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# SENATE CONCURRENT RESOLUTION

REQUESTING THE DEPARTMENT OF HEALTH TO CONVENE A WORKING GROUP  
TO STUDY THE DEVELOPMENT OF ADULT RESIDENTIAL CARE HOMES IN  
RESIDENTIAL NEIGHBORHOODS IN MANOA.

1 WHEREAS, an adult residential care home is defined under  
2 section 321-15.1, Hawaii Revised Statutes, as any facility that  
3 provides twenty-four hour living accommodations for a fee to  
4 adults unrelated to the family, who require at least minimal  
5 assistance with the activities of daily living, personal care  
6 services, protection, and health care services, but who do not  
7 need the professional health services provided in an  
8 intermediate, skilled nursing, or acute care facility; and  
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10 WHEREAS, in recent years, there has been a proliferation of  
11 the establishment of adult residential care homes on Oahu; and  
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13 WHEREAS, many of the adult residential care homes are  
14 located in residential neighborhoods characterized by single  
15 family residences, and in commercial or mixed use areas; and  
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17 WHEREAS, concentrations of the adult residential care homes  
18 in these areas have attendant traffic, parking, delivery, noise,  
19 trash collection, and emergency services response challenges;  
20 and  
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22 WHEREAS, community residents have questioned the regulation  
23 of these facilities in residential neighborhoods in Manoa,  
24 including the regulation of the locations of the facilities,  
25 their distance from each other, and whether they are compatible  
26 with the land use; and  
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28 WHEREAS, there is apparently no regulation to provide an  
29 opportunity for public notice, review, or comment, especially by  
30 adjoining property owners, regarding pending applications to  
31 establish, modify, or expand adult residential care homes; and  
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1 WHEREAS, the City and County of Honolulu Department of  
2 Planning and Permitting has authority to issue permits related  
3 to the building of the residential care homes; and  
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5 WHEREAS, the Department of Health is authorized to license  
6 the establishment and operation of adult residential care homes;  
7 and  
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9 WHEREAS, the Department of Health has begun the process of  
10 reviewing current statutes and rules relating to the  
11 community-based settings that it licenses; and  
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13 WHEREAS, a working group should be convened to study the  
14 development of adult residential care homes in residential  
15 neighborhoods in Manoa; now, therefore,  
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17 BE IT RESOLVED by the Senate of the Twenty-fourth  
18 Legislature of the State of Hawaii, Regular Session of 2007, the  
19 House of Representatives concurring, that the Department of  
20 Health is requested to convene a working group to study the  
21 development of adult residential care homes in residential  
22 neighborhoods in Manoa; and  
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24 BE IT FURTHER RESOLVED that the working group is requested  
25 to include:  
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- 27 (1) The Director of Health or designee;
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- 29 (2) The City and County of Honolulu Director of Planning  
30 and Permitting or designee;
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- 32 (3) A representative of the task force that was  
33 established pursuant to Senate Concurrent Resolution  
34 No. 144, S.D. 1 (2006);
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- 36 (4) Elected officials representing districts in Manoa; and  
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- 38 (5) Residents of Manoa; and  
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40 BE IT FURTHER RESOLVED that in completing the study, the  
41 working group is requested to:  
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- 43 (1) Examine and determine the adequacy of the statutes,  
44 administrative rules, and inspection and enforcement



1 processes, related to the establishment, modification,  
2 and expansion of adult residential care facilities;

3  
4 (2) Determine whether adequate opportunity exists for  
5 public notice and participation in the inspection and  
6 enforcement processes related to the establishment,  
7 modification, and expansion of adult residential care  
8 homes; and

9  
10 (3) Consult with the Attorney General; and

11  
12 BE IT FURTHER RESOLVED that the working group is requested  
13 to submit a report to the Legislature no later than twenty days  
14 prior to the convening of the 2008 Regular Session; and

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16 BE IT FURTHER RESOLVED that certified copies of this  
17 Concurrent Resolution be transmitted to the Director of Health,  
18 Attorney General, Director of the City and County of Honolulu  
19 Department of Planning and Permitting; Senator of the Tenth  
20 Senatorial District, and Representative of the Twenty-fourth  
21 Representative District.

