

**SENATE . . . . . No. 69**

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**The Commonwealth of Massachusetts**

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PRESENTED BY:

***Mark C. Montigny***

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*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.

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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**

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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.

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[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