

As Introduced

136th General Assembly

Regular Session

2025-2026

S. B. No. 296

Senators Craig, Weinstein

Cosponsors: Senators DeMora, Hicks-Hudson, Koehler, Smith

To amend section 5163.33 of the Revised Code to 1
declare the General Assembly's intent to 2
increase the Medicaid personal needs allowance 3
for residents of nursing homes and ICFs/IID. 4

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That section 5163.33 of the Revised Code be 5
amended to read as follows: 6

Sec. 5163.33. (A) In determining the amount of income that 7
a medicaid recipient must apply monthly toward payment of the 8
cost of care in a nursing facility or ICF/IID, a county 9
department of job and family services shall deduct from the 10
recipient's monthly income a monthly personal needs allowance in 11
accordance with the "Social Security Act," section 1902(q), 42 12
U.S.C. 1396a(q). 13

(B) In the case of a resident of a nursing facility, the 14
monthly personal needs allowance shall be not less than fifty 15
dollars for an individual resident and not less than one hundred 16
dollars for a married couple if both spouses are residents of a 17
nursing facility and their incomes are considered available to 18
each other in determining eligibility. 19

(C) In the case of a resident of an ICF/IID, the monthly
personal needs allowance shall be as follows:

(1) Prior to January 1, 2016, forty dollars unless the
resident has earned income, in which case the monthly personal
needs allowance shall be determined by the department of
medicaid, or the department's designee, but shall not exceed one
hundred five dollars;

(2) For calendar year 2016 and each calendar year
thereafter, not less than fifty dollars for an individual
resident and not less than one hundred dollars for a married
couple if both spouses are residents of an ICF/IID and their
incomes are considered available to each other in determining
eligibility.

(D) It is the intent of the general assembly that
beginning on the effective date of this amendment, the medicaid
director shall increase the amounts specified in divisions (B)
and (C) of this section to not less than seventy-five dollars
for an individual resident and not less than one hundred fifty
dollars for a married couple. Thereafter, on the thirtieth day
of each September, the director shall increase those amounts
effective the following January first. The amount of the
increase shall be equal to the percentage increase, if any, in
the consumer price index from the average of the third quarter
of the year in which the calculation is being made to the
average of the third quarter of the previous year. The medicaid
director shall round the percentage increase to the nearest one-
tenth of one per cent. If no increase in that index occurs, the
medicaid director shall not increase the amount.

Section 2. That existing section 5163.33 of the Revised
Code is hereby repealed.