

By: Eiland

H.B. No. 46

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the personal needs allowance for nursing home residents
3 under the Medicaid program.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Effective September 1, 2003, Section 32.024(w),
6 Human Resources Code, is reenacted to read as follows:

7 (w) The department shall set a personal needs allowance of
8 not less than \$60 a month for a resident of a convalescent or
9 nursing home or related institution licensed under Chapter 242,
10 Health and Safety Code, personal care facility, ICF-MR facility, or
11 other similar long-term care facility who receives medical
12 assistance. The department may send the personal needs allowance
13 directly to a resident who receives Supplemental Security Income
14 (SSI) (42 U.S.C. Section 1381 et seq.). This subsection does not
15 apply to a resident who is participating in a medical assistance
16 waiver program administered by the department.

17 SECTION 2. This Act is intended to restore Section
18 32.024(w), Human Resources Code, as it existed before amendment by
19 H.B. No. 2292, Acts of the 78th Legislature, Regular Session, 2003.

20 SECTION 3. This Act takes effect September 1, 2003, if it
21 receives a vote of two-thirds of all the members elected to each
22 house, as provided by Section 39, Article III, Texas Constitution.
23 If this Act does not receive the vote necessary for effect on that
24 day, this Act takes effect on the 91st day after the last day of the

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1 1st Called Session of the 78th Legislature.