



State of Tennessee
Department of Finance and Administration
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Commissioner

Date: December 30, 2008
To: Area Agencies on Aging and Disability
Tennessee Commission on Aging and Disability
FROM: Patti Killingsworth, Chief of Long Term Care
RE: **2009** Maximum Room and Board Charges for Persons Receiving Assisted Care Living Facility Services in the Statewide Waiver (SWW) Program for Persons who are Elderly and/or who have Physical Disabilities

As you know, the scope of the defined ACLF Services benefit that a qualified enrollee may access under the SWW does **not** include room and board. Federal regulations at CFR 42 Section 441.310(a)(2) prohibit States from covering room and board as a component of HCBS.

A SWW Enrollee who qualifies to receive ACLF services and for whom such services are identified in an approved Plan of Care is obligated to use their own resources to pay the costs of room and board in the ACLF, or the costs may be supplemented from family or other outside resources up to the maximum allowable charges for room and board.

For SWW enrollees, room and board charges may not exceed 80% of the Personal Needs Allowance (PNA) specified in the SWW application. The PNA is the amount of income exempt from Patient Liability calculations under the SWW (i.e., the amount of money a SWW enrollee is allowed to keep in order to meet community living expenses), and is based on 200% of the federal SSI benefit rate, which changes every year. For calendar year 2009, the PNA is \$1348. **For 2009, the maximum monthly room and board charges in an Assisted Living Care Facility for SWW enrollees cannot exceed 80% of \$1,348 or \$1,078.40 per month.** This amount will be adjusted each year in accordance with the federal SSI benefit rate.

This limitation on ACLF room and board charges applies *only* to SWW enrollees, and not to other ACLF residents.

The ACLF provider is responsible for collecting the room and board charge from the SWW enrollee.

Please make sure that all participating Assisted Care Living Facility providers (including those currently enrolled as SWW providers and those who enroll during the coming months) **are informed of this maximum room and board amount.**

Questions regarding this memo should be directed to:

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