

SENATE No. 69

The Commonwealth of Massachusetts

PRESENTED BY:

Mark C. Montigny

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 care allowance for long term care residents.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
<i>Mark C. Montigny</i>	<i>Second Bristol and Plymouth</i>	
<i>Patrick M. O'Connor</i>	<i>Plymouth and Norfolk</i>	<i>1/29/2019</i>

SENATE No. 69

By Mr. Montigny, a petition (accompanied by bill, Senate, No. 69) of Mark C. Montigny and Patrick M. O'Connor for legislation to increase the personal care allowance for long term care residents. Children, Families and Persons with Disabilities.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. 63 OF 2017-2018.]

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-First General Court
(2019-2020)**

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

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 2016
2 Official Edition, is hereby amended by striking out the second paragraph and inserting in place
3 thereof the following paragraph:- Any person eligible for assistance under this chapter who is not
4 maintaining his home and is receiving care in or residing in a licensed nursing facility, licensed
5 chronic hospital, licensed rest home, or an approved public medical institution as defined in
6 section 8 of chapter 118E, shall retain the first \$100 of his monthly income for clothing, personal
7 needs, and leisure time activities. If there is no such income or if it is less than the amount of
8 \$100, such a person shall be paid monthly in advance the difference between such income and
9 said amount. Said amount shall be increased annually each fiscal year at the same time and at the

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

12 SECTION 2. Chapter 118A of General Laws, as so appearing, is hereby amended by
13 inserting after section 7A the following new section:- Section 7B. Any person eligible for
14 financial assistance under this chapter who is not maintaining his home and is in a licensed
15 medical facility which is eligible for medical assistance payments pursuant to chapter 118E or is
16 residing in a licensed rest home to which such person pays a fixed rate, shall retain the first \$100
17 of his monthly income for clothing, personal needs, and leisure time activities. If there is no such
18 income or if it is less than the amount of \$100, such a person shall be paid monthly in advance
19 the difference between such income and said amount. Said amount shall be increased annually
20 each fiscal year at the same time and at the same percentage rate as increases payable to an
21 individual who maintains his own home and receives state supplementary payments pursuant to
22 sections 1 and 2 of this chapter.

23 SECTION 3. Section 15 of chapter 118E of the General Laws, as so appearing, is hereby
24 amended by 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 own home
26 and is receiving care in a licensed nursing facility, a licensed chronic hospital, a licensed rest
27 home, an approved public medical institution, or a public psychiatric institution shall retain the
28 first \$100 of his monthly income for clothing, personal needs, and leisure time activities. If there
29 is no such income or if it is less than the amount of \$100, such a person shall be paid monthly in
30 advance the difference between such income and said amount. Said amount shall be increased
31 annually each fiscal year at the same time and at the same percentage rate as increases payable to

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

34 SECTION 4. Section 15 of chapter 118E of the General laws, as so appearing, is hereby
35 amended by striking in line 28 the figure "\$60" and inserting in place thereof the following
36 figure: -\$100