



STATE OF CONNECTICUT
DEPARTMENT OF SOCIAL SERVICES
55 FARMINGTON AVENUE • HARTFORD, CT 06105

June 3, 2020

Re: Economic Impact Payments ("Stimulus Payments")

Dear Nursing Home and Rated Housing Administrators:

Section 2101 of Public Law 116-136, known as the "CARES Act," authorized the Internal Revenue Service to issue economic impact payments, or "stimulus payments" of up to \$1,200 per individual and an additional \$500 for each dependent child. As explained in more detail below, these stimulus payments will be excluded by the Department of Social Services (DSS) for varying periods of time, depending on the program in question, and therefore should not be treated as applied income available to cover the cost of a beneficiary's stay at a nursing home, residential care home, intermediate care facility, or rated housing facility.

The stimulus payments authorized by the CARES Act are technically tax rebates. Accordingly, pursuant to 26 U.S.C. § 6409¹, such payments may not be considered as income in the month of receipt or as an asset for twelve months after receipt when determining whether and to what extent the recipient is eligible for federal means-tested public assistance programs. As a result, as long as the stimulus payment is spent within twelve months of receipt, DSS will not consider these payments when determining whether an individual is eligible to have Medicaid pay for the cost of his or her nursing-home care, or when calculating the amount a beneficiary must contribute to the cost of his or her own care. Consequently, a stimulus payment directly deposited into a Medicaid beneficiary's personal needs account is not available to cover the cost of the beneficiary's stay at a nursing facility, and any such payment received by a nursing facility acting as a representative payee should be deposited into the beneficiary's account.

In addition, on April 21, 2020, Governor Lamont issued Executive Order 7CC² in response to the ongoing COVID-19 public emergency. In relevant part, the order provides that the stimulus payments "shall not be counted as income or resources when determining eligibility for, or the amount of, benefits or services funded in whole or in part with state funds." The executive order amends section 1-141(a) of the General Statutes, which excluded a previous stimulus payment as income and as a resource for two months from the date of receipt, and states that the exclusion shall apply to stimulus payments received or applied for during the duration of the public health and civil preparedness emergencies (including any period of renewal).

To ensure that every recipient of the stimulus payment receives protection under the order, DSS interprets this language to mean that the resource exclusion shall apply for the duration of the public health and civil preparedness emergencies, or for two months from the date the stimulus payment is received, whichever

¹ 26 U.S.C. § 6409 provides: "Notwithstanding any other provision of law, any refund (or advance payment with respect to a refundable credit) made to any individual under this title shall not be taken into account as income, and shall not be taken into account as resources for a period of 12 months from receipt, for purposes of determining the eligibility of such individual (or any other individual) for benefits or assistance (or the amount or extent of benefits or assistance) under any Federal program or under any State or local program financed in whole or in part with Federal funds."

² The entire executive order is available at: <https://portal.ct.gov/-/media/Office-of-the-Governor/Executive-Orders/Lamont-Executive-Orders/Executive-Order-No-7CC.pdf>

is later. Accordingly, DSS will not consider these payments for the duration of the emergencies or for two months from the date of receipt, whichever is later, when determining whether and in what amount an individual is eligible for assistance from state-funded public assistance programs like the State Supplement program administered pursuant to Connecticut General Statutes § 17b-600.

A stimulus payment directly deposited into a State Supplement beneficiary's personal needs account is also not available to cover the cost of his or her stay at a residential care home, intermediate care facility, or rated housing facility during this time, and any such payment received by such a home or facility acting as a representative payee should be deposited into the beneficiary's account.

Questions can be directed to DSS at EligPolicy.DSS@ct.gov.

Sincerely,



Kathleen Brennan
Deputy Commissioner
Department of Social Services