

## Memorandum in Support

February 26, 2026

ELSN #5

A. 2048  
S. 4744 -A

By: M of A Solages

By: Senator Cleare

Assembly Committee: Social Services

Senate Committee: Health

Effective Date: January 1, 2026 and shall apply to all benefits and allowances issued on and after such date.

**AN ACT** to amend the Social Services law, in relation to increasing personal needs allowance amounts.

### **THE ELDER LAW AND SPECIAL NEEDS SECTION** **SUPPORTS THIS LEGISLATION**

A2048/S4744A would increase the Personal Needs Allowance (PNA) for residents in nursing homes to \$200 and require annual adjustment reflecting the latest consumer price index. The PNA is the amount of money, currently \$50 per month, nursing home residents are allowed to keep from their Social Security or other income to pay for essential personal items not covered by Medicaid. This amount was set in 1988 and has never been increased, despite nearly four decades of inflation. Adjusted for inflation, \$50 in 1988 would be approximately \$140 today. The spending power of the \$50 PNA has been eroded and resident quality of life is being actively harmed.

Medicaid covers room and board, nursing care, and routine services. It does not pay for the personal items that make life dignified and humane: a haircut, properly fitting clothing, a phone, quality toiletries, a card for a grandchild, or the ability to participate in community or religious life. For many residents, the PNA is their only source of personal income, yet it forces them to choose between the most basic needs and any semblance of personal autonomy.

At the federal level, the PNA was last raised in 1987 by the Omnibus Reconciliation Act from \$25 per month to \$30 per month. This is in alignment with the SSI benefit, which is generally reduced when a person enters a nursing home to a maximum of \$30 per month. States can have the authority to establish higher PNAs based on state law. New York set its PNA amount of \$50 in 1988. New York's PNA is lower than 31 other states and Washington D.C. At the same time, New York has a higher cost-of living than many of these jurisdictions, making the disparity even greater for residents in nursing homes.

Since being set in 1988, there have been varying legislation introduced to increase the PNA, most recently A.2048 (Solages) / S.4744A(Cleare). This legislation would increase the PNA for residents in nursing homes to \$200 and require annual adjustment reflecting the latest consumer price index.

New York has previously enacted reforms to improve nursing home staffing, safety, and oversight. But resident dignity and quality of life have been left out of the budget conversation. Increasing the PNA with annual adjustments is one of the most immediate actions New York State can take to change that.

Based on the foregoing, the Elder Law and Special Needs Section of the New York State Bar Association **SUPPORTS** this legislation.