

State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-EIGHTH SESSION

H. F. No. 2797

03/06/2014 Authored by Loeffler, Abeler and Norton

The bill was read for the first time and referred to the Committee on Health and Human Services Policy

03/20/2014 Adoption of Report: Re-referred to the Committee on Health and Human Services Finance

1.1 A bill for an act
1.2 relating to human services; increasing the medical assistance personal needs
1.3 allowance for persons in certain facilities; amending Minnesota Statutes 2012,
1.4 section 256B.35, subdivision 1.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. Minnesota Statutes 2012, section 256B.35, subdivision 1, is amended to read:

1.7 Subdivision 1. **Personal needs allowance.** (a) Notwithstanding any law to the
1.8 contrary, welfare allowances for clothing and personal needs for individuals receiving
1.9 medical assistance while residing in any skilled nursing home, intermediate care facility,
1.10 or medical institution including recipients of Supplemental Security Income, in this state
1.11 shall not be less than \$45 per month from all sources. When benefit amounts for Social
1.12 Security or Supplemental Security Income recipients are increased pursuant to United
1.13 States Code, title 42, sections 415(i) and 1382f, the commissioner shall, effective in the
1.14 month in which the increase takes effect, increase by the same percentage to the nearest
1.15 whole dollar the clothing and personal needs allowance for individuals receiving medical
1.16 assistance while residing in any skilled nursing home, medical institution, or intermediate
1.17 care facility. The commissioner shall provide timely notice to local agencies, providers,
1.18 and recipients of increases under this provision.

1.19 (b) The personal needs allowance may be paid as part of the Minnesota supplemental
1.20 aid program, and payments to recipients of Minnesota supplemental aid may be made once
1.21 each three months covering liabilities that accrued during the preceding three months.

1.22 (c) The personal needs allowance shall be increased to include income garnished
1.23 for child support under a court order, up to a maximum of \$250 per month but only to

2.1 the extent that the amount garnished is not deducted as a monthly allowance for children
2.2 under section 256B.0575, paragraph (a), clause (5).

2.3 (d) The personal needs allowance shall be increased to include income garnished
2.4 for spousal maintenance under a judgment and decree for dissolution of marriage, and
2.5 any administrative fees garnished for collection efforts.