

NURSING CARE SERVICES

17.15 MANAGEMENT OF THE PERSONAL NEEDS ALLOWANCE

Each nursing care patient is entitled to an allowance to meet his personal expenses. Any amount accumulated in the patient's personal expense account is an available asset. Responsibilities for the management of this allowance are outlined in this Section

A. NURSING FACILITY RESPONSIBILITIES

Funds in the personal expense allowance must not be used by the nursing facility to meet costs of services covered by the Medicaid nursing care payment. Examples of services and items covered by the nursing care payment are listed in item B below. In addition, the facility must:

- Not charge a resident for any item or service not requested by the resident, or his representative
- Not require a resident to request any item or service as a condition of admission or continued stay
- Inform the resident or his representative requesting an item or service for which a charge will be made that there will be a charge for the item, and the amount

When a facility has responsibility for a patient's personal needs allowance, individual records must be kept with documentation of all disbursements made. Patient funds must be held in a separate account and not co-mingled with facility funds. Misuse of the personal funds by the facility is considered a fraudulent practice and any misappropriated funds must be repaid.

Since funds accumulated in the personal needs account are an asset, the facility is required to notify residents when the are within \$200 of the asset limit.

When the patient is discharged, any unused amount remaining in his personal needs account is refunded to him by the facility.

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B. CHARGES NOT PERMITTED

Nursing facilities may not charge a resident for the following of items and services.

- Routine, required nursing services
- Use of equipment routinely used in the patient's care
- Specialized rehabilitative services such as, but not limited to, physical therapy, speech language pathology and occupational therapy
- Required dietary services
- Required activities program
- Room/bed maintenance services
- Basic personal laundry, not including dry cleaning, mending, hand washing or other specialty services
- Medically-related social services
- Personal hygiene items and services. Residents can purchase their own personal hygiene items if they choose, but the facility is required to provide them when needed, without charge. Examples of personal hygiene items and services which must be provided free by the facility include, but are not limited to:
 - Hair hygiene supplies
 - Comb and brush
 - Bath soap
 - Disinfecting soaps or specialized cleansing agents when needed to treat special skin problems or to fight infection
 - Razors
 - Shaving cream
 - Toothbrush and toothpaste

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- Denture adhesive and cleaner
- Dental floss
- Moisturizing lotion
- Tissues
- Cotton balls and swabs
- Deodorant
- Incontinence supplies and care
- Sanitary napkins and related supplies
- Towels and washcloths
- Hospital gowns
- Over-the-counter drugs
- Hair and nail hygiene services, but not cosmetic services
- Bathing

C. CHARGES PERMITTED

The following lists examples of items and services that the nursing facility may charge to the resident's personal needs allowance.

- Television/radio for personal use, including cable hook-up fee
- Telephone
- Personal comfort items, including smoking materials, notions, novelties and confections
- Cosmetic and grooming items and services in excess of those for which payment is made under Medicaid or Medicare.
- Personal clothing

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- Personal reading matter
- Gifts purchased on behalf of a resident
- Flowers and plants
- Social events and entertainment offered outside the scope of the nursing facility's activity program
- Non-covered special care services, such as privately hired nurses or aides
- Private room, except when therapeutically required, such as isolation for infection control
- Specially prepared or alternative food specially requested, but not medically necessary, instead of the food prepared by the facility.

D. WORKER RESPONSIBILITIES

When the Worker has reason to believe that the accumulated balance in the personal needs account, by itself or in combination with other assets, exceeds the asset limit, he must contact the nursing facility or representative responsible for handling the client's financial affairs, to determine the exact amount. If the client's assets exceed the asset limit, the case is closed after 13 days advance notice.