

2025 Regular Session

HOUSE BILL NO. 266

BY REPRESENTATIVE WILEY

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

MEDICAID: Provides for the personal needs allowance of residents in nursing homes and other facilities

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 C. The provisions of this Section are subject to an appropriation by the  
17 legislature or the availability of any appropriate federal funds.

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**DIGEST**

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

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HB 266 Engrossed

2025 Regular Session

Wiley

**Abstract:** Provides for the minimum monthly personal needs allowance for individuals living inpatient at a healthcare facility.

Present law provides that individuals who are living inpatient at a healthcare facility are entitled to a personal needs allowance of \$38 for individuals and \$76 for couples.

Proposed law directs the La. Dept. of Health (LDH) to increase the personal needs allowance to \$50 for individuals and \$100 for couples.

Proposed law permits LDH to amend the state's plan submitted to the Centers for Medicaid and Medicare Services to secure federal financial participation in proposed law.

Proposed law is subject to an appropriation or the availability of appropriate federal funds.

(Adds R.S. 40:2009.45)