



**LEGAL AID
CHICAGO**

*Resident and Family Support
Council*

Personal Needs Allowance in IL

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PERSONAL NEEDS ALLOWANCE

- The Personal Needs Allowance (PNA) is the amount of monthly income a resident of long-term care, whose stay is paid for by Medicaid, is allowed to keep for personal use.
- Does not apply to time paid for 100% by Medicare
- Does not apply to residents who are private pay

MEDICAID BACKGROUND

- Residents on long-term care Medicaid are required to pay their income to the facility
 - Premiums for health insurance policies (such as Medicare premiums or a Medicare Supplement Plan) are exempt
 - The only other income a resident is allowed to keep for themselves is the Personal Needs Allowance

PERSONAL NEEDS ALLOWANCE INCREASE

- For many years, the personal needs allowance for residents of skilled nursing facilities was \$30/month
- In 2023, the Illinois legislature passed a law increasing the PNA to \$60/month, effective Jan. 1, 2024

“Subject to federal approval, on and after January 1, 2024, for a person who is a resident in a facility licensed under the Nursing Home Care Act for whom payments are made under this Article throughout a month and who is determined to be eligible for medical assistance under this Article, the monthly personal needs allowance shall be \$60.”

305 ILCS 5/5-35.5

IMPLEMENTATION

- The Illinois Department of Healthcare and Family Services (HFS) issued a notice to providers on January 24, 2024 to implement the change to PNA

Provider Notice:

Effective January 1, 2024 the Personal Needs Allowance (PNA) for individuals residing in Skilled Nursing Facilities (SNF) is \$60. This allowance should be applied to all individuals whose gross income minus deductions is equal to or greater than \$60. Refer to [PM 15-06-02-b](#) for additional details.

IMPLEMENTATION

- Because the HFS Provider Notice was not issued until January 24, most facilities did not start providing the \$60/month until February.
- The way we read the language, if you are entitled to \$60/month, you should be entitled to the extra \$30 for January.
 - ***If your facility refuses to pay you the money from January, you can contact your local Ombudsman Program to advocate to get it.***
- Residents only get to keep \$60/month if they have \$60 in income to keep. This is a problem for residents who receive SSI.

SSI ISSUE

- SSI provides monthly payments to people with disabilities and older adults who have little or no income or resources.
 - ***Different than Social Security retirement income or Social Security Disability Insurance.***
- When someone on SSI enters a skilled nursing facility, the Social Security Administration drops their income to \$30/month
 - ***Residents of skilled nursing on SSI do not have \$60/month in income to keep***

PNA IN OTHER TYPES OF FACILITIES

- The PNA for a resident of a Supportive Living Facility is \$90.
- The PNA for a resident of an Intermediate Care Facility/Individuals with Intellectual Disabilities (ICF/IID) is \$60.
- The PNA for a resident of a Medically Complex for the Developmentally Disabled (MC/DD) facility is \$60.
- The PNA for a resident of a Specialized Mental Health Rehabilitation Facility (SMHRF) is \$60.

SPOUSAL IMPOVERISHMENT

- The PNA is the amount of money the resident can keep for their use.
- If the resident has a spouse living in the community, that spouse can keep:
 - ***Community Spouse Resource Allowance (CSRA) – allows the spouse to keep up to \$129,084 in assets, but those assets must be transferred into the spouse’s name only.***
 - ***Homestead***
 - ***Community Spouse Maintenance Needs Allowance (CSMNA) – the community spouse is allowed to keep the first \$3,853.50/month of the couples’ combined income.***