

RODERICK L. BREMBY
Commissioner

STATE OF CONNECTICUT
DEPARTMENT OF SOCIAL SERVICES
OFFICE OF THE COMMISSIONER

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March 31, 2014

Senator Beth Bye, Co-Chair
Representative Toni E. Walker, Co-Chair
Appropriations Committee
Legislative Office Building, Room 2700
Hartford, CT 06106

RE: Medicaid State Plan Amendment 14-022

Dear Senator Bye and Representative Walker:

In accordance with Connecticut General Statutes Section 17b-28g, I am giving notice of the Department of Social Services' intent to amend the Medicaid State Plan, over which your Committee has cognizance. Attached is a copy of State Plan Amendment Transmittal Number 14-022.


In this State Plan Amendment (SPA), the Department will limit recoveries from the estates of HUSKY D clients. In particular, the Department will limit HUSKY D recoveries to medical assistance paid for nursing facility services, home and community based services (HCBS), and related hospital and prescription drug services. Recovery of amounts expended for these services for individuals 55 years of age and older is required by federal law. Recovery for other types of assistance (physician services, for example) is optional under federal law and the Department will not conduct the optional types recovery for HUSKY D applicants.

If you or members of your Committee have any questions concerning this proposed State Plan Amendment, please contact Craig Zimmerman at 860-424-5617 or craig.zimmerman@ct.gov or you may send comments to the Department of Social Services, Resources and Recovery Division, 25 Sigourney Street, Hartford, CT 06106, Attention: Craig Zimmerman, Manager.

Sen. Bye and Rep. Walker, Co-Chairs, Appropriations Committee
SPA 14-022
March 31, 2014

When submitting comments, please refer to State Plan Amendment 14-022. Thank you.

Sincerely,


Roderick L. Bremby
Commissioner

Encl.

cc: Raymond Singleton, Deputy Commissioner
Kathleen Brennan, Deputy Commissioner
John McCormick, Director, Division of Quality Assurance
Kate McEvoy, Director, Division of Health Services
Craig Zimmerman, Manager, Resources and Recovery
Marc Shok, Manager, Eligibility Policy and Program Support
David Dearborn, Director, Office of Public Affairs
Heather Rossi, Manager, Office of Public Affairs

Revision: HCFA-PM-95-3 (MB)
May 1995

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State/Territory: CONNECTICUT

(b) Adjustments or Recoveries

The State complies with the requirements of section 1917(b) of the Act and regulations at 42 CFR 433.36 (h)-(i).

Adjustments or recoveries for Medicaid claims correctly paid are as follows:

- (1) For permanently institutionalized individuals, adjustments or recoveries are made from the individual's estate or upon sale of the property subject to a lien imposed because of medical assistance paid on behalf of the individual for services provided in a nursing facility, ICF/MR, or other medical institution.

X Adjustments or recoveries are made for all other medical assistance paid on behalf of the individual.

- (2) The State determines "permanent institutional status" of individuals under the age of 55 other than those with respect to whom it imposes liens on real property under §1917 (a) (1) (B) (even if it does not impose those liens).

- (3) For any individual who received medical assistance at age 55 or older, adjustments or recoveries of payments are made from the individual's estate for nursing facility services, home and community-based services, and related hospital and prescription drug services.

X In addition to adjustment or recovery of payments for services listed above, except for individuals covered pursuant to Section 1902(a)(10)(A)(i)(VIII) payments are adjusted or recovered for other services under the State Plan as listed below:

All services after age 55 except for Medicare cost sharing as specified in 4.17(b)(3).

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State/Territory: CONNECTICUT

4.17 (b) (3) (Continued)

Limitations on Estate Recovery - Medicare Cost Sharing:

(i) Medical assistance for Medicare cost sharing is protected from estate recovery for the following categories of dual eligibles: QMB, SLMB, QI, QDWI, QMB+, SLMB+. This protection extends to medical assistance for four Medicare cost sharing benefits: (Part A and B premiums, deductibles, coinsurance, co-payments) with dates of service on or after January 1, 2010. The date of service for deductibles, coinsurance, and co-payments is the date the request for payment is received by the State Medicaid Agency. The date of service for premiums is the date the State Medicaid Agency paid the premium.

(ii) In addition to being a qualified dual eligible the individual must also be age 55 or over. The above protection from estate recovery for Medicare cost sharing benefits (premiums, deductibles, coinsurance, co-payments) applies to approved mandatory (i.e., nursing facility, home and community-based services, and related prescription drugs and hospital services) as well as optional Medicaid services identified in the State plan, which are applicable to the categories of duals referenced above.

TN No. 10-00414-022

Approval Date _____

Effective Date ~~11-101-~~

1-2014

Supersedes

TN No. NEW

Revision:

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State/Territory: CONNECTICUT(b) Adjustments or Recoveries

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TN No. 14-022 Approval Date _____ Effective Date 1-1-2014

Supersedes _____

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STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State/Territory: CONNECTICUT

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