

<b>Highlights in this issue:</b>	
<i>Raymond vs. Rowland</i> .....	p1
<i>New State Energy Law</i> .....	p2
<i>Legislative Wrap-Up</i> .....	p3
<i>Safety Net Program Expanded</i> .....	p4

# CABHN FEVER

## Lawsuit About Access to DSS Services Settled

### Raymond Vs. Rowland



In January 2003, legal services filed a case in federal court known as Raymond v. Rowland against the Department of Social Services (DSS) and the Governor. At the time the suit was filed, DSS was in the process of closing over a third of its offices and laying off the staff who worked in those offices. The suit claimed inadequate accommodations were available to people with disabilities to allow them to successfully navigate the eligibility processes for DSS programs to obtain and keep benefits for which they were eligible.

The parties have reached a settlement agreement in that case. The attorneys for the Plaintiffs, listed below, believe the settlement will significantly improve access to DSS services and benefits for the class members. **There will be a hearing on September 10, 2007 at 2 pm in the federal courthouse in New Haven.** The court must approve the settlement before it is final because it is a class action. **Individuals affected by the case can comment on the settlement at the hearing, but will need to notify the court of their intention to do so by August 22.** Their comments can then be taken into account by Judge Kravitz in the court's determination of whether to approve the settlement.

DSS is sending notice to about half of the people in its system, those most likely to be affected by a disability. In addition, Plaintiffs' attorneys, through this CABHN Fever article and other means, are trying to get information about the agreement and court hearing out to as many members of the Plaintiff class as possible. Class members include all people with disabilities eligible for benefits through AABD, TFA, SAGA, Food Stamps or Medicaid

programs, who require reasonable accommodations to obtain and maintain DSS benefits. Many people who receive benefits from DSS have hidden disabilities, such as mental health or competency issues. A flyer that can be copied and circulated to anyone interested, including class members and others providing services to them, is enclosed with this issue of CABHN Fever. DSS is translating the settlement agreement notice into Spanish and will be printing bilingual posters which will be available soon. If your organization is willing to distribute these to interested people or has a website and is willing to post a more detailed notice as well as a copy of the settlement agreement, or if you have any questions, please contact one of the following:

- Greater Hartford Legal Aid: Greg Bass, Lucy Potter or Maria Morelli-Wolfe, 860-541-5000.
- New Haven Legal Assistance: Joanne Gibau, 203-946-4811, ext. 142.
- Connecticut Legal Services: Shirley Bergert, 1-800-413-7796 ext. 115. ♦

## HUSKY: Help to Improve Dental Service Access for Children

Do you know of children who have experienced difficulty recently in getting in to see a dentist who accepts HUSKY A (Health Net, Blue Care Family Plan, Community Health Network of CT or First Choice/ Preferred One) for any of the following reasons?

- a. Unable to find a local dental provider (private or clinic-based) who accepts HUSKY A
- b. Tried calling dentists who supposedly accept HUSKY A, but they would not help;

## WISP Scholarship Program

The Women's Independence Scholarship Program (WISP) is a project of The Sunshine Lady Foundation (SLF) of North Carolina. The objective of the WISP is to help survivors of domestic violence obtain an education that will help to provide secure employment, personal independence and self sufficiency. Support is available for full or part-time students interested in attending vocational, community college, four-year degree or graduate studies programs. Requests for assistance are accepted on an ongoing basis.

For eligibility requirements, visit the website at [www.sunshinelady.org](http://www.sunshinelady.org) or contact:

Sunshine Lady Foundation, Inc.  
 4900 Randall Parkway, Suite H  
 Wilmington, NC 28403  
 Phone: 910-397-7742  
 Fax: 910-397-0023  
 Toll-Free: 866-255-7742  
 website: <http://www.sunshinelady.org/> ♦

- c. Difficulty with transportation to the dental provider;
- d. Language/cultural barriers;
- e. DSS/HUSKY A HMO wouldn't assist in finding a dental provider, scheduling an appointment, etc.;
- f. Placed on a waiting list or other delay in trying to get care



If so, please phone or email Jamey Bell at Greater Hartford Legal Aid, (860)541-5046, [jbelle@ghla.org](mailto:jbelle@ghla.org), or Sheldon Toubman at [stoubman@nhlegal.org](mailto:stoubman@nhlegal.org) ♦



## Notes on New State Energy Law

There are provisions in the new state energy law of particular significance to low-income residents:

### Energy Assistance:

**Benefits:** Energy assistance benefits for next winter will remain at the same level as the last two winters. Benefits will be available for households with income up to 60% of state median income. Unfortunately, no additional assistance will be available to help households cope with skyrocketing utility and fuel costs (UI's rates have gone up 50% this year; CL&P's rates have gone up 30% since January 2006).

**Applications** will be taken beginning September 1, as they were this past winter.

**Oil Benefits:** The law repeals the provision requiring the energy assistance program to purchase oil at reduced rates - this stretches a household's benefit when done effectively. In its place, energy assistance programs must use oil dealer programs, including advance payment in some situations. This is likely to reduce the amount of oil purchased per household.

### Operation Fuel provides most of the funding for local fuel banks:

**Customer contribution program:** Until now, CL&P, UI, SCG, CNG or YG customers could sign up to add only \$1/month to their monthly bill payment to support Operation Fuel; nothing could be added to electronic billings. The law expands collection to municipal electric and gas companies, allows customers to sign up to supplement bill payments with any customer designated amount, and requires this designated amount be included in electronic billings. Operation Fuel will also create inserts for oil dealers who volunteer to include them in their billings.

**Supports for Operation Fuel efforts:** The bill included: \$2.5 million

for a "clean-slate" program to be administered by Operation Fuel; \$1.75 million for expansion of Operation Fuel; and \$.75 million for infrastructure, technology support and case management services. The Governor vetoed this provision, but it may be restored as part of a budget deal in the special session -- the Governor objected only to these appropriations being provided outside of budget bill deliberations.

**Moratorium:** The winter shut off moratorium is extended from April 15 to May 1.

Connecticut deregulated its electric market nine years ago with promises of lower rates. Deregulated states consistently have the highest electricity costs in their regions -- Connecticut has the highest electric costs in the continental United States.

The new energy law does not provide any short-term relief from high rates. Rather, the focus of the bill is on the "demand" side, placing responsibility on consumers to conserve to make their bills more affordable.

Conservation is critical for reducing the energy burden. The law has some programs that may eventually help low-income consumers, including: increased loan money, with interest subsidies, for conservation efforts (this is most likely to be helpful for elderly homeowners); increased dollars available to the conservation programs as a result of the state taking over repayment of bonding of the conservation fund (vetoed by the Governor but expected to be considered in budget discussions); increased funding through designated tax revenues for gas and oil conservation; and planning for a comprehensive residential conservation program that would be available to renters.

The law does not target conservation to poor residents, and has provisions likely to cause rate increases to support conservation,

with nothing to ensure poor residents get a fair share of the expenditures. These provisions include massive expenditures to support high-tech metering and private conservation subsidized by ratepayers, likely to benefit businesses, not residential customers. There are rebate programs likely to benefit middle-class and wealthy customers, but not poor customers, including programs for replacement of inefficient furnaces and window air conditioners, and tax exemptions for energy efficiency products.

The law has provision for low income representatives to be appointed by the Governor to the Connecticut Energy Advisory Board, responsible for setting overall state energy policy, the Connecticut Clean Energy Fund, responsible for expenditure of electric customer funds used for renewable energy, and the new Fuel Oil Conservation Board. Currently low income interests are specifically represented only on the Low Income Energy Advisory Board. This is an opportunity to ensure state policy takes to heart the effects of unaffordable energy bills on poor people. For more information regarding the energy burden on poor people, see [www.operationfuel.org](http://www.operationfuel.org) and click on the link to "Home Energy Affordability Gap." ♦

## Summer Food Service Program

The Summer Food Service Program (SFSP) offers children the opportunity to obtain free, nourishing meals during the summer months. Frequently, food pantries and soup kitchen report increased demand in the summer, due to the number of children who lose the benefit of free and reduced price school meals when school is out. Most SFSP sites are open between late June and mid-August. To find the nearest open SFSP site, there is a listing at this website <http://www.sde.ct.gov/sde/cwp/view.asp?a=2626&q=320658>, or call Infoline 2-1-1. ♦



## Wrap-Up of 2007 Legislative Session

While a few items remain to be resolved, issues in the 2007 legislative session of importance to low-income residents of Connecticut have generally been decided. In most cases, the Governor has not yet signed these bills but is expected to.

### Health Care

- HUSKY A eligibility for parents and relative caregivers is increased to 185% of the federal poverty level (up from 150%). Adult coverage now matches children's coverage levels.

- Eligibility for coverage for pregnant women is increased from 185% of the federal poverty level to 250% of the federal poverty level. This will take effect when the necessary changes are approved at the federal level.

- Payment rates for Medicaid fee-for-service providers are increased. It is unclear whether this increase in rates for the fee-for-service program will affect the rates in the HUSKY managed care program.

- \$20 million is set aside for increases in provider rates for dental care in the HUSKY program.

- Uninsured newborns will be provided with four months of free coverage in the HUSKY program.

- Medical interpretation services will be a covered service in the Medicaid program.

- DSS is required to develop a plan to implement a Primary Care Case Management (PCCM) pilot for at least 1,000 people eligible for HUSKY A.

- SAGA Medical services are expanded to include home health services or skilled nursing facility coverage for SAGA recipients being discharged from a chronic disease hospital.

- Annual screening for lead poisoning will be required for all children under three years old and an

on-site inspection of the home by the local health department will be required for any child whose test reveals a blood lead level of more than 15 micrograms per deciliter.

- Funding for the Medicare Part D state wrap-around program was continued but limited to \$5 million.

- The requirement that the Department of Social Services impose premiums and co-pays on adults with income over 100% of the federal poverty level in the HUSKY A program is deleted. These premiums and co-pays had never been implemented.

### Welfare/Benefits/Work Support Programs

- Funding for the Safety Net program is increased by \$500,000. (See article on page 4.)

- For the first time in 15 years, TFA cash assistance recipients will receive a COLA (cost of living adjustment). SAGA cash benefits will also be increased by the same percentage.

- The Department of Labor budget retains the \$6.5 million in the "TANF Job Reorganization" line item. These funds are used mostly for education, training and subsidized jobs for TFA participants required to meet federal work requirements.

- Funding for Care4Kids child care programs is increased from \$71 million to \$89 million to maintain current services in the program.

- The value of the cars owned by applicants for Food Stamps will not be considered for purposes of calculating the asset limit. Previously, a food stamp household was allowed one car with an equity value of \$9,500; other cars could not be worth more than \$4,650.

- Individual Development Accounts are funded at \$100,000 in the first year and \$350,000 in the second year of the budget.

### Housing

- A new Public Housing Sustainability Fund was established and funded at \$10 million.

- Funding is provided for services and capital financing for 250 additional Supportive Housing units.

- There appears to be some additional funding for the Rental Assistance Program (RAP) but, at this time, it is unclear how much.

### Immigrants

- A bill to make state high school graduates who are children of undocumented immigrants eligible for in-state tuition rates is awaiting action by the Governor. **It is unclear whether the Governor will sign this bill.**

### Disappointments

- The major disappointment this year was the failure to enact a state Earned Income Tax Credit. For the second year in a row, this proposal was blocked by the Governor in final budget negotiations.

- Despite proposals included in the Appropriations Committee budget, there are no increases in eligibility for the Medicaid program for people who are elderly or disabled or in the SAGA program.

- A proposal to require paid sick leave for employees in companies with 50 or more employees was passed by the Senate but not acted on by the House.

- Proposals to provide an income supplement to families who move from welfare to work and lose TFA cash benefits were not adopted by the



If you or your organization would like to receive CABHN Fever by email or would like to be added to our mailing list, please contact [dbrown@larcc.org](mailto:dbrown@larcc.org) or call 860-278-5688.

## Legislature Expands Eligibility for Safety Net Program

In 1996, as part of Connecticut's welfare reform, the Safety Net Program was created for families which lost TFA benefits because they had violated TFA program rules, but had very low income. The Safety Net Program provides short term basic needs assistance in the form of vouchers or vendor payments and referrals to existing programs. It also can provide intensive case management to identify and attempt to resolve barriers that prevented a family from complying with TFA rules. However, the Safety Net did not extend services to families who were playing by the rules but were cut off from TFA benefits because of time limits.

This became an issue in 2001 when

strict time limits were imposed on TFA families. This year, HB 7240, Public Act 07-160 (not yet signed by the Governor at the time of this writing) expands the Safety Net program to include families who have complied with the Jobs First program rules but have timed-off of the program. It adds in-depth family needs assessment and intensive case management that includes visits to the family's home, as services that may be provided.

### We're moving!

Legal Assistance Resource Center (LARCC) also home to CABHN, will be moving to 44 Capital Avenue, Hartford, CT 06106 on August 4, 2007. Our phone (860) 278-5688, will remain the same.



## CABHN Meetings

### Upcoming Meeting

**CABHN/FESN Meeting  
(TBA)**

**See you in September!**

**9:30-11:30 am**

**(CRT)  
555 Windsor St.  
Hartford**

*The Connecticut Alliance for Basic Human Needs (CABHN) is a statewide network of individuals, community groups and organizations which supports and promotes advocacy on low-income issues. For more information, please call (860) 278-5688.*

Return Service Requested

NONPROFIT ORG  
U S POSTAGE  
PAID  
HARTFORD CT  
PERMIT NO 3377

**Legal Assistance Resource Center of CT and  
CABHN (Connecticut Alliance for Basic Human Needs)**  
80 Jefferson Street  
Hartford, CT 06106

## ***If You Have a Disability: Important Information About A Court Settlement***

This information is for members of the "class" in a case called Raymond v. Rowland, a "class action." The federal Court ruled the class -- people affected by this lawsuit -- includes all people with physical or mental disabilities who get benefits from the Connecticut Department of Social Services (DSS) now or in the future. In 2003 Ms. Raymond and others filed this lawsuit to improve the way DSS helps people with disabilities. DSS and the class reached an agreement. The agreement will end the lawsuit if the Court approves it.

The case was brought to change the way DSS operates -- *not to get money damages for class members.*

**Here is a summary of the changes DSS and the class agreed to.** A "notice" is available to tell you more detail about the agreement. It also explains how you can tell the Court if you object.

- DSS workers will provide extra help for people who need it because of disability when applying or recertifying for benefits. DSS must also tell you that you can ask for this help.
- DSS will have a grievance or complaint process for people with disabilities who believe they were treated unfairly because of their disability.
- DSS will change its offices to make them more welcoming and easier to use.
- DSS is changing its procedures, written notices and phone and computer systems to help people with disabilities.
- DSS is training its staff about people with disabilities and their rights.
- DSS will hire staff to make these changes happen.

**There will be a hearing on September 10, 2007 before Judge Mark Kravitz. It will be at the United States District Court, 141 Church Street, New Haven, Connecticut 06510. At the hearing, the Court will consider the settlement agreement. Class members can object to the settlement agreement at the hearing. You do not have to go to the hearing or do anything else if you do not want to object to the settlement.**

### **For more information:**

If you live in Hartford County, except New Britain, contact Greg Bass, Lucy Potter or Maria Morelli-Wolfe, 860-541-5000.

If you live in New Haven County, contact Joanne Gibau, 203-946-4811, ext. 142.

If you live anywhere else in the state, contact Shirley Bergert, 1-800-413-7796 ext. 115.