

HOUSE No. 02782

The Commonwealth of Massachusetts

PRESENTED BY:

Angelo M. Scaccia

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 passage of the accompanying bill:

An Act to increase the personal care allowance for residents of long term care facilities.

PETITION OF:

NAME:

Angelo M. Scaccia

DISTRICT/ADDRESS:

14th Suffolk

HOUSE No. 02782

By Mr. Scaccia of Boston, a petition (accompanied by bill, House, No. 2782) of Scaccia for legislation to increase the personal care allowance for residents of long-term care facilities Joint Committee on Health Care Financing.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE
□ HOUSE
□ , NO. 1099 OF 2009-2010.]

The Commonwealth of Massachusetts

In the Year Two Thousand Eleven

An Act to increase the personal care allowance for residents of long term care facilities.

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 1998
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
4 not maintaining his home and is receiving care in or residing in a licensed nursing facility,
5 licensed chronic hospital, licensed rest home, or an approved public medical institution as
6 defined in section 8 of chapter 118E, shall retain the first \$72.80 of his monthly income for
7 clothing, personal needs, and leisure time activities. If there is no such income or if it is less than
8 the amount of \$72.80, such a person shall be paid monthly in advance the difference between
9 such income and said amount. Said amount shall be increased annually each fiscal year at the

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

13 SECTION 2. Chapter 118A of General Laws, as appearing in the 1998 Official Edition, is hereby
14 amended by inserting after section 7A the following new section:— Section 7b. Any person
15 eligible for financial assistance under this chapter who is not maintaining his home and is in a
16 licensed medical facility which is eligible for medical assistance payments pursuant to chapter
17 118E or is residing in a licensed rest home to which such person pays a fixed rate, shall retain the
18 first \$72.80 of his monthly income for clothing, personal needs, and leisure time activities. If
19 there is no such income or if it is less than the amount of \$72.80, such a person shall be paid
20 monthly in advance the difference between such income and said amount. Said amount shall be,
21 increased annually each fiscal year at the same time and at the same percentage rate as increases
22 payable to an individual who maintains his own home and receives state supplementary
23 payments pursuant to sections 1 and 2.

24 SECTION 3. Section 15 of chapter 118E of the General Laws, as appearing in the 1998 Official
25 Edition is hereby amended by striking the fourth paragraph and inserting in place thereof the
26 following paragraph:— A person eligible for medical assistance under this chapter who is not
27 maintaining his own home and is receiving care in a licensed nursing facility, a licensed chronic
28 hospital, a licensed rest home, or in an approved public medical institution, shall retain the first
29 \$72.80 of his monthly income for clothing, personal needs, and leisure time activities. If there is
30 no such income or if it is less than the amount of \$72.80, such a person shall be paid monthly in
31 advance the difference between such income and said amount. Said amount shall be increased
32 annually each fiscal year at the same time and at the same percentage rate as increases payable to

33 an individual who is maintaining his own home and who is receiving supplemental payments
34 pursuant to sections 1 and 2 of chapter 118A.

35 SECTION 4. The Division of Health Care Finance and Policy is required to conduct a study and
36 review of the cost of all personal needs items paid for by residents that are not covered by the
37 Division of Medical Assistance. Said study shall be completed within sixty days of the passage
38 of this Act. The Division of Health Care Finance and Policy shall submit a report on the results
39 of said study and review to the respective Committee on Ways and Means of the House and the
40 Senate not later than December 31, 2012.