

Assembly Bill AB 1235 (GIPSON) Housing for People Leaving Nursing Homes

Thousands of people could leave California nursing homes if they had a real home to which they could move. Some had homes but lost them because they have to use their monthly income as their Medi-Cal “Share of Cost”, leaving no money to pay their rent or mortgage and property taxes. However, Medi-Cal rules also include a Home Upkeep Allowance, which allows some people to use their monthly income to maintain their homes for up to six months. The problem: the Allowance doesn’t work, because:

- 1) It’s only \$209 a month, insufficient and unchanged since the 1970’s;
- 2) The Allowance is widely unknown; and
- 3) The Allowance does not help people who lost their homes but want to find a new home and leave the facility.

This means that people stay in a facility they don’t need or want to be in, at great cost to the state, only because of lack of housing. Under the Americans with Disabilities Act of 1990 and the 1999 U.S. Supreme Court decision in *Olmstead*, Californians with disabilities, including seniors, have the right to receive services in the most integrated setting, and a real home is a more integrated setting than a nursing home.

California needs more affordable and accessible housing, but until that happens, state policy should enable people to save the housing they do have.

AB 1235 modernizes the Home Upkeep Allowance by:

- 1) Tying the allowance to the amount actually needed to maintain a home;
- 2) Extending the allowance to people who have lost their homes, so they can save income for up to three months to secure a place; and
- 3) Requiring the state to widely publicize the Allowance.

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