

STATE OF NEW YORK

4744

2025-2026 Regular Sessions

IN SENATE

February 12, 2025

Introduced by Sen. CLEARE -- read twice and ordered printed, and when printed to be committed to the Committee on Health

AN ACT to amend the social services law, in relation to increasing personal needs allowance amounts

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Subparagraph 10 of paragraph (a) of subdivision 2 of
2 section 366 of the social services law, as amended by section 3 of part
3 AAA of chapter 56 of the laws of 2022, is amended to read as follows:

4 (10) (i) A person who is receiving or is eligible to receive federal
5 supplemental security income payments and/or additional state payments
6 is entitled to a personal needs allowance as follows:

7 (A) for the personal expenses of a resident of a residential health
8 care facility, as defined by section twenty-eight hundred one of the
9 public health law, the amount of [~~fifty-five~~] one hundred forty dollars
10 per month;

11 (B) for the personal expenses of a resident of an intermediate care
12 facility operated or licensed by the office for people with develop-
13 mental disabilities or a patient of a hospital operated by the office of
14 mental health, as defined by subdivision ten of section 1.03 of the
15 mental hygiene law, the amount of [~~thirty-five~~] eighty-nine dollars per
16 month.

17 (ii) A person who neither receives nor is eligible to receive federal
18 supplemental security income payments and/or additional state payments
19 is entitled to a personal needs allowance as follows:

20 (A) for the personal expenses of a resident of a residential health
21 care facility, as defined by section twenty-eight hundred one of the
22 public health law, the amount of [~~fifty~~] one hundred twenty-eight
23 dollars per month;

24 (B) for the personal expenses of a resident of an intermediate care
25 facility operated or licensed by the office for people with develop-

EXPLANATION--Matter in italics (underscored) is new; matter in brackets
[-] is old law to be omitted.

LBD03850-03-5

1 mental disabilities or a patient of a hospital operated by the office of
2 mental health, as defined by subdivision ten of section 1.03 of the
3 mental hygiene law, the amount of [~~thirty-five~~] eighty-nine dollars per
4 month.

5 (iii) Notwithstanding the provisions of clauses (i) and (ii) of this
6 subparagraph, the personal needs allowance for a person who is a veteran
7 having neither a spouse nor a child, or a surviving spouse of a veteran
8 having no child, who receives a reduced pension from the federal veter-
9 ans administration, and who is a resident of a nursing facility, as
10 defined in section 1919 of the federal social security act, shall be
11 equal to such reduced monthly pension but shall not exceed [~~ninety~~] one
12 hundred ninety-six dollars per month.

13 § 2. This act shall take effect January 1, 2027 and shall apply to all
14 benefits and allowances issued on and after such date.