

HOUSE No. 1095

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>

HOUSE No. 1095

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.

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

The Commonwealth of Massachusetts

In the Year Two Thousand Eleven

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.