
A BILL FOR AN ACT

RELATING TO SOCIAL SERVICES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that the State provides a
2 personal needs allowance for individuals residing in adult
3 foster homes, adult residential care homes, domiciliary homes,
4 and other long-term care facilities. The personal needs
5 allowance allows recipients to purchase necessary items such as
6 clothing, toiletries, and meals and covers other day-to-day
7 living expenses. The legislature further finds that when the
8 federal government first established the needs allowance in
9 1974, the allowance was set at \$25 per month, which was then
10 subsequently increased to \$30 in 1998. In 2007, the legislature
11 enacted Act 96, Session Laws of Hawaii 2007, which increased the
12 monthly needs allowance to \$50 to better accommodate the
13 increase in the cost of living. However, the allowance has not
14 been increased since then. The legislature believes that the
15 personal needs allowance must be increased in order to
16 effectively support individuals residing in long-term care
17 facilities.



1 Accordingly, the purpose of this Act is to increase the
2 personal needs allowance from \$50 to \$75.

3 SECTION 2. Section 346D-4.5, Hawaii Revised Statutes, is
4 amended to read as follows:

5 "**§346D-4.5 Needs allowance; waiver program individuals.**

6 (a) There may be established a monthly needs allowance for
7 individuals living in:

- 8 (1) Adult residential care home type I and type II
9 facilities;
- 10 (2) Licensed developmental disabilities domiciliary homes
11 as defined in section 321-15.9;
- 12 (3) Community care foster family homes as defined in
13 section 321-481;
- 14 (4) Certified adult foster homes as defined in section
15 321-11.2;
- 16 (5) Domiciliary care as defined in section 346-1;
- 17 (6) A nursing facility as defined in section 346E-1; or
- 18 (7) A community-based residence as part of the residential
19 alternatives community care program.

20 (b) The needs allowance may be administered by the
21 department of human services to pay for clothing and other



1 personal miscellaneous needs, such as bus fare, personal postage
2 costs, haircuts, and other costs of day-to-day living.

3 (c) The State's supplemental payment for a needs allowance
4 under subsection (a) shall be increased by an amount necessary
5 to bring the allowance up to [~~\$50~~] \$75 per month. The payment
6 under this section shall be afforded to an individual
7 notwithstanding that the individual is incapacitated; provided
8 that the moneys may be spent on behalf of the client, with a
9 written accounting, by the operator of the residence or
10 facility.

11 (d) The needs allowance is not intended to replace or
12 affect the funds received from the federal supplemental security
13 income program and shall be supplemental to any funds provided
14 to a recipient by the federal supplemental security income
15 program.

16 (e) The operators of facilities listed under subsection
17 (a) shall pay for generic toiletries, including toilet paper,
18 hand soap, and paper towels; linens, including bedding, sheets,
19 blankets, towels, and bath towels; and meals and snacks for
20 outings.



1 (f) The needs allowance shall apply to persons otherwise
2 eligible to receive monthly income pursuant to state law or
3 rules and federal laws or regulations and is not intended to
4 affect the classifications of, or number of, persons eligible to
5 receive such funds.

6 (g) The department of human services shall perform an
7 annual review of the monthly needs allowance to ensure the
8 allowance provides adequate coverage. The department of human
9 services shall submit a report of corrections or improvements to
10 the monthly needs allowance, including any proposed legislation,
11 to the legislature no later than twenty days prior to the
12 convening of the regular session of 2024, and every session
13 thereafter."

14 SECTION 3. There is appropriated out of the general
15 revenues of the State of Hawaii the sum of \$ or so
16 much thereof as may be necessary for fiscal year 2023-2024 and
17 the same sum or so much thereof as may be necessary for fiscal
18 year 2024-2025 to provide a monthly needs allowance to
19 individuals eligible pursuant to section 346D-4.5, Hawaii
20 Revised Statutes.



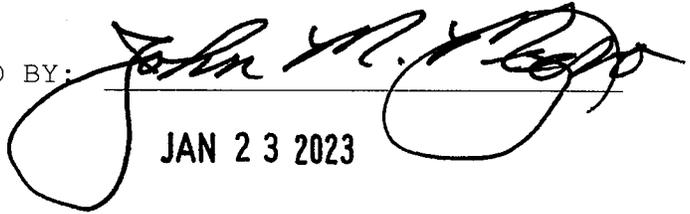
1 The sums appropriated shall be expended by the department
2 of human services for the purposes of this Act.

3 SECTION 4. Statutory material to be repealed is bracketed
4 and stricken. New statutory material is underscored.

5 SECTION 5. This Act shall take effect on July 1, 2023.

6

INTRODUCED BY:


JAN 23 2023



H.B. NO. 916

Report Title:

Needs Allowance; Long-term Care Facilities; Appropriation

Description:

Increases the monthly needs allowance from \$50 to \$75. Clarifies that the needs allowance is not intended to replace or affect funds received from the federal supplemental security income program. Requires certain long-term care facility operators to pay for generic toiletries, linens, and meals and snacks. Requires the department of human services to perform an annual review of the needs allowance. Appropriate funds.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

