

SENATE No. 517

The Commonwealth of Massachusetts

PRESENTED BY:

James B. Eldridge

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying:
An Act to preserve eligibility for PACE program and certain waived participants.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>James B. Eldridge</i>	<i>Middlesex and Worcester</i>
<i>Sal N. DiDomenico</i>	<i>Middlesex and Suffolk</i>
<i>James M. Murphy</i>	<i>4th Norfolk</i>
<i>Michael O. Moore</i>	<i>Second Worcester</i>
<i>Patricia D. Jehlen</i>	<i>Second Middlesex</i>
<i>Anthony W. Petrucci</i>	<i>First Suffolk and Middlesex</i>

SENATE No. 517

By Mr. Eldridge, a petition (accompanied by bill, Senate, No. 517) of James B. Eldridge, Sal N. DiDomenico, James M. Murphy, Michael O. Moore and other members of the General Court for legislation to preserve eligibility for PACE program and certain waived participants. Health Care Financing.

The Commonwealth of Massachusetts

An Act to preserve eligibility for PACE program and certain waived participants.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Section 25 of Chapter 118E of the General Laws, as appearing in the 2010 Official
2 Edition, is hereby amended in subsection (5) by striking the second paragraph and inserting in
3 place thereof the following paragraph:-

4 In any case where the monthly income of an applicant or recipient is in excess of the
5 exemptions allowed, the applicant or recipient, if otherwise eligible for Medicaid under this
6 chapter, shall be liable to pay to the provider of medical care or service an amount which shall be
7 equal to the excess income for a period of six consecutive months, which includes the period
8 when such service was provided; provided, however that in such cases where the individual's
9 gross income is greater than 300% of the federal Supplemental Security Income level but less
10 than the average monthly cost of nursing home care as calculated by the division and the
11 individual is participating in a Home and Community Based Waiver, under 42 USC
12 1396a(10)(a)(ii)(VI) or a PACE Program, under 42 USC 1396u-4 or 42 USC 1395eee, the
13 division shall charge a premium, equal to the difference between the individual's gross income
14 and 300% of the federal Supplemental Security Income level, on a monthly basis. The division
15 shall apply for any federal waivers necessary to implement this provision.