SENATE DOCKET, NO. 2385 FILED ON: 1/17/2025

SENATE . . . . . No. 887

The Commonwealth of Massachusetts

PRESENTED BY:

Joan B. Lovely

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 needs allowance for long term care residents.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
Joan B. Lovely	*Second Essex*	
Joanne M. Comerford	*Hampshire, Franklin and Worcester*	*1/31/2025*
Christopher Richard Flanagan	*1st Barnstable*	*2/5/2025*
Jacob R. Oliveira	*Hampden, Hampshire and Worcester*	*2/7/2025*
Paul K. Frost	*7th Worcester*	*2/25/2025*
Paul W. Mark	*Berkshire, Hampden, Franklin and Hampshire*	*3/12/2025*
Sal N. DiDomenico	*Middlesex and Suffolk*	*3/25/2025*
Dylan A. Fernandes	*Plymouth and Barnstable*	*4/14/2025*
Adam J. Scanlon	*14th Bristol*	*5/5/2025*
James B. Eldridge	*Middlesex and Worcester*	*6/16/2025*

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By Ms. Lovely, a petition (accompanied by bill, Senate, No. 887) of Joan B. Lovely, Joanne M. Comerford, Christopher Richard Flanagan, Jacob R. Oliveira and others for legislation to increase the monthly amount of money that Medicaid recipients living in nursing homes are allowed to keep from their income to spend on personal items like toiletries, clothing, and small entertainment. Health Care Financing.

The Commonwealth of Massachusetts

In the One Hundred and Ninety-Fourth General Court
(2025-2026)

An Act increasing the personal needs 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:

SECTION 1. Section 1 of chapter 117A of the General Laws, as appearing in the 2020 Official Edition, is hereby amended by striking out the second paragraph and inserting in place thereof the following paragraph:-

Any person eligible for assistance under this chapter who is not maintaining their home and is receiving care in or residing in a licensed nursing facility, licensed chronic hospital, licensed rest home, or an approved public medical institution as defined in section 8 of chapter 118E, shall retain the first $113.42 of their monthly income for clothing, personal needs, and leisure time activities. If there is no such income or if it is less than the amount of $113.42, such a person shall be paid monthly in advance the difference between such income and said amount. Said amount shall be increased annually each fiscal year at the same time and at the same

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

13 SECTION 2. Chapter 118A of General Laws, as so appearing, is hereby amended by
14 inserting after section 7A the following new section:-

15 Section 7B. Any person eligible for financial assistance under this chapter who is not
16 maintaining their home and is in a licensed medical facility which is eligible for medical
17 assistance payments pursuant to chapter 118E or is residing in a licensed rest home to which
18 such person pays a fixed rate, shall retain the first $113.42 of their monthly income for clothing,
19 personal needs, and leisure time activities. If there is no such income or if it is less than the
20 amount of $113.42, such a person shall be paid monthly in advance the difference between such
21 income and said amount. Said amount shall be increased annually each fiscal year at the same
22 time and at the same percentage rate as increases payable to an individual who maintains their
23 own home and receives state supplementary payments pursuant to sections 1 and 2 of this
24 chapter.

25 SECTION 3. Section 15 of chapter 118E of the General Laws, as so appearing, is hereby
26 amended by striking the fourth paragraph and inserting in place thereof the following paragraph:-

27 A person eligible for medical assistance under this chapter who is not maintaining their
28 own home and is receiving care in a licensed nursing facility, a licensed chronic hospital, a
29 licensed rest home, an approved public medical institution, or a public psychiatric institution
30 shall retain the first $113.42 of their monthly income for clothing, personal needs, and leisure
31 time activities. If there is no such income or if it is less than the amount of $113.42, such a
32 person shall be paid monthly in advance the difference between such income and said amount.

33 Said amount shall be increased annually each fiscal year at the same time and at the same
34 percentage rate as increases payable to an individual who is maintaining their own home and
35 who is receiving supplemental payments pursuant to sections 1 and 2 of chapter 118A.

36 SECTION 4. Section 15 of chapter 118E of the General laws, as so appearing, is hereby
37 amended by striking in the fifth paragraph the figure "$72.80" and inserting in place thereof the
38 following figure:-$113.42