

Senate Bill 202

By: Senators Rhett of the 33rd and James of the 35th

**AS PASSED SENATE**

A BILL TO BE ENTITLED

AN ACT

1 To amend Article 7 of Chapter 4 of Title 49 of the Official Code of Georgia Annotated,  
2 relating to medical assistance generally, so as to provide for an increase in the personal needs  
3 allowance to be deducted from a nursing home resident's income; to provide for related  
4 matters; to repeal conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 **SECTION 1.**

7 Article 7 of Chapter 4 of Title 49 of the Official Code of Georgia Annotated, relating to  
8 medical assistance generally, is amended in Code Section 49-4-142, relating to modification  
9 of the state plan, by adding a new subsection to read as follows:

10 "(d) The department shall, upon state appropriations, implement a modification of the state  
11 plan for medical assistance or any affected rules or regulations of the department, which  
12 modification shall provide that, in determining the amount of a recipient's income that is  
13 to be applied to payment for the costs of care in a nursing home, there shall be deducted  
14 a personal needs allowance of not less than \$70.00 per month which shall include the  
15 minimum amount required by 42 U.S.C. Section 1396a(q)(2)."

16 **SECTION 2.**

17 All laws and parts of laws in conflict with this Act are repealed.