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**OFFICE OF TEMPORARY AND DISABILITY ASSISTANCE**  
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## Informational Letter

### Section 1

<b>Transmittal:</b>	06-INF-08
<b>To:</b>	Local District Commissioners
<b>Issuing Division/Office:</b>	Division of Employment and Transitional Supports
<b>Date:</b>	February 24, 2006
<b>Subject:</b>	Personal Needs Allowance (PNA) in Non-Medical Facilities and Medical Facilities Desk Aid
<b>Suggested Distribution:</b>	Temporary Assistance Directors, Food Stamp Directors, TOP Coordinators, Medical Assistance Directors, Staff Development Coordinators, Child Assistance Program Coordinators, Employment Coordinators
<b>Contact Person(s):</b>	Employment & Transitional Supports 1-800-343-8859, Temporary Assistance Bureau, extension 4-9344, Medicaid Local District Liaison Upstate (518) 474-8126, NYC (212) 268-6855
<b>Attachments:</b>	Attachment 1: Personal Needs Allowances (PNA) in <u>Non-Medical</u> Facilities Attachment 2: Personal Needs Allowances (PNA) in <u>Medical</u> Facilities Attachment 3: Certifying Agency & Funding Source Definitions Attachment 4: PNAs in <u>Non-Medical</u> Facilities – Facility Descriptions
<b>Attachment Available On – Line:</b>	<input checked="" type="checkbox"/>

### Filing References

Previous ADMs/INFs	Releases Cancelled	Dept. Regs.	Soc. Serv. Law & Other Legal Ref.	Manual Ref.	Misc. Ref.
04 INF-22 05 INF-06	05 INF-06	Section 352.8 ( c ) (1) Section 900.17(a)	SSL 131- o SSL 159.10 SSL 194.8 SSL 209.2 -a SSL 209.3 SSL 366.2(a) (10) (ii)		ABEL Transmittal 04-4 GIS 05 TA/DC042 GIS 05 TA/DC046

## **Section 2**

### **I. Purpose**

The purpose of this Informational Letter (INF) is to provide social services districts (SSDs) with updated charts that depict the monthly personal needs allowances (PNA) for residents of non-medical facilities and medical facilities. These updated charts are included as attachments I and II of this release. In addition, this INF informs districts that DOH certified Adult Homes, and Enriched Housing Programs (serving the frail elderly and the mentally ill) have changed from the Congregate Care Level 2 to a newly defined Congregate Care Level 3 category. The change is reflected on the *PNA's in Non-Medical Facilities – Facility Descriptions* chart (Attachment IV).

### **II. Background**

When recipients of TA reside in non-medical facilities or medical facilities, SSDs must provide a monthly PNA for clothing and incidentals. The type of facility the individual resides in determines the amount of the PNA.

Individuals who reside in a Congregate Care Level 1, 2 or 3 facility receive a PNA based on the type of facility in which they reside. The amounts of these PNAs are normally increased every year when the Social Security Administration (SSA) adjusts federal SSI (Supplemental Security Income) benefits to reflect the increase in the cost of living.

### **III. Program Implications**

Increased PNA amounts will result in a higher TA standard of need, and higher PNAs for TA recipients residing in Congregate Care Level 1, 2 and 3 facilities. Use of the correct shelter type will generate the correct PNA. There is no need to rebudget cases because the increased PNA amounts are updated automatically with the annual Automatic Budgeting and Eligibility Logic (ABEL) in January 2006. The mass rebudget is described in the November 10, 2005 ABEL Transmittal 05-6, entitled “Benefit Increase to SSI Congregate Care Facilities.” The PNA charts are provided for informational purposes.

### **IV. Medicaid Implications**

For Medicaid purposes, the PNA amount is a deduction from income for an individual who is in permanent absence status in a medical facility. Please note, for an “institutionalized spouse” residing in the community who is receiving a waiver service or participating in a Program of All-inclusive Care for the Elderly (PACE), the PNA deduction from his/her income is equal to the difference between the Medicaid income level for one-person and two-person households.

For an SSI-related individual who resides in a Congregate Care Level 1, 2, or 3 facility, the PNA is part of the TA standard of need/SSI benefit level that is used to determine Medicaid eligibility. PNAs for MA-only recipients in permanent absence status in medical facilities have not been increased. The TA standard of need/SSI benefit level for recipients residing in Congregate Care Level 1, 2, or 3 facilities is updated automatically with the annual mass rebudgeting on Medicaid Budget Logic (MBL). See MBL Transmittal 05-7.

**Issued By** \_\_\_\_\_  
**Name:** Russell Sykes  
**Title:** Deputy Commissioner  
**Division/Office:** Employment and Transitional Supports

**Personal Needs Allowances (PNA) in Non-Medical Facilities**  
**Effective January 1, 2006**

Facility Type	Certifying State Agency	Monthly PNA	Funding Source	Legal Authority
<b>Congregate Care Level 1</b>	OCFS, OMH, or OMRDD	<b>\$116<sup>1</sup></b>	SSI, SNA or FA	SSL 131-o
<b>Congregate Care Level 2</b>	DOH, OMH, OMRDD, or OASAS	<b>\$135<sup>1</sup></b>	SSI, SNA or FA	SSL 159.10
<b>Congregate Care Level 3</b>	OMRDD, DOH	<b>\$150<sup>1</sup></b>	SSI	18NYCRR 352.8 (c)(1)(ii)
<b>State-Operated Community Residence or RCCA</b>	OMH	<b>\$135</b>	OMH direct payment, SSI, or other income	MHL 31.29
<b>State-Operated CR or IRA</b>	OMRDD	<b>\$135</b>	SSI or other income	MHL 33.08
<b>TA room and board situations</b>	<u>not</u> State certified	<b>\$45</b>	SNA, FA or EAF	18NYCRR 352.8 (c)(1)(i)
<b>Domiciliary Care For Veterans</b>	USDVA	<b>\$45</b>	SNA, FA or EAF	
<b>Non-medical facilities other than Congregate Care Level 1,2,3 including maternity homes, licensed DV residences, or shelters for the homeless</b>	OCFS licensed (DV residences) or <u>not</u> State certified	<b>\$45<sup>2</sup></b>	SNA, FA or EAF	
<b>Shelter for Families – Tier II</b>	OTDA	<b>\$63<sup>3</sup></b>	SNA, FA or EAF	18NYCRR 900.17(a)
<b>Public Home</b>	operated by a city or county	<b>Up to \$10<sup>4</sup></b>	Public Institutional Care	SSL 194.8

1. This PNA amount is the minimum established in SSL. SSI recipients with other income in addition to SSI are entitled to a PNA that includes any income disregarded by SSA in determining that recipient's SSI benefit. For example, SSI recipients receiving Social Security benefits will have a PNA that is \$20 higher than the amounts noted above.
2. This PNA is provided to each person in the family and only applies when the facility provides 3 meals a day. A TA funded PNA is not provided to residents of publicly operated facilities.
3. This PNA, called *special needs allowance*, is provided to each person in the family and only applies when the Tier II facility provides 3 meals a day.
4. This is not a PNA. The facility may provide up to \$10 a month for work performed by the resident.

Personal Needs Allowances (PNA) in Medical Facilities

Effective January 1, 2006

Facility Type	Certifying State Agency	Monthly PNA	Funding Source	Legal Authority
Hospital	DOH	\$35	\$30 SSI + \$5 SSPNA <sup>5</sup>	SSL 209.2-a
		\$40 <sup>2</sup>	SNA or FA	18NYCRR 352.8(c)(1)(i)
		\$50 <sup>8</sup>	MA-only PNA <sup>10</sup>	SSL 366.2(a)(10)(ii)
Nursing Home	DOH	\$55	\$30 SSI + \$25 SSPNA <sup>5</sup>	SSL 209.2-a
		\$40 <sup>2</sup>	SNA or FA	18NYCRR 352.8(c)(1)(i)
		\$50	MA-only PNA <sup>10</sup>	SSL 366.2(a)(10)(ii)
Psychiatric Center or Residential Treatment Facility	OMH	\$35	\$30 SSI + \$5 SSPNA <sup>5,6</sup>	SSL 209.2-a
			OMH direct payment	MHL 33.08
			MA-only PNA <sup>6,10</sup>	SSL 366.2(a)(10)(ii)
Chemical Dependence Inpatient Facilities	OASAS	\$35	\$30 SSI + \$5 SSPNA <sup>5</sup>	SSL 209.2-a
		\$40 <sup>2</sup>	SNA or FA	18NYCRR 352.8(c)(1)(i)
		No PNA <sup>9</sup>	Medicaid	SSL 366.1
Developmental Center or freestanding ICF-DD	OMRDD	\$35	\$30 SSI + \$5 SSPNA <sup>5</sup>	SSL 209.2-a
			MA-only PNA <sup>10</sup>	SSL 366.2(a)(10)(ii)
Free-standing Alcoholism Facility (Non-FP)	OASAS	(Footnote 7)	SSI	SSL 209.3
		\$40 <sup>2</sup>	SNA or FA	18NYCRR 352.8(c)(1)(i)
		No PNA <sup>9</sup>	Medicaid	SSL 366.1

5. A State-administered \$25 *State Supplemental Personal Needs Allowance* (SSPNA) benefit is provided to SSI recipients living in nursing homes. A \$5 SSPNA benefit is provided to SSI recipients living in all other medical facilities.
6. Residents of such facilities can only qualify for SSI, or for Medicaid and the MA-only PNA, if they are under age 21 or age 65 or older.
7. Since these programs are not Title XIX certified, an SSI recipient in a privately operated facility would receive the SSI *living alone* benefit.
8. A PNA is provided only when the individual has been determined to be permanently absent from his/her home. When the individual is not permanently absent, an MA-only recipient is budgeted as though he or she is temporarily absent from his or her residence.
9. An MA-only recipient is budgeted as though he or she is temporarily absent from his or her residence.

<b>Certifying Agency Definitions</b>	
OCFS	Office of Children and Family Services
OMH	Office of Mental Health
OMRDD	Office of Mental Retardation and Developmental Disabilities
DOH	Department of Health
OASAS	Office of Alcohol and Substance Abuse Services
DV	Domestic Violence
OTDA	Office of Temporary and Disability Assistance
USDVA	US Department of Veterans' Affairs
<b>Funding Source Definitions</b>	
SSI	Supplemental Security Income
SSPNA	State Supplemental Personal Needs Allowance
SNA	Safety Net Assistance
FA	Family Assistance
MA	Medicaid
PNA	Personal Needs Allowance
EAF	Emergency Assistance to Family
VA	Veterans Affairs

**PNAs in Non-Medical Facilities – Facility Descriptions**  
Effective January 1, 2006

<b>Facility Type</b>	<b>Certifying State Agency</b>	<b>Facility Descriptions</b>
<b>Congregate Care Level 1</b>	OCFS, OMH, or OMRDD	Family-like smaller residential programs serving the mentally retarded, the mentally ill, and the frail elderly
<b>Congregate Care Level 2</b>	DOH, OMH, OMRDD, or OASAS	<ul style="list-style-type: none"> <li><input type="checkbox"/> Residences for Adults (serving the frail elderly and the mentally ill)</li> <li><input type="checkbox"/> OMH certified community residences (principally small group homes and supported apartments)</li> <li><input type="checkbox"/> OMRDD certified community residences (principally small group homes and supported apartments)</li> <li><input type="checkbox"/> OASAS certified drug/alcohol abuse treatment programs (group residences and supported apartments)</li> </ul>
<b>Congregate Care Level 3</b>	DOH, OMRDD	<ul style="list-style-type: none"> <li><input type="checkbox"/> DOH certified Adult Homes and Enriched Housing Programs (serving the frail elderly and the mentally ill)</li> <li><input type="checkbox"/> Schools for the Mentally Retarded (only a few programs)</li> </ul>
<b>State-Operated Community Residence or RCCA</b>	OMH	OMH operated (State owned/rented and State employees) small group homes and large group residences (RCCAs), programmatically similar to Congregate Care Level 2 facilities
<b>State-Operated CR or IRA</b>	OMRDD	OMRDD operated (State owned/rented and State employees) small group homes, programmatically similar to Congregate Care Level 2 facilities
<b>TA room and board situations</b>	<u>not</u> State certified	Used when a recipient is purchasing room and board (three meals a day) from an individual, family, commercial establishment or a not-for profit agency and TA provides an allowance to cover rent, board and other expenses
<b>Domiciliary Care For Veterans</b>	USDVA	A VA facility that provides rehabilitative and long-term health-maintenance care for veterans requiring minimal medical care but do not need the skilled nursing services provided in a hospital and/or nursing home setting. (i.e.: veterans engaged in substance abuse and/or mental health programs). No shelter cost incurred
<b>Non-medical facilities other than Congregate Care Level 1,2,3 including maternity homes, licensed DV residences, or shelters for the homeless</b>	OCFS licensed (DV residences) or <u>not</u> State licensed or certified	<ul style="list-style-type: none"> <li><input type="checkbox"/> OCFS licensed residential programs for victims of domestic violence</li> <li><input type="checkbox"/> Small number of maternity homes</li> <li><input type="checkbox"/> Shelters for the homeless families that are not regulated under 18 NYCRR 900 and certain shelters for single individuals.</li> </ul>
<b>Shelter for Families – Tier II</b>	OTDA	Shelters for homeless families that are regulated under 18 NYCRR 900.
<b>Public Home</b>	operated by a city or county	A county run non-medical home for the needy in that county (only 5 or 6 facilities left in the State); includes certain homeless shelters for singles operated by the City of New York

