

By Mr. Brett of Boston, petition of James T. Brett and James V. DiPaola 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 Ninety-Five.

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, as
2 amended by Chapter 432 of the Acts of 1984, is hereby further
3 amended by inserting after the second paragraph the following
4 paragraphs:—

5 All persons eligible for public assistance, as determined under the
6 provisions of this Chapter, who are not maintaining their own
7 homes but are receiving care in any licensed nursing home, any
8 licensed chronic hospital or in any approved public medical institu-
9 tion, shall retain the first seventy dollars of their monthly income for
10 clothing, personal needs and leisure time activities. If there is no
11 such income, or if it is less than seventy dollars, the recipient shall
12 be paid monthly in advance the difference between such income and
13 seventy dollars. Effective July 1, 1994, this amount shall be
14 increased at the same time and at the same percentage rate as
15 increases payable to individuals who are maintaining their own
16 homes and who are receiving state supplemental payments under
17 sections one and two of Chapter one hundred and eighteen A of the
18 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. Personal
22 laundry costs shall instead be reimbursable through the per diem
23 rates established by the Rate Setting Commission.

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

5 All persons eligible for public assistance, as determined under the
6 provisions of this Chapter, who are not maintaining their own homes
7 but are receiving care in any licensed rest home shall retain the first
8 seventy dollars of their monthly income for clothing, personal needs
9 and leisure time activities. If there is no such income, or if it is less
10 than seventy dollars, the recipient shall be paid monthly in advance
11 the difference between such income and seventy dollars. Effective
12 July 1, 1994, this amount shall be increased at the same time and at
13 the same percentage rate as increases payable to individuals who are
14 maintaining their own homes and who are receiving state supple-
15 mental payments under sections one and two of Chapter one
16 hundred and eighteen A of the General Laws.

17 The Department of Public Welfare shall, by regulation provide
18 that personal laundry costs shall not be charged to the amount
19 retained by or paid to the recipient pursuant to this section. Personal
20 laundry costs shall instead be reimbursable through the per diem
21 rates established by the Rate Setting Commission.

1 SECTION 3. Chapter 118A of the General Laws is hereby
2 amended by adding 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 residents of
5 a rest home who would, but for his/ her income, be eligible for SSI,
6 and whose income is insufficient to meet said rate established for
7 such rest home; this special grant shall supplement the resident's
8 income to the same level as SSI recipients, which shall be the sum
9 of the rest home's established rate and the personal care allowance
10 as established for Supplemental Security Income recipients.