

By: Thompson of Harris, Moody, Lopez,
Collier

H.B. No. 288

A BILL TO BE ENTITLED

AN ACT

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

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

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

7 (w) The executive commissioner shall set a personal needs
8 allowance of not less than \$75 [~~\$60~~] a month for a resident of a
9 convalescent or nursing facility or related institution licensed
10 under Chapter 242, Health and Safety Code, assisted living
11 facility, ICF-IID facility, or other similar long-term care
12 facility who receives medical assistance. The commission may send
13 the personal needs allowance directly to a resident who receives
14 Supplemental Security Income (SSI) (42 U.S.C. Section 1381 et
15 seq.). This subsection does not apply to a resident who is
16 participating in a medical assistance waiver program administered
17 by the commission.

18 SECTION 2. The change in law made by this Act to Section
19 32.024(w), Human Resources Code, applies only to a personal needs
20 allowance paid on or after the effective date of this Act.

21 SECTION 3. If before implementing any provision of this Act
22 a state agency determines that a waiver or authorization from a
23 federal agency is necessary for implementation of that provision,
24 the agency affected by the provision shall request the waiver or

1 authorization and may delay implementing that provision until the
2 waiver or authorization is granted.

3 SECTION 4. This Act takes effect September 1, 2019.