

## **BILL ANALYSIS**

Senate Research Center

S.B. 871  
By: West  
Health & Human Services  
3-14-97  
As Filed

### **DIGEST**

Currently, federal statute allows Medicaid residents in nursing homes to keep only \$30 a month for their personal needs. This legislation requires the Health and Human Services Commission or an agency operating part of the medical assistance program to set a personal needs allowance of not less than \$60 a month for a resident of a long-term care facility in an attempt to better ensure the welfare of those residents.

### **PURPOSE**

As proposed, S.B. 871 establishes the personal needs allowance for certain Medicaid recipients who are residents of long-term care facilities.

### **RULEMAKING AUTHORITY**

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 32.024, Human Resources Code, by adding Subsection (t), to require the Health and Human Services Commission or an agency operating part of the medical assistance program (department) to set a personal needs allowance of not less than \$60 a month for a resident of a convalescent or nursing home or related institution licensed under Chapter 242, Health and Safety Code; personal care facility; ICF-MR facility; or other similar long-term care facility who receives medical assistance. Authorizes the department to send the personal needs allowance directly to a resident who receives Supplemental Security Income. Provides that this subsection does not apply to a resident who is participating in a medical assistance waiver program administered by the department.

SECTION 2. Effective date: September 1, 1997.  
Makes application of this Act prospective.

SECTION 3. Emergency clause.