

FIRST REGULAR SESSION

HOUSE BILL NO. 535

102ND GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE DEATON.

0248H.011

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To repeal section 208.030, RSMo, and to enact in lieu thereof one new section relating to payments for home care in licensed residential care facilities.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Section 208.030, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 208.030, to read as follows:

208.030. 1. The family support division shall make monthly payments to each person who was a recipient of old age assistance, aid to the permanently and totally disabled, and aid to the blind and who:

(1) Received such assistance payments from the state of Missouri for the month of December, 1973, to which they were legally entitled; and

(2) Is a resident of Missouri.

2. The amount of supplemental payment made to persons who meet the eligibility requirements for and receive federal supplemental security income payments shall be in an amount, as established by rule and regulation of the family support division, sufficient to, when added to all other income, equal the amount of cash income received in December, 1973; except, in establishing the amount of the supplemental payments, there shall be disregarded cost-of-living increases provided for in Titles II and XVI of the federal Social Security Act and any benefits or income required to be disregarded by an act of Congress of the United States or any regulation duly promulgated thereunder. As long as the recipient continues to receive a supplemental security income payment, the supplemental payment shall not be reduced. The minimum supplemental payment for those persons who continue to meet the December, 1973, eligibility standards for aid to the blind shall be in an amount

EXPLANATION — Matter enclosed in bold-faced brackets **[thus]** in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

18 which, when added to the federal supplemental security income payment, equals the amount
19 of the blind pension grant as provided for in chapter 209.

20 3. The amount of supplemental payment made to persons who do not meet the
21 eligibility requirements for federal supplemental security income benefits, but who do meet
22 the December, 1973, eligibility standards for old age assistance, permanent and total
23 disability and aid to the blind or less restrictive requirements as established by rule or
24 regulation of the family support division, shall be in an amount established by rule and
25 regulation of the family support division sufficient to, when added to all other income, equal
26 the amount of cash income received in December, 1973; except, in establishing the amount of
27 the supplemental payment, there shall be disregarded cost-of-living increases provided for in
28 Titles II and XVI of the federal Social Security Act and any other benefits or income required
29 to be disregarded by an act of Congress of the United States or any regulation duly
30 promulgated thereunder. The minimum supplemental payments for those persons who
31 continue to meet the December, 1973, eligibility standards for aid to the blind shall be a blind
32 pension payment as prescribed in chapter 209.

33 4. The family support division shall make monthly payments to persons meeting the
34 eligibility standards for the aid to the blind program in effect December 31, 1973, who are
35 bona fide residents of the state of Missouri. The payment shall be in the amount prescribed in
36 subsection 1 of section 209.040, less any federal supplemental security income payment.

37 5. The family support division shall make monthly payments to persons age twenty-
38 one or over who meet the eligibility requirements in effect on December 31, 1973, or less
39 restrictive requirements as established by rule or regulation of the family support division,
40 who were receiving old age assistance, permanent and total disability assistance, general
41 relief assistance, or aid to the blind assistance lawfully, who are not eligible for nursing home
42 care under the Title XIX program, and who reside in a licensed residential care facility, a
43 licensed assisted living facility, a licensed intermediate care facility or a licensed skilled
44 nursing facility in Missouri and whose total cash income is not sufficient to pay the amount
45 charged by the facility; and to all applicants age twenty-one or over who are not eligible for
46 nursing home care under the Title XIX program who are residing in a licensed residential care
47 facility, a licensed assisted living facility, a licensed intermediate care facility or a licensed
48 skilled nursing facility in Missouri, who make application after December 31, 1973, provided
49 they meet the eligibility standards for old age assistance, permanent and total disability
50 assistance, general relief assistance, or aid to the blind assistance in effect on December 31,
51 1973, or less restrictive requirements as established by rule or regulation of the family support
52 division, who are bona fide residents of the state of Missouri, and whose total cash income is
53 not sufficient to pay the amount charged by the facility. ~~Until July 1, 1983, the amount of the~~
54 ~~total state payment for home care in licensed residential care facilities shall not exceed one~~

55 ~~hundred twenty dollars monthly, for care in licensed intermediate care facilities or licensed~~
56 ~~skilled nursing facilities shall not exceed three hundred dollars monthly, and for care in~~
57 ~~licensed assisted living facilities shall not exceed two hundred twenty five dollars monthly.~~
58 ~~Beginning July 1, 1983, for fiscal year 1983-1984 and each year thereafter,] The amount of~~
59 the total state payment for home care in licensed residential care facilities **and for care in**
60 **licensed assisted living facilities** shall ~~[not exceed one hundred fifty six dollars monthly,] be~~
61 **subject to appropriation. The amount of total state payment** for care in licensed
62 intermediate care facilities or licensed skilled nursing facilities shall not exceed three hundred
63 ninety dollars monthly~~], and for care in licensed assisted living facilities shall not exceed two~~
64 ~~hundred ninety two dollars and fifty cents monthly].~~ No intermediate care or skilled nursing
65 payment shall be made to a person residing in a licensed intermediate care facility or in a
66 licensed skilled nursing facility unless such person has been determined, by his or her own
67 physician or doctor, to medically need such services subject to review and approval by the
68 department. Residential care payments may be made to persons residing in licensed
69 intermediate care facilities or licensed skilled nursing facilities. Any person eligible to
70 receive a monthly payment pursuant to this subsection shall receive an additional monthly
71 payment equal to the Medicaid vendor nursing facility personal needs allowance. The exact
72 amount of the additional payment shall be determined by rule of the department. This
73 additional payment shall not be used to pay for any supplies or services, or for any other items
74 that would have been paid for by the family support division if that person would have been
75 receiving medical assistance benefits under Title XIX of the federal Social Security Act for
76 nursing home services pursuant to the provisions of section 208.159. Notwithstanding the
77 previous part of this subsection, the person eligible shall not receive this additional payment if
78 such eligible person is receiving funds for personal expenses from some other state or federal
79 program.

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