

# ACT No. 259

HOUSE BILL NO. 266

BY REPRESENTATIVES WILEY, ADAMS, BACALA, BAYHAM, BOYD, CARRIER, ROBBY CARTER, CHASSION, COX, DEWITT, DOMANGUE, FISHER, FREIBERG, GADBERRY, HUGHES, JACKSON, KNOX, LARVADAIN, LYONS, MACK, MARCELLE, MCFARLAND, MILLER, MOORE, NEWELL, STAGNI, TAYLOR, WALTERS, AND WILLARD

1 AN ACT

2 To enact R.S. 40:2009.45, relative to personal needs allowance for individuals and married  
3 couples living in healthcare facilities; to require the Louisiana Department of Health  
4 to perform certain duties relative to Medicaid coverage; to require funding prior to  
5 implementation; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 40:2009.45 is hereby enacted to read as follows:

8 §2009.45. Personal needs allowance

9 A. The Louisiana Department of Health shall set the monthly personal needs  
10 allowance for an institutionalized individual to an amount not less than fifty dollars  
11 and the monthly personal needs allowance for an institutionalized couple to an  
12 amount not less than one hundred dollars.

13 B. The Louisiana Department of Health may submit a waiver or a state plan  
14 amendment to the Centers for Medicare and Medicaid Services in order to secure  
15 federal financial participation for the provisions of this Section.

16 Section 2. Increases in allowances required pursuant to the provisions of Section 1  
17 of this Act shall become applicable when an Act of the Louisiana Legislature containing a  
18 specific appropriation of monies for the implementation of the provisions of this Act  
19 becomes effective.

1           Section 3. This Act shall become effective upon signature by the governor or, if not  
2 signed by the governor, upon expiration of the time for bills to become law without signature  
3 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If  
4 vetoed by the governor and subsequently approved by the legislature, this Act shall become  
5 effective on the day following such approval.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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PRESIDENT OF THE SENATE

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GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_