

## **Joint Committee on Health Care Financing 2025-2026 (194th) Bill Summary**

<b><u>Bill Number:</u></b>	House, No. 1411
<b><u>Title:</u></b>	AN ACT INCREASING THE PERSONAL NEEDS ALLOWANCE FOR LONG TERM CARE RESIDENTS
<b><u>Sponsor:</u></b>	Representative Thomas M. Stanley (Waltham)
<b><u>Hearing Date:</u></b>	July 1, 2025
<b><u>Reporting Deadline:</u></b>	August 30, 2025
<b><u>Prior History:</u></b>	2023-24 (H0626/S115/S375): Referred to the Joint Committee on Elder Affairs. Public hearing on May 15, 2023. S115 reported favorable, accompanied by H626 and S375 on December 21, 2023, and referred to Health Care Financing. S115 reported favorably and referred to Senate Ways and Means. No further action. 2021-22 (H735/S113 /S412): Referred to the Joint Committee on Elder Affairs. Public hearing on June 30, 2021. S412 reported favorably, accompanied by H735 and S113. Referred to Health Care Financing, S113 reported favorably and referred to Senate Ways and Means. No further action.
<b><u>Similar Matters:</u></b>	S482 (Montigny) and S887 (Lovely) [Identical – Health Care Financing]

### **Current Law:**

**Chapter 18 of the General Laws** governs the Department of Transitional Assistance [DTA] within the Executive Office of Health and Human Services [EOHHS].

**M.G.L. Ch. 117A § 1** establishes a program for emergency aid for elderly or disables residents within DTA. This section permits recipients who (i) are eligible for assistance under Chapter 117A, (ii), does not maintain their own home, and (iii) are receiving care in a nursing home, chronic hospital, rest home, or approved medical institution, to retain the first \$60.00 of monthly income for clothing, personal needs allowance, and leisure time activities.

**Chapter 118A of the General Laws** establishes, under the direction of DTA, a program of financial assistance for aged and disabled persons through state supplementary payments to federal benefits.

**M.G.L. Ch. 118E § 1** designates the Executive Office of Health and Human Services [EOHHS] as the single state agency responsible for the administration of any programs of medical assistance and medical benefits established pursuant to Chapter 118E. The Secretary of EOHHS is authorized to take actions, through the division of medical assistance [DMA] and the secretary of aging and independence, as appropriate, in this capacity, in accordance with section 2 of Chapter 118E.

**M.G.L. Ch. 118E § 8** defines certain terms as they are to be understood within the context of Chapter 118E.

**M.G.L. Ch. 118E § 9A** authorizes DMA to implement a combined Medicaid program and Children's Health Insurance Program (CHIP), known as MassHealth, in accordance with the terms and conditions of a demonstration project approved by the Secretary pursuant to section 1115(a) of the Social Security Act, 42 U.S.C. Section 1315(a) or any other federal waiver or demonstration authority and lists beneficiary categories for whom MassHealth may provide medical benefits.

**M.G.L. Ch. 118E § 15** concerns the provision of mandatory and optional benefits for medical care under the state Medicaid program. This section directs DMA to determine the amount, duration and scope of benefits, including criteria for medical necessity and utilization control procedures, through rules and regulations consistent with chapter 118E and applicable federal law.

- The fourth paragraph of section 15 section permits enrollees who (i) are eligible for assistance under Chapter 118E, (ii), does not maintain their own home, and (iii) are receiving care in a nursing home, chronic hospital,

rest home, approved public medical institution, or a public psychiatric institution to retain the first \$60.00 of monthly income for clothing, personal needs allowance, and leisure time activities.

**M.G.L. Ch. 118E § 16C** establishes the Massachusetts Children’s Health Insurance Program (CHIP) and outlines its basic eligibility criteria.

**Summary:**

**SECTION 1** of the proposed legislation amends section 1 of Chapter 117A to increase the statutory floor of the personal needs allowance for recipients of emergency aid for elderly or disables residents through DTA from \$60.00 to \$113.42. This section also instructs DTA to annually increase the personal needs allowance by a percentage rate consistent with the increase for supplemental state payments under sections 1 and 2 of chapter 118A.

**SECTION 2** of the proposed legislation inserts a new section in Chapter 118A, section 7B, to establish a personal needs allowance set at \$113.42 for recipients of state supplementary payments who (i) are eligible for assistance under Chapter 118A, (ii), do not maintain their own home, and (iii) are receiving care in a “licensed medical facility which is eligible for payments pursuant to chapter 118E” or is residing in a rest home “to which a person pays a fixed rate”. This section also instructs DMA to annually increase the personal needs allowance by a percentage rate consistent with the increase for supplemental state payments under sections 1 and 2 of chapter 118A.

**SECTIONS 3 & 4** of the proposed legislation amend section 15 of Chapter 118E to increase the statutory floor of the personal needs allowance for eligible Medicaid enrollees from \$60.00 to \$113.42. This section also instructs DTA to annually increase the personal needs allowance by a percentage rate consistent with the increase for supplemental state payments under sections 1 and 2 of chapter 118A.