

2025 Regular Session

HOUSE BILL NO. 266

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

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 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

1 specific appropriation of monies for the implementation of the provisions of this Act
2 becomes effective.

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

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)]

HB 266 Reengrossed

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 authorizes 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.

Proposed law provides that any increases in a personal needs allowance is subject to a specific appropriation of funds for the implementation of proposed law.

Effective upon signature of governor or lapse of time for gubernatorial action.

(Adds R.S. 40:2009.45)

Summary of Amendments Adopted by House

The House Floor Amendments to the engrossed bill:

1. Add an effective date.
2. Clarify that increases in allowances shall become applicable when an Act specifically appropriating monies for the implementation of proposed law becomes effective.