

## PROVIDER ADVISORY #2023-026

### PERSONAL NEEDS ALLOWANCE AND ROOM AND BOARD RULE IMPLEMENTATION

EFFECTIVE DATE: SEPTEMBER 27, 2023

Rule 65G-2.001 (Definitions), 2.018 (Personal Needs Allowance), Rule 65G-13.001 (Definitions), and 65G-13.008 (Room and Board), Florida Administrative Code, became effective on Thursday, August 17, 2023.

#### Personal Needs Allowance

The Personal Needs Allowance supports eligible individuals in everyday living, saving for their future, and the ability to achieve their God-given potential. The implementation of the Personal Needs Allowance rule memorializes the increase of essential funding to promote community living.

Agency for Persons with Disabilities (APD) licensed residential facilities that serve as representative payee for a client must set aside a Personal Needs Allowance from all benefit payments/third-party benefits for the client. The facility is responsible for maintaining and administering the Personal Needs Allowance in accordance with the wishes of the client or the client's legal representative. The client's Personal Needs Allowance is for the sole benefit of the client.

Effective August 17, 2023, eligible individuals residing in an APD licensed group home and receiving a social security benefit became eligible to receive a minimum monthly benefit of \$164.52 a month, with automatic adjustments as the federal cost of living calculations increase. No additional action is required on behalf of the eligible individual to receive this increase.

The Personal Needs Allowance shall be at least 18 percent of the maximum federal benefit rate for Social Security Income (SSI) payments to an individual. The maximum federal benefit rate for SSI payments to an individual in 2023 is \$914, which results in a monthly minimum Personal Needs Allowance of \$164.52 regardless of the person's monthly benefit. Because the Rule became effective August 17, 2023, the licensed residential facility must provide the client with a prorated amount of \$148.55 for the month of August to meet the minimum monthly Personal Needs Allowance. Effective September 1, 2023, the facility must set aside a minimum of \$164.52 per month for the client until the maximum federal benefit rate for SSI payments is increased. APD group home monitoring staff will review facility records during the monthly visit to verify that the facility is distributing the Personal Needs Allowance as required by Rule.

#### Room and Board

APD licensed residential facilities may seek room and board payments from APD under the following circumstances:

- The client is under the age of 22 - If the client is under the age of 22, APD will reimburse the provider in the amount of \$583.42 per month until the client reaches the age of 22.
- The client is over the age of 22 - If the facility has sought and obtained all available benefit/third party benefit payments to which the client is entitled, the facility has provided the individual with the minimum Personal Needs Allowance, and if the remaining balance is less than \$583.42, APD will reimburse the deficit up to \$583.42.

To request a room and board reimbursement, the licensed residential facility must submit the APD Form 65G-13.008A, [Room and Board Reimbursement Form](#) to the APD Regional Office that serves

the region in which the facility is located. This form must be received by the APD Regional Office within 90 days from the end of the month for which reimbursement is sought.

Failure to timely submit a completed form will result in a reimbursement denial. For the initial reimbursement request, the form must also include a copy of the annual award or denial letter for the client to demonstrate a good faith attempt to secure a benefit payment for the client. Annually, thereafter, a copy of the annual award or denial letter is to be sent to the APD Regional Office that serves the area in which the facility is located.