

# SENATE FLOOR AMENDMENT

FLOOR AMENDMENT NO. \_\_\_\_\_

**10**

Date \_\_\_\_\_

APR 10 2007

TO: H.B. No. 928, H.D. 1, S.D. 1

SECTION 1. H.B. No. 928, H.D. 1, S.D. 1, is amended by designating sections 1 to 4 as part I.

SECTION 2. H.B. No. 928, H.D. 1, S.D. 1, is amended by adding a new section to be designated as section 5, designating that section as part II, and to read as follows:

## "PART II

SECTION 5. Section 346-53, Hawaii Revised Statutes, is amended by amending subsection (c) to read as follows:

"(c) The director, pursuant to chapter 91, shall determine the rate of payment for domiciliary care, including care provided in licensed developmental disabilities domiciliary homes, community care foster family homes, and certified adult foster homes, to be provided to recipients who are eligible ~~[either]~~ for Federal Supplementary Security Income~~[7]~~ or public assistance ~~[in accordance with state standards]~~, or both. The director shall provide for level of care payment as follows:

- (1) For ~~[these]~~ adult residential care homes classified as facility type I, licensed developmental disabilities domiciliary homes as defined under section 321-15.9, community care foster family homes as defined under section 346-331, and certified adult foster homes as defined under section 321-11.2, the state supplemental payment shall not exceed ~~[\$621.90, and]~~ \$641.90;
- (2) For ~~[these]~~ adult residential care homes classified as facility type II, the state supplemental payment shall not exceed ~~[\$729.90,]~~ \$749.90; and
- (3) For skilled nursing facilities and intermediate facilities, the state supplemental payment shall not exceed \$20.

\$50 of the state supplemental payment shall be retained by the recipient for the recipient's personal use, except for a recipient who is a resident of a skilled nursing facility or intermediate facility who shall retain \$20 of the state supplemental payment.

If the operator does not provide the quality of care consistent with the needs of the individual to the satisfaction of the department, the department may remove the recipient to another facility.

The department shall handle abusive practices under this section in accordance with chapter 91.



Nothing in this subsection shall allow the director to remove a recipient from an adult residential care home or other similar institution if the recipient does not desire to be removed and the operator is agreeable to the recipient remaining, except where the recipient requires a higher level of care than provided or where the recipient no longer requires any domiciliary care."

SECTION 3. H.B. No. 928, H.D. 1, S.D. 1, is amended by renumbering sections 5 and 6 as sections 6 and 7, respectively, and designating those sections as part III.

Offered by: *Suzanne Chun Oakland* (  ) Carried

(  ) Failed to Carry

(  ) Withdrawn

