Effective July*
41 *1, 2019*):

42 (c) The Department of Rehabilitation Services, in consultation with
43 the five area agencies on aging [,] and elderly nutrition providers, shall
44 review the method of allocation set forth in [subsection (a) of this
45 section and shall report any findings or recommendations to the joint
46 standing committees of the General Assembly having cognizance of
47 matters relating to appropriations and the budgets of state agencies
48 and human services] subsections (a) and (b) of this section and
49 evaluate the formula used to allocate funding for elderly nutrition
50 programs based on factors including, but not limited to: (1) Elderly
51 population data from the 2020 census and the American Community
52 Survey conducted by the United States Census Bureau for the five
53 elderly planning and service areas as described in section 17a-304, and

54 (2) any increased costs for providers that deliver meals on wheels in
55 sparsely populated rural regions. Not later than July 1, 2021, the
56 department shall report, in accordance with the provisions of section
57 11-4a, to the joint standing committees of the General Assembly having
58 cognizance of matters relating to aging, appropriations and the
59 budgets of state agencies and human services on (A) the rates of
60 reimbursement for each meals on wheels provider in the state
61 compared to the costs to provide meals on wheels for each such
62 provider, (B) the administrative expenses of each such meals on wheels
63 provider, (C) the number of meals on wheels providers that have
64 reduced or eliminated deliveries based on inadequate state
65 reimbursement, and (D) any recommended changes in the method of
66 allocation or funding formula.

67 Sec. 3. Subsection (b) of section 19a-127l of the general statutes is
68 repealed and the following is substituted in lieu thereof (*Effective July*
69 *1, 2019*):

70 (b) In carrying out its responsibilities under subsection (a) of this
71 section, the department shall develop the following for the quality of
72 care program:

- 73 (1) Comparable performance measures to be reported;
- 74 (2) Selection of patient satisfaction survey measures and
75 instruments;
- 76 (3) Methods and format of standardized data collection;
- 77 (4) Format for a public quality performance measurement report;
- 78 (5) Human resources and quality measurements;
- 79 (6) Medical error reduction methods;
- 80 (7) Systems for sharing and implementing universally accepted best
81 practices;

- 82 (8) Systems for reporting outcome data;
- 83 (9) Systems for continuum of care;
- 84 (10) Recommendations concerning the use of an ISO 9000 quality
85 auditing program;
- 86 (11) Recommendations concerning the types of statutory protection
87 needed prior to collecting any data or information under this section
88 and sections 19a-127m and 19a-127n; [and]
- 89 (12) Recommendations concerning the collection and analysis of
90 data on patient malnutrition for the purposes of improving quality of
91 care; and
- 92 [(12)] (13) Any other issues that the department deems appropriate.

This act shall take effect as follows and shall amend the following sections:		
Section 1	July 1, 2019	17b-343
Sec. 2	July 1, 2019	17a-305(c)
Sec. 3	July 1, 2019	19a-1271(b)

Statement of Legislative Commissioners:

Section 3 was redrafted for consistency with drafting conventions.

HS Joint Favorable Subst. -LCO