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## 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 recognizes that social security  
2 recipients who reside in institutional care settings receive a  
3 monthly personal allowance. Approximately four thousand  
4 individuals living in nursing-level of care institutional  
5 settings receive approximately \$30 of monthly benefits to be  
6 used for individual needs. The needs allowance is intended to  
7 pay for clothing, toiletries, bus fare, personal postage costs,  
8 snacks, and other incidental expenses of day-to-day living.

9           An allowance has never been formally established or  
10 required for the approximately two thousand five hundred  
11 individuals living in adult residential care homes, licensed  
12 developmental disabilities domiciliary homes, community care  
13 foster family homes, certified adult foster homes, and other  
14 domiciliary care. However, the department of human services has  
15 informally recommended that care home operators also provide \$30  
16 per month for the residents' personal needs.

17           In 1974, the federal government established the minimum  
18 needs allowance for a nursing home resident at \$25, which was



1 subsequently raised in 1988 to \$30, the current monthly  
2 allowance. In 2004, only eleven states monthly allowance  
3 remained at \$30, while other states raised the minimum monthly  
4 allowance. If the needs allowance was pegged to the Consumer  
5 Price Index, \$25 in 1974 would have been equivalent to \$115.19  
6 in 2004.

7 The legislature finds that it is imperative that the  
8 minimum monthly allowance be increased to allow institutional  
9 long-term care residents to enjoy an acceptable quality of life.

10 The purpose of this Act is to establish a personal  
11 allowance for individuals residing in care homes, nursing homes,  
12 and other long-term care facilities.

13 SECTION 2. Chapter 346D, Hawaii Revised Statutes, is  
14 amended by adding a new section to be appropriately designated  
15 and to read as follows:

16 "§346D- Personal allowance; waiver program. (a)

17 There is established a monthly needs allowance for individuals  
18 living in adult residential care home type I and type II  
19 facilities, developmental disabilities domiciliary homes as  
20 defined under section 321-15.9, community care foster family  
21 homes as defined under section 346-331, adult foster homes as  
22 defined under section 321-11.2, domiciliary care residences and



1 facilities as defined under section 346-1, nursing facilities as  
2 defined under section 346E-1, and for individuals served by the  
3 residential alternatives community care program. The needs  
4 allowance shall be administered by the department of human  
5 services to pay for clothing and other miscellaneous personal  
6 needs such as bus fare, personal postage costs, haircuts, and  
7 other costs of day-to-day living.

8 (b) The needs allowance shall be \$50 per month per  
9 individual, and shall be increased annually by a percentage  
10 equal to any percentage increase in the social security income  
11 benefit.

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

17 (d) The operators of adult residential care homes type I  
18 and type II, developmental disabilities domiciliary homes,  
19 community care foster family homes, adult foster homes, and  
20 other domiciliary care facilities, shall pay for generic  
21 toiletries (including toilet paper, hand soap, and paper



1 towels), linens (including bedding, sheets, blankets, towels,  
2 and bath rugs), and meals and snacks for outings.

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

8 SECTION 3. There is appropriated out of the general  
9 revenues of the State of Hawaii the sum of \$ or so much  
10 thereof as may be necessary for fiscal year 2007-2008 to provide  
11 a monthly personal allowance for individuals living in adult  
12 residential care home type I and type II facilities,  
13 developmental disabilities domiciliary homes as defined under  
14 section 321-15.9, community care foster family homes as defined  
15 under section 346-331, adult foster homes as defined under  
16 section 321-11.2, domiciliary care residences and facilities as  
17 defined under section 346-1, nursing facilities as defined under  
18 section 346E-1, and for individuals served by the residential  
19 alternatives community care program.

20 The sum appropriated shall be expended by the department of  
21 human services for the purposes of this Act.



# H.B. NO. 1475

1 SECTION 4. New statutory material is underscored.

2 SECTION 5. This Act shall take effect on July 1, 2007.

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INTRODUCED BY:

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**Report Title:**

Personal allowance; Care homes

**Description:**

Establishes provisions for a minimum monthly allowance for residents of certain care homes, and regular increases of the allowance.

