

1-1 By: Chavez, et al. (Senate Sponsor - Harris) H.B. No. 52  
1-2 (In the Senate - Received from the House May 14, 2007;  
1-3 May 15, 2007, read first time and referred to Committee on Health  
1-4 and Human Services; May 18, 2007, reported favorably by the  
1-5 following vote: Yeas 7, Nays 0; May 18, 2007, sent to printer.)

1-6 A BILL TO BE ENTITLED  
1-7 AN ACT

1-8 relating to the personal needs allowance for certain Medicaid  
1-9 recipients who are residents of long-term care facilities.

1-10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-11 SECTION 1. Section 32.024(w), Human Resources Code, is  
1-12 amended to read as follows:

1-13 (w) The department shall set a personal needs allowance of  
1-14 not less than \$60 [~~\$45~~] a month for a resident of a convalescent or  
1-15 nursing home or related institution licensed under Chapter 242,  
1-16 Health and Safety Code, personal care facility, ICF-MR facility, or  
1-17 other similar long-term care facility who receives medical  
1-18 assistance. The department may send the personal needs allowance  
1-19 directly to a resident who receives Supplemental Security Income  
1-20 (SSI) (42 U.S.C. Section 1381 et seq.). This subsection does not  
1-21 apply to a resident who is participating in a medical assistance  
1-22 waiver program administered by the department.

1-23 SECTION 2. If before implementing any provision of this Act  
1-24 a state agency determines that a waiver or authorization from a  
1-25 federal agency is necessary for implementation of that provision,  
1-26 the agency affected by the provision shall request the waiver or  
1-27 authorization and may delay implementing that provision until the  
1-28 waiver or authorization is granted.

1-29 SECTION 3. Section 32.024(w), Human Resources Code, as  
1-30 amended by this Act, applies only to a personal needs allowance paid  
1-31 on or after the effective date of this Act.

1-32 SECTION 4. This Act takes effect September 1, 2007.

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