

BILL ANALYSIS

Senate Research Center
80R324 KLA-D

H.B. 52
By: Chavez et al. (Harris)
Health & Human Services
5/16/2007
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The 78th Legislature required the Health and Human Services Commission to decrease the personal needs allowance from \$60 to \$45. The personal needs allowance was created to assist individuals who enter a medical institution, a personal care facility, ICF-MR (intermediate care facility for the mentally retarded) facility, or long-term facility because Medicaid covers more than half of the costs for such care, and as a result the Supplemental Security Income received by these individuals is reduced to \$45. Recipients of the personal needs allowance may use the allowance to purchase simple goods and services.

H.B. 52 requires the Health and Human Services Commission to increase the personal needs allowance from \$45 to \$60.

RULEMAKING AUTHORITY

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

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 32.024(w), Human Resources Code, to require the Health and Human Services Commission to set a personal needs allowance of not less than \$60, rather than \$45, a month for a resident of a convalescent or nursing home or related institution licensed under Chapter 242 (Convalescent and Nursing Homes and Related Institutions), Health and Safety Code, personal care facility, ICF-MR (intermediate care facility for the mentally retarded) facility, or other similar long-term care facility who receives medical assistance.

SECTION 2. Authorizes a state agency to delay implementing a provision of this Act until a requested federal waiver or authorization necessary to implement that provision is obtained.

SECTION 3. Makes application of this Act prospective.

SECTION 4. Effective date: September 1, 2007.