



**March 8, 2022**

**Written testimony of Matthew V. Barrett, President and CEO of the Connecticut Association of Health Care Facilities / Connecticut Center For Assisted Living (CAHCF/CCAL) concerning S.B. No. 281 AAC PENALTIES FOR THE UNAUTHORIZED USE OF RATE INCREASES EARMARKED FOR STAFF WAGE ENHANCEMENTS AT NURSING FACILITIES.**

Good morning Senator Moore, Representative Abercrombie and to the distinguished members of the Human Services Committee. My name is Matt Barrett. I am President and CEO of the Connecticut Association of Health Care Facilities / Connecticut Center For Assisted Living (CAHCF/CCAL). CAHCF/CCAL is a one hundred and fifty member trade association of skilled nursing facilities and assisted living communities. Thank you for this opportunity to submit testimony on S.B. No. 281 AAC PENALTIES FOR THE UNAUTHORIZED USE OF RATE INCREASES EARMARKED FOR STAFF WAGE ENHANCEMENTS AT NURSING FACILITIES.

S.B. 281 would authorize the Department of Social Services (DSS), in the case of a nursing home facility that receives a rate increase for wage enhancements for facility employees, to assess a civil penalty if the facility fails to use the rate increase for that purpose. The Department of Social Services would only have the authority to assess a civil penalty upon completion of a department audit conducted in accordance with the nursing home facility's Medicaid provider enrollment agreements. Further, the bill provides that any nursing home facility subject to a civil penalty may request a rehearing pursuant to subsection (b) of section 17b-238 of the general statutes. The bill provides for a civil penalty of up to 50% of rate increase earmarked for staff wage enhancements. We support the department's efforts to assure compliance with these critically important wage enhancement provisions. We do recommend that the provider hearing rights be guaranteed and that any penalties be stayed if a provider is exhausting appeal rights, including appeal to the Superior Court, which should be permitted under legal due process of law doctrines.

Thank you and I would be happy to answer any questions you may have. For additional information, contact: [mbarrett@cahcf.org](mailto:mbarrett@cahcf.org) or 860-290-9424.