HOUSE DOCKET, NO. 1658 FILED ON: 1/15/2015

HOUSE . . . . . No. 966

The Commonwealth of Massachusetts

PRESENTED BY:

Jennifer E. Benson

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 to preserve eligibility for the PACE program and certain waivered services.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Jennifer E. Benson	*37th Middlesex*
James B. Eldridge	*Middlesex and Worcester*
James J. O'Day	*14th Worcester*
Barbara A. L'Italien	*Second Essex and Middlesex*
Daniel J. Hunt	*13th Suffolk*
Bruce E. Tarr	*First Essex and Middlesex*
Angelo J. Puppolo, Jr.	*12th Hampden*
Aaron Vega	*5th Hampden*
Christine P. Barber	*34th Middlesex*
John W. Scibak	*2nd Hampshire*
Kate Hogan	*3rd Middlesex*
Jose F. Tosado	*9th Hampden*
Nicholas A. Boldyga	*3rd Hampden*
Stephen Kulik	*1st Franklin*
Christopher M. Markey	*9th Bristol*
Timothy J. Toomey, Jr.	*26th Middlesex*
Jay D. Livingstone	*8th Suffolk*
Marjorie C. Decker	*25th Middlesex*

Jonathan Hecht	*29th Middlesex*
Alice Hanlon Peisch	*14th Norfolk*
Denise Provost	*27th Middlesex*

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By Ms. Benson of Lunenburg, a petition (accompanied by bill, House, No. 966) of Jennifer E. Benson and others for legislation to include certain income levels in calculating nursing home benefits payable under the Program of All-inclusive Care for the Elderly (PACE). Health Care Financing.

The Commonwealth of Massachusetts

In the One Hundred and Eighty-Ninth General Court
(2015-2016)

An Act to preserve eligibility for the PACE program and certain waivered services.

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

Section 25 of Chapter 118E of the General Laws, as appearing in the 2010 Official Edition, is hereby amended in subsection (5) by striking the second paragraph and inserting in place thereof the following paragraph:-

In any case where the monthly income of an applicant or recipient is in excess of the exemptions allowed, the applicant or recipient, if otherwise eligible for Medicaid under this chapter, shall be liable to pay to the provider of medical care or service an amount which shall be equal to the excess income for a period of six consecutive months, which includes the period when such service was provided; provided, however that in such cases where the individual's gross income is greater than 300% of the federal Supplemental Security Income level but less than the average monthly cost of nursing home care as calculated by the division and the individual is participating in a Home and Community Based Waiver, under 42 USC 1396a(10)(a)(ii)(VI) or a PACE Program, under 42 USC 1396u-4 or 42 USC 1395eee, the

13 division shall charge a premium, equal to the difference between the individual's gross income

14 and 300% of the federal Supplemental Security Income level, on a monthly basis. The division

15 shall apply for any federal waivers necessary to implement this provision.