

By Ms. Hildt of Amesbury, petition of Barbara Hildt, John E. McDonough, Christopher J. Hodgkins, David P. Magnani and Robert A. Durand 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 432 of the acts of 1984, is hereby further
3 amended by inserting after the second paragraph the following: —

4 All persons eligible for public assistance, as determined under
5 the provisions of this chapter, who are not maintaining their
6 own homes but are receiving care in any licensed nursing home,
7 any licensed chronic hospital or in any approved public medical
8 institution, shall retain the first sixty dollars of their monthly
9 income for clothing, personal needs and leisure time activities.
10 If there is no such income, or if it is less than sixty dollars,
11 the recipient shall be paid monthly in advance the difference
12 between such income and sixty 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 one hundred and eighteen A 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 2. Section 1 of chapter 117 of the General Laws,
2 as most recently amended by chapter 758 of the acts of 1975, is
3 hereby further amended by inserting at the end thereof the
4 following: —

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 sixty dollars of their monthly income for
9 clothing, personal needs and leisure time activities. If there is
10 no such income, or if it is less than sixty dollars, the recipient
11 shall be paid monthly in advance the difference between such
12 income and sixty dollars. Effective January 1, 1987, this amount
13 shall be increased at the same time and the same percentage
14 rate as increases payable to individuals who are maintaining
15 their own homes and who are receiving state supplemental pay-
16 ments under sections one and two of chapter one hundred and
17 eighteen A 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. Section 7A of chapter 118A of the General
2 Laws, as inserted by chapter 1210 of the acts of 1973, is hereby
3 amended by adding the following: —

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.