

JAN 23 2009

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# A BILL FOR AN ACT

RELATING TO COMMUNITY CARE FOSTER FAMILY HOME.

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

1       SECTION 1. Notwithstanding the definition of "community  
2       care foster family home" under section 346-331, Hawaii Revised  
3       Statutes, the department of human services may allow a married  
4       couple, consisting of two private pay clients, to be cared for  
5       in the same community care foster family home if:

6           (1) Each spouse is at least eighty years of age;

7           (2) The couple has been married to each other for at least  
8           forty years; and

9           (3) Each spouse otherwise meets all the other requirements  
10          for admission to the community care foster family  
11          home.

12       SECTION 2. The department of human services shall adopt  
13       interim rules exempt from the requirements of chapter 91, Hawaii  
14       Revised Statutes, to carry out the purposes of this Act;  
15       provided that the interim rules shall be adopted no later than  
16       December 31, 2009, and shall be replaced by permanent rules



1 adopted pursuant to chapter 91, Hawaii Revised Statutes, no  
2 later than July 1, 2010.

3 SECTION 3. It is the intent of this Act not to jeopardize  
4 the receipt of any federal aid. If this Act is found to be in  
5 conflict with federal requirements that are a prescribed  
6 condition for the allocation of federal funds to the State, this  
7 Act shall be deemed null and void.

8 SECTION 4. This Act shall take effect on July 1, 2009, and  
9 shall be repealed on July 1, 2011; provided that a spouse who  
10 was admitted into a community care foster family home under  
11 section 1 of this Act and who remains a client of the community  
12 care foster family home on the date of the repeal of this Act,  
13 shall be allowed to remain in the community care foster family  
14 home until death or otherwise removal of that spouse from the  
15 home, whichever comes first; provided that all other  
16 requirements for admission to the community care foster family  
17 home are met.

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INTRODUCED BY:

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**Report Title:**

Human Services; Community Care Foster Family Home; Private Pay Clients

**Description:**

Allows a married couple, consisting of two private pay clients who meet certain conditions, to live in the same community care foster family home. Sunsets 7/1/2011.

