

**House Bill 54**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

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

(w) ~~Subject to Section 32.02411, the~~ [The] executive commissioner shall set a personal needs allowance of not less than ~~\$85~~ [\$60] a month for a resident of a convalescent or nursing facility or related institution licensed under Chapter 242, Health and Safety Code, assisted living facility, ICF-IID facility, or other similar long-term care facility who receives medical assistance. The commission may send the personal needs allowance directly to a resident who receives Supplemental Security Income (SSI) (42 U.S.C. Section 1381 et seq.). This subsection does not apply to a resident who is participating in a medical assistance waiver program administered by the commission.

SECTION 2. Subchapter B, Chapter 32, Human Resources Code, is amended by adding Section 32.02411 to read as follows:

Sec. 32.02411. BIENNIAL INFLATION ADJUSTMENT OF PERSONAL NEEDS ALLOWANCE. (a) Subject to Subsection (b), on January 1 of each odd-numbered year, the executive commissioner shall adjust for inflation the amount of the personal needs allowance set under Section 32.024(w). (b) Not later than November 1 of each even-numbered year, the executive commissioner shall by rule adjust the amount of the personal needs allowance under Section 32.024(w) for the following biennium that begins on January 1 to reflect the percentage increase, if any, in the Consumer Price Index for Urban Wage Earners and Clerical Workers (CPI-W) published by the Bureau of Labor Statistics of the United States Department of Labor or its successor index during the most recent 24-month period ending in August.

SENATE VERSION (CS)

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

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

~~No equivalent provision.~~

CONFERENCE

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HOUSE VERSION	SENATE VERSION (CS)	CONFERENCE
SECTION 3. The change in law made by this Act to Section 32.024(w), Human Resources Code, applies only to a personal needs allowance paid on or after the effective date of this Act.	SECTION 2. Same as House version.	
SECTION 4. If before implementing any provision of this Act a state agency determines that a waiver or authorization from a federal agency is necessary for implementation of that provision, the agency affected by the provision shall request the waiver or authorization and may delay implementing that provision until the waiver or authorization is granted.	SECTION 3. Same as House version.	
SECTION 5. This Act takes effect September 1, 2023.	SECTION 4. Same as House version.	