

BILL ANALYSIS

Senate Research Center
76R2077 KLA-D

S.B. 664
By: West
Health Services
4/11/1999
As Filed

DIGEST

Currently, federal statute allows Medicaid residents in nursing homes to keep \$30 a month for their personal needs. The recipients of the personal needs allowance usually use their money for shoes, clothes, toiletries, or things of this nature. The personal needs allowance has not been raised in this state since 1983; however, the cost of living has risen approximately 57 percent since 1983. S.B. 664 would require the Texas Department of Human Services to set a personal needs allowance of not less than \$40 per 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 which receives medical assistance.

PURPOSE

As proposed, S.B. 664 regulates 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 (v), to require the Texas Department of Human Services (department) to set a personal needs allowance of not less than \$40 per 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 which receives medical assistance. Authorizes the department to send the personal needs allowance directly to a resident who receives Supplemental Security Income (SSI) (42 U.S.C. Section 1381 et seq.). 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, 1999.
Makes application of this Act prospective.

SECTION 3. Emergency clause.