

By Mr. Flaherty of Cambridge, petition of Charles F. Flaherty for legislation to increase the personal care allowance for residents of long term care facilities. Human Services and Elderly Affairs.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Eighty-Seven.

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 6 of chapter 118E of the General Laws,
2 as amended by chapter 699 of the acts of 1983, is hereby fur-
3 ther amended by inserting after the second paragraph the
4 following new paragraphs: —

5 All persons eligible for public assistance, as determined
6 under the provisions of this chapter, who are not maintaining
7 their own homes but are receiving care in any licensed nursing
8 home, any licensed chronic hospital or in any approved public
9 medical institution, shall retain the first fifty-five dollars of
10 their monthly income for clothing, personal needs and leisure
11 time activities. If there is no such income, or if it is less than
12 fifty-five dollars, the recipient shall be paid monthly in advance
13 the difference between such income and fifty-five dollars.
14 Effective January 1, 1988, this amount shall be increased at the
15 same time and at the same percentage rate as increases payable
16 to individuals who are maintaining their own homes and who
17 are receiving state supplemental payments under sections one
18 and two of chapter 118A of the General Laws.

19 The department of public welfare shall by regulation provide
20 that personal laundry costs shall not be charged to the amount
21 retained by or paid to the recipient pursuant to this section.
22 Personal laundry costs shall instead be reimbursable through
23 the per diem rates established by the rate setting commission.

1 SECTION 2. Section 1 of chapter 117 of the General Laws,
2 as most recently amended by chapter 758 of the acts of 1975,
3 is hereby further amended by inserting the following paragraph
4 at the end thereof: —

5 All persons eligible for public assistance, as determined under
6 the provisions of this chapter, who are not maintaining their
7 own homes but are receiving care in any licensed rest home
8 shall retain the first fifty-five dollars of their monthly income
9 for clothing, personal needs and leisure time activities. If there
10 is no such income, or if it is less than fifty-five dollars, the
11 recipient shall be paid monthly in advance the difference
12 between such income and fifty-five dollars. Effective January 1,
13 1987, this amount shall be increased at the same time and at
14 the same percentage rate as increases payable to individuals
15 who are maintaining their own homes and who are receiving
16 state supplemental payments under sections one and two of
17 chapter 118A of the General Laws.

18 The department of public welfare shall by regulation provide
19 that personal laundry costs shall not be charged to the amount
20 retained by or paid to the recipient pursuant to this section.
21 Personal laundry costs shall instead be reimbursable through
22 the per diem rates established by the rate setting commission.

1 SECTION 3. Chapter 118A of the General Laws is hereby
2 amended by adding to section 7A, inserted by chapter 1210, sec-
3 tion 23, of the acts of 1973, the following paragraph: —

4 A special grant shall in addition be provided to any resident
5 of a rest home who would, but for his/her income be eligible
6 for SSI, and whose income is insufficient to meet said rate
7 established for such rest home; this special grant shall supple-
8 ment the resident's income to the same level as SSI recipients,
9 which shall be the sum of the rest home's established rate and
10 the personal care allowance as established for Supplemental
11 Security Income recipients.