

RCW 74.09.340 Personal needs allowance, adjusted. (1) Except as provided in RCW 72.36.160, beginning July 1, 2023, the personal needs allowance for clients being served in medical institutions and in residential settings is \$100.

(2) Beginning January 1, 2024, and each year thereafter, the personal needs allowance for clients being served in medical institutions and in residential settings shall:

(a) Be adjusted for economic trends and conditions by increasing the allowance by the percentage cost-of-living adjustment for old-age, survivors, and disability social security benefits as published by the federal social security administration; and

(b) Not exceed the maximum personal needs allowance permissible under the federal social security act.

(3) Unless subject to a separate determination of a monthly maintenance needs allowance for a community spouse by authority rule, beginning July 1, 2022, the personal needs allowance for a client receiving home and community-based waiver services authorized by home and community services while living at home shall:

(a) Be adjusted to an amount that is no less than 300 percent of the federal benefit rate; and

(b) Not exceed the maximum personal needs allowance permissible under the federal social security act. [2023 c 201 s 1; 2022 c 164 s 1; 2018 c 137 s 1; 2017 c 270 s 2.]

Findings—Intent—2017 c 270: "(1) The legislature finds that through the medicaid program, state and federal government fund long-term care, mental health, and medical services for many elderly persons and people with disabilities, both in institutions and in community alternatives. The legislature also finds that a significant portion of these individuals' social security benefits is retained by the state to assist with the cost of their care. The legislature intends that these individuals retain for their own use a reasonable and modest personal needs allowance which may be used to purchase clothing, postage, barber services, travel, and other personal items not covered by their care setting, in order to promote their autonomy and personal dignity.

(2) It is the intent of the legislature to adjust the personal needs allowance annually to reflect cost-of-living adjustments to federal social security benefits for medicaid-eligible residents in institutions and community-based residential settings receiving long-term care, developmental disabilities, or mental health services." [2017 c 270 s 1.]

Effective date—2017 c 270: "Section 2 of this act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect July 1, 2017." [2017 c 270 s 3.]