

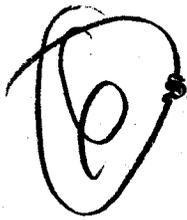
The Burger Court Opinion Writing Database

Connecticut Department of Income Maintenance v. Heckler

471 U.S. 524 (1985)

Paul J. Wahlbeck, George Washington University
James F. Spriggs, II, Washington University in St. Louis
Forrest Maltzman, George Washington University





Supreme Court of the United States
Washington, D. C. 20543

CHAMBERS OF
THE CHIEF JUSTICE

May 6, 1985

Re: No. 83-2136 - Connecticut Department of Income v.
Heckler

Dear John:

I join.

Regards,

Justice Stevens

Copies to the Conference

83-2136-2

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Supreme Court of the United States
Washington, D. C. 20543

CHAMBERS OF
JUSTICE Wm. J. BRENNAN, JR.

April 26, 1985

No. 83-2136

Connecticut v. Heckler

Dear John,

I hoist the white flag. Please
join me in your fine opinion in the
above.

Sincerely,

Justice Stevens

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Supreme Court of the United States
Washington, D. C. 20543

CHAMBERS OF
JUSTICE BYRON R. WHITE

April 25, 1985

83-2136 - Connecticut, Department
of Income Maintenance v. Heckler

Dear John,

I agree.

Sincerely yours,



Justice Stevens

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Supreme Court of the United States
Washington, D. C. 20543

CHAMBERS OF
JUSTICE THURGOOD MARSHALL

May 9, 1985

Re: No. 83-2136-Connecticut Dept. of Income
Maintenance v. Margaret M. Heckler

Dear John:

Please join me.

Sincerely,

T.M.
T.M.

Justice Stevens

cc: The Conference

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CHAMBERS OF
JUSTICE HARRY A. BLACKMUN

Supreme Court of the United States
Washington, D. C. 20543

April 26, 1985

Re: No. 83-2136, Connecticut Dept. of Income v. Heckler

Dear John:

Please join me.

Sincerely,

Justice Stevens

cc: The Conference

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W

Supreme Court of the United States
Washington, D. C. 20543

CHAMBERS OF
JUSTICE LEWIS F. POWELL, JR.

April 25, 1985

83-2136 Connecticut v. Heckler

Dear John:

Please join me.

Sincerely,

Lewis

Justice Stevens

lfp/ss

cc: The Conference

APR 26 1985

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Q

Supreme Court of the United States
Washington, D. C. 20543

CHAMBERS OF
JUSTICE WILLIAM H. REHNQUIST

May 9, 1985

Re: No. 83-2136 Connecticut Department of Income Maintenance
v. Heckler

Dear John,

Please join me.

Sincerely,



Justice Stevens

cc: The Conference

84 MAY 10 10:30

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To: The Chief Justice
Justice Brennan
Justice White
Justice Marshall
Justice Blackmun
Justice Powell
Justice Rehnquist
Justice O'Connor

From: **Justice Stevens**

Circulated: APR 24 1985

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1st DRAFT

SUPREME COURT OF THE UNITED STATES

No. 83-2136

CONNECTICUT, DEPARTMENT OF INCOME MAINTENANCE, PETITIONER *v.* MARGARET M. HECKLER, SECRETARY, DEPARTMENT OF HEALTH AND HUMAN SERVICES, ET AL.

ON WRIT OF CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR THE SECOND CIRCUIT

[April —, 1985]

JUSTICE STEVENS delivered the opinion for the Court.

Services performed for patients between the ages of 21 and 65 in an "institution for mental diseases" (IMD) are not covered by the Medicaid Act. The Secretary of Health and Human Services has adopted a definition of that term that is broad enough to encompass an "intermediate care facility" (ICF). The Middletown Haven Rest Home is an ICF that provides care for persons with mental illness as well as other diseases. The narrow question presented by this case is whether Middletown Haven is an IMD within the meaning of the Act. The broader question is whether the Secretary's definition of an IMD, which permits an ICF to be classified as an IMD, is consistent with the intent of Congress.

During the period between January 1977, and September 1979, the State of Connecticut paid Middletown Haven for the services it provided to Medicaid eligible patients, including those between the ages of 21 and 65 who had been transferred to Middletown Haven from State mental hospitals. Under the Medicaid program, the State received federal reimbursement of \$1,634,655 for those payments.

After receiving information that Connecticut was discharging large numbers of mental patients from State mental insti-

4/25
wait
4/29
John

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To: The Chief Justice
Justice Brennan
Justice White
Justice Marshall
Justice Blackmun
Justice Powell
Justice Rehnquist
Justice O'Connor

STYLISTIC CHANGES THROUGHOUT.
SEE PAGES: 2, 12

From: Justice Stevens

Circulated: _____

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JPS
Please join me
M

2nd DRAFT

SUPREME COURT OF THE UNITED STATES

No. 83-2136

CONNECTICUT DEPARTMENT OF INCOME MAINTENANCE, PETITIONER *v.* MARGARET M. HECKLER, SECRETARY, DEPARTMENT OF HEALTH AND HUMAN SERVICES, ET AL.

WB?

ON WRIT OF CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR THE SECOND CIRCUIT

[May —, 1985]

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After receiving information that Connecticut was discharging large numbers of mental patients from state mental institutions into ICFs and skilled nursing facilities, and after nu-

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Supreme Court of the United States
Washington, D. C. 20543

CHAMBERS OF
JUSTICE SANDRA DAY O'CONNOR

April 25, 1985

No. 83-2136 Connecticut, Department of Income
Maintenance v. Heckler

Dear John,

Please join me.

Sincerely,

Sandra

Justice Stevens

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