

By Senator Gelber

35-01697-09

20091632\_\_

1                   A bill to be entitled  
 2           An act relating to the personal needs allowance;  
 3           amending s. 409.904, F.S.; increasing the monthly  
 4           personal needs allowance for certain eligible persons;  
 5           providing an effective date.

6  
 7 Be It Enacted by the Legislature of the State of Florida:  
 8

9           Section 1. Paragraph (a) of subsection (3) of section  
 10 409.904, Florida Statutes, is amended to read:

11           409.904 Optional payments for eligible persons.—The agency  
 12 may make payments for medical assistance and related services on  
 13 behalf of the following persons who are determined to be  
 14 eligible subject to the income, assets, and categorical  
 15 eligibility tests set forth in federal and state law. Payment on  
 16 behalf of these Medicaid eligible persons is subject to the  
 17 availability of moneys and any limitations established by the  
 18 General Appropriations Act or chapter 216.

19           (3) A person who is in need of the services of a licensed  
 20 nursing facility, a licensed intermediate care facility for the  
 21 developmentally disabled, or a state mental hospital, whose  
 22 income does not exceed 300 percent of the SSI income standard,  
 23 and who meets the assets standards established under federal and  
 24 state law. In determining the person's responsibility for the  
 25 cost of care, the following amounts must be deducted from the  
 26 person's income:

27           (a) The monthly personal needs allowance for residents,  
 28 which shall be \$70 per month ~~as set based on appropriations.~~

29           Section 2. This act shall take effect July 1, 2009.