

HOUSE No. 00187

The Commonwealth of Massachusetts

PRESENTED BY:

Alice K. Wolf

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act to increase the personal needs allowance for residents of long term care facilities..

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Alice K. Wolf</i>	<i>25th Middlesex</i>
<i>Thomas A. Golden, Jr.</i>	<i>16th Middlesex</i>
<i>Stephen Stat Smith</i>	<i>28th Middlesex</i>
<i>Patricia D. Jehlen</i>	<i>Second Middlesex</i>
<i>Thomas J. Calter</i>	<i>12th Plymouth</i>
<i>Anne M. Gobi</i>	<i>5th Worcester</i>
<i>Ann-Margaret Ferrante</i>	<i>5th Essex</i>
<i>Denise Provost</i>	<i>27th Middlesex</i>
<i>Joyce A. Spiliotis</i>	<i>12th Essex</i>
<i>John V. Fernandes</i>	<i>10th Worcester</i>
<i>Jennifer E. Benson</i>	<i>37th Middlesex</i>
<i>Kay Khan</i>	<i>11th Middlesex</i>

HOUSE No. 00187

By Ms. Alice K. Wolf of Cambridge, petition (accompanied by bill, House, No. 00187) of Stephen Stat Smith and others for legislation to increase the personal care allowance of residents of long-term care facilities. Joint Committee on Elder Affairs.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE
□ HOUSE
□ , NO. 545 OF 2009-2010.]

The Commonwealth of Massachusetts

In the Year Two Thousand Eleven

An Act to increase the personal needs allowance for residents of long term care facilities..

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

- 1 SECTION 1. Section 1 of chapter 117A of the General Laws, as appearing in the 1998 Official
- 2 Edition, is hereby amended by striking out the second paragraph and inserting in place thereof
- 3 the following paragraph:-
- 4 Any person eligible for assistance under this chapter who is not maintaining his home and is
- 5 receiving care in or residing in a licensed nursing facility, licensed chronic hospital, licensed rest
- 6 home, or an approved public medical institution as defined in section 8 of chapter 118E, shall
- 7 retain the first \$72.80 of his monthly income for clothing, personal needs, and leisure activities.
- 8 If there is no such income or if it is less than the amount of \$72.80, such a person shall be paid
- 9 monthly in advance the difference between such income and said amount. Said amount shall be

10 increased annually each fiscal year at the same time and at the same percentage rate as increases
11 payable to an individual who maintains his own home and receives state supplementary
12 payments pursuant to sections 1 and 2 of chapter 118A.

13 SECTION 2. Chapter 118A of General Laws, as appearing in the 1998 Official Edition, is hereby
14 amended by inserting after section 7A the following new section:--

15 Section 7B. Any person eligible for financial assistance under this chapter who is not
16 maintaining his home and is in a licensed medical facility which is eligible for medical assistance
17 payments pursuant to chapter 118E or is residing in a licensed rest home to which such person
18 pays a fixed rate, shall retain the first \$72.80 of his monthly income for clothing, personal needs,
19 and leisure time activities. If there is no such income or if it is less than the amount of \$72.80,
20 such a person shall be paid monthly in advance the difference between such income and said
21 amount. Said amount shall be increased annually each fiscal year at the same time and at the
22 same percentage rate as increases payable to an individual who maintains his own home and
23 receives state supplementary payments pursuant to sections 1 and 2 of this chapter.

24 Section 3. Section 15 of chapter 118E of the General Laws, as appearing in the 1998 Official
25 Edition is hereby amended by striking the fourth paragraph and inserting in place thereof the
26 following paragraph and inserting in place thereof the following paragraph:--

27 A person eligible for medical assistance under this chapter who is not maintaining his own home
28 and is receiving care in a licensed nursing facility, a licensed chronic hospital, a licensed rest
29 home, an approved public medical institution, or a public psychiatric institution shall retain the
30 first \$72.80 of his monthly income for clothing, personal needs, and leisure time activities. If
31 there is no such income or if it is less than the amount of \$72.80, such a person shall be paid

32 monthly in advance the difference between such income and said amount. Said amount shall be
33 increased annually each fiscal year at the same time and at the same percentage rate as increases
34 payable to an individual who is maintaining his own home and who is receiving supplemental
35 payments pursuant to sections 1 and 2 of chapter 118A.