

Sec. 17a-301-1. Definitions

(a) "Applicant" means any person who seeks admission to the Promotion of Independent Living for the Elderly Program.

(b) "Assessment" means a comprehensive written evaluation of an individual's health, social, psychological and economic status, degree of functional impairment and related service needs based on a uniform instrument prescribed by the Department on Aging and initiated by direct personal contact between a case manager and potential client.

(c) "Case Manager" means an Agency Nurse Team Member or an Agency Social Services Coordinator Team Member who meets the requirements set forth in Section 19-13-D94 of the Regulations of Connecticut State Agencies.

(d) "Client" means any individual admitted into or receiving care under the program.

(e) "Community Services" means a social or medical regimen which allows the individual to remain in his or her home. This includes, but is not limited to:

- (1) Adult day care;
- (2) Chore services;
- (3) Companion services;
- (4) Foster care;
- (5) Home delivered meals;
- (6) Home health aide services;
- (7) Homemaker services;
- (8) Mental health counselling;
- (9) Occupational therapy;
- (10) Personal care;
- (11) Physical therapy;
- (12) Respite care;
- (13) Skilled nursing care;
- (14) Transportation; and
- (15) Personal emergency response systems.

(f) "Coordination, Assessment and Monitoring (CAM) Agency" means an agency which:

(1) is licensed as such by the Department of Health Services (DOHS) pursuant to Section 19-13-D93 to 104 of the Regulations of Connecticut State Agencies; or

(2) meets all state licensure requirements; and

(3) has an agreement with the Department on Aging to conduct CAM functions on behalf of the Department.

(g) "Day" means calendar day.

(h) "Department" means the Connecticut State Department on Aging or its authorized agent.

(i) "Elderly" means 60 years of age or older.

(j) "Equal Access" means all eligible persons having the same access to program information, the same opportunity to apply for services, and, other than those who have been identified as members of priority subgroups identified by the Department, the same likelihood of acceptance into the program.

(k) "Inappropriate for the Program," means that the individual does not meet the eligibility criteria identified in Section 17a-301-3 or meets one or more of the criteria for

discharge as outlined in Section 17a-301-4 (f) of these regulations.

(l) “Informal supporters” means individuals who provide care on an unpaid basis.

(m) “Legally Liable Relative” means a family member identified in law or regulation as responsible for all or part of the cost of another individual’s care.

(n) “Legal Representative” means a conservator or other individual who has legal authority to act on behalf of a promotion of independent living client of applicant; such authority may include a durable power of attorney or a court-appointed guardianship.

(o) “Liquid Assets” means all resources readily convertible into cash, excluding all real property, and including but not limited to cash, bank accounts, stocks, certificates of deposit, credit union shares, present interests in estates and the cash value of life insurance or burial insurance if the total face value of all life insurance policies exceeds \$1,500.

(p) “Long Term Care Facility” (LTC) means a facility licensed by the Department of Health Services as a chronic and convalescent nursing home or rest home with nursing supervision and certified to participate in the Title XIX medical assistance program, as a nursing facility as evidenced by a Title XIX provider agreement. For the purposes of this regulation the term long term care facility does not include an Intermediate Care Facility specifically for the mentally retarded (ICF/MR) or any other residential or inpatient health care facility.

(q) “Person” means an elderly individual or his or her authorized representative including, but not limited to, relatives, guardians or conservators.

(r) “Plan of Care” means a written plan of community services which specifies for each applicant the type and frequency of all services required to maintain that person in the community, the service providers, the cost of services, and funding sources.

(s) “Planning and Service Area” (PSA) means a geographical portion of the State designated as a unit for the development of services by the Commissioner on Aging pursuant to Section 17a-304 of the Connecticut General Statutes.

(t) “Program” means the Promotion of Independent Living for the Elderly Program.

(u) “Related Party” means an entity which, to a significant extent, is associated with or affiliated with another by common ownership or control. Control of or by another entity exists where an individual or organization has the power, directly or indirectly, to significantly influence or direct the actions or policies of an organization or institution. Common ownership exists when an individual or individuals possess significant ownership or equity in the provider or organization serving the provider. The Department refers to interpretations of 42 CFR 405.427, when determining whether parties are related.

(v) “Responsible Party” means a person who has been designated by the elderly individual to participate in the client’s plan of care as described in these regulations.

(w) “Risk of inappropriate institutionalization” means that the individual has a need for long term care services due to his or her functional or cognitive status but would be able to remain at home, without the creation of an unacceptable risk to the safety of the individual or others, if community services were provided.

(x) “Unacceptable Risk” means a situation which places an individual’s life or health in immediate jeopardy. In determining whether an unacceptable risk exists (such as may support a finding of ineligibility for program services, see Sections 17a-301-3a and 17a-301-4f herein), the CAM Agency shall take into account its agency’s professional standards,

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as well as the client's needs and his or her informed viewpoint with regard to the potential risk.

(Effective June 2, 1992)