

SENATE No. 375

The Commonwealth of Massachusetts

PRESENTED BY:

Patricia D. Jehlen

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 adoption of the accompanying bill:

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

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
<i>Patricia D. Jehlen</i>	<i>Second Middlesex</i>	
<i>Rebecca L. Rausch</i>	<i>Norfolk, Worcester and Middlesex</i>	<i>1/23/2023</i>

SENATE No. 375

By Ms. Jehlen, a petition (accompanied by bill, Senate, No. 375) of Patricia D. Jehlen and Rebecca L. Rausch for legislation to increase the personal care allowance of residents of long-term care facilities. Elder Affairs.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. 412 OF 2021-2022.]

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Third General Court
(2023-2024)**

An Act increasing 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 is hereby amended by
2 striking out the second paragraph and inserting in place thereof the following paragraph:-

3 Any person eligible for assistance under this chapter who is not maintaining his home and
4 is receiving care in or residing in a licensed nursing facility, licensed chronic hospital, licensed
5 rest home, or an approved public medical institution as defined in section 8 of chapter 118E,
6 shall retain the first \$100.00 of his monthly income for clothing, personal needs, and leisure
7 activities. If there is no such income or if it is less than the amount of \$100.00, such a person
8 shall be paid monthly in advance the difference between such income and said amount. Said
9 amount shall be increased annually each fiscal year at the same time and at the same percentage

10 rate as increases payable to an individual who maintains his own home and receives state
11 supplementary payments pursuant to sections 1 and 2 of chapter 118A.

12 SECTION 2. Chapter 118A of General Laws is hereby amended by inserting after section
13 7A the following new section:-

14 Section 7B. Any person eligible for financial assistance under this chapter who is not
15 maintaining his home and is in a licensed medical facility which is eligible for medical assistance
16 payments pursuant to chapter 118E or is residing in a licensed rest home to which such person
17 pays a fixed rate, shall retain the first \$100.00 of his monthly income for clothing, personal
18 needs, and leisure time activities. If there is no such income or if it is less than the amount of
19 \$100.00, such a person shall be paid monthly in advance the difference between such income and
20 said amount. Said amount shall be increased annually each fiscal year at the same time and at the
21 same percentage rate as increases payable to an individual who maintains his own home and
22 receives state supplementary payments pursuant to sections 1 and 2 of this chapter.

23 SECTION 3. Section 15 of chapter 118E of the General Laws is hereby amended by
24 striking the fourth paragraph and inserting in place thereof the following paragraph:-

25 A person eligible for medical assistance under this chapter who is not maintaining his
26 own home and is receiving care in a licensed nursing facility, a licensed chronic hospital, a
27 licensed rest home, an approved public medical institution, or a public psychiatric institution
28 shall retain the first \$100.00 of his monthly income for clothing, personal needs, and leisure time
29 activities. If there is no such income or if it is less than the amount of \$100.00, such a person
30 shall be paid monthly in advance the difference between such income and said amount. Said
31 amount shall be increased annually each fiscal year at the same time and at the same percentage

- 32 rate as increases payable to an individual who is maintaining his own home and who is receiving
- 33 supplemental payments pursuant to sections 1 and 2 of chapter 118A.