

**HOUSE . . . . . No. 1095**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

*Christine E. Canavan*

*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 relative to increasing the personal needs allowance..

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Jennifer E. Benson</i>	<i>37th Middlesex</i>	<i>1/20/2011</i>
<i>Gale D. Candaras</i>		<i>2/4/2011</i>
<i>Patricia D. Jehlen</i>		<i>1/24/2011</i>
<i>Joyce A. Spiliotis</i>	<i>12th Essex</i>	<i>1/28/2011</i>
<i>Benjamin Swan</i>	<i>11th Hampden</i>	<i>2/3/2011</i>
<i>Christine E. Canavan</i>	<i>10th Plymouth</i>	<i>1/20/2011</i>

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By Ms. Canavan of Brockton, a petition (accompanied by bill, House, No. 1095) of Jennifer E. Benson and others for legislation to increase the personal needs allowance for certain elderly and disabled residents residing in licensed medical facilities. Elder Affairs.

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[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE HOUSE, NO. 3417 OF 2009-2010.]

**The Commonwealth of Massachusetts**

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**In the Year Two Thousand Eleven**  
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An Act relative to increasing the personal needs allowance..

*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 2006  
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 \$100.00 of his monthly income for clothing,  
7 personal needs, and leisure time activities. If there is no such income or if it is less than the  
8 amount of \$100.00, such a person shall be paid monthly in advance the difference between such  
9 income and said amount. Said amount shall be increased annually each fiscal year at the same  
10 time and at the same percentage rate as increases payable to an individual who maintains his own  
11 home and receives state supplementary payments pursuant to sections 1 and 2 of chapter 118A.

12 SECTION 2. Chapter 118A of General Laws, as appearing in the 2006 Official Edition,  
13 is hereby amended by inserting after section 7A the following new section: Section 7b. Any  
14 person eligible for financial assistance under this chapter who is not maintaining his home and is  
15 in a licensed medical facility which is eligible for medical assistance payments pursuant to  
16 chapter 118E or is residing in a licensed rest home to which such person pays a fixed rate, shall  
17 retain the first \$100.00 of his monthly income for clothing, personal needs, and leisure time  
18 activities. If there is no such income or if it is less than the amount of \$100.00, such a person  
19 shall be paid monthly in advance the difference between such income and said amount. Said  
20 amount shall be, increased annually each fiscal year at the same time and at the same percentage  
21 rate as increases payable to an individual who maintains his own home and receives state  
22 supplementary payments pursuant to sections 1 and 2.

23 SECTION 3. Section 15 of chapter 118E of the General Laws, as appearing in the 2006  
24 Official Edition is hereby amended by striking the fourth paragraph and inserting in place thereof  
25 the following paragraph: A person eligible for medical assistance under this chapter who is not  
26 maintaining his own home and is receiving care in a licensed nursing facility, a licensed chronic  
27 hospital, a licensed rest home, or in an approved public medical institution, shall retain the first  
28 \$100.00 of his monthly income for clothing, personal needs, and leisure time activities. If there is  
29 no such income or if it is less than the amount of \$100.00, 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.