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Assembly California Legislature

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Assemblymember, Sixty-Fourth District

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JOBS ECONOMIC DEVELOPMENT
AND THE ECONOMY
REVENUE AND TAXATION

AB 286 – Medi-Cal: beneficiary needs: home upkeep allowances: transitional personal needs funds (Introduced)

PURPOSE

AB 286 seeks to improve the quality of life for Medi-Cal recipients in nursing facilities by increasing the Home Upkeep Allowance (HUA) and providing greater opportunities for people to transfer back into a community.

BACKGROUND

The Home Upkeep Allowance is for Medi-Cal recipients who are in a nursing facility and wish to maintain a residence outside of the nursing facility while receiving care. When transferring into a nursing facility, Medi-Cal recipients are required to pay a “share of cost,” which results in a garnishment of income in order to pay for the nursing facility care. Patients who wish to maintain a residence are eligible to keep a portion of their garnished income, a \$209 allowance, if it is determined that they are expected to return home in 180 days upon arrival to the nursing facility, or if a physician determines that they are likely to return home within 180 days.

The current allowance of just over \$200 is not enough to sustain a rent/ mortgage and utilities, and results in many people staying in the nursing facility indefinitely because they are unable to transition back into their homes or prior community. In 2009, the California Health and Human Services Agency commissioned an independent study to identify ways that California could improve its aging and long-term care infrastructure and support services (*Home*

and Community-Based Long-Term Care: Recommendations to Improve Access for Californians). The report recommended an increase in the HUA as a critical way to improve lives and save money for the state.

EXISTING LAW

California regulations limit the HUA to a ceiling of approximately \$209 by linking the HUA to in-kind income levels and to the Cost of Living Adjustments applied to California’s CalWORKs program, *Welfare and Institutions Code, Section 14005.125*. A revision of California’s Medi-Cal regulations would be required to increase the HUA.

SUMMARY

AB 286 would remove the current HUA formula and would link the allowance to the actual cost of maintaining a long-term care facility resident’s home.

The allowance shall be available: 1) to a long-term care facility resident if he/she intends to return to their home within 6 months and 2) to a long-term care facility resident does not have a home, but intends to establish a home after leaving the facility an allowance up to \$7,500 is funded for transitional cost of establishing a home.

SUPPORT

- Disability Rights California (*Sponsor*)

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