

By Senator Gelber

35-00409A-10

2010442

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

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

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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, 2010.