HOUSE OF REPRESENTATIVES TWENTY-SEVENTH LEGISLATURE, 2013 STATE OF HAWAII

H.B. NO. 248

A BILL FOR AN ACT

.

RELATING TO COMMUNITY CARE FOSTER FAMILY HOMES.

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

1	SECT	ION 1. Section 346-334, Hawaii Revised Statutes, is			
2	amended b	y amending subsection (b) to read as follows:			
3	" (b)	The department shall adopt rules pursuant to chapter			
4	91 relating to:				
5	(1)	Standards of conditions and competence for the			
6		operation of community care foster family homes;			
7	(2)	Procedures for obtaining and renewing a certificate of			
8		approval from the department;			
9	(3)	Minimum grievance procedures for clients of community			
10		care foster family home services; and			
11	(4)	Requirements for primary and substitute caregivers			
12		caring for three clients in community care foster			
13	family homes including:				
14		(A) Mandating that primary and substitute caregivers			
15		be [twenty-one] years of age or older;			
16		(B) Mandating that primary and substitute caregivers			
17		complete a minimum of [twelve] hours of			
18		continuing education every [twelve]			



1		months or at least [twenty four] hours of	
2		continuing education every [twenty four]	
3		months;	
4	(C)	Allowing the primary caregiver to be absent from	
5		the community care foster family home for no more	
6		than twenty-eight hours in a calendar week, not	
7		to exceed five hours per day; provided that the	
8		substitute caregiver is present in the community	
9		care foster family home during the primary	
10		caregiver's absence;	
11	(D)	Where the primary caregiver is absent from the	
12		community care foster family home in excess of	
13		the hours as prescribed in subparagraph (C),	
14		mandating that the substitute caregiver be a	
15		certified nurse aide; and	
16	(E)	Mandating that the substitute caregiver have, at	
17		a minimum, one year prior work experience as a	
18		caregiver in a community residential setting or	
19		in a medical facility."	
20	SECTION 2	. Act 221, Session Laws of Hawaii 2011, is	
21	amended by amending section 5 to read as follows:		



1	"SEC	TION 5. This Act shall take effect on July 1, 2011;				
2	provided that on June 30, 2013, this Act shall be repealed and					
3	[sections	[sections] section 346-331 [and 346-334], Hawaii Revised				
4	Statutes,	shall be reenacted in the form in which [they] it read				
5	on the day prior to the effective date of this Act."					
6	SECTION 3. Section 2 of Act 93, Session Laws of Hawaii					
7	2012, is amended by amending subsection (b) to read as follows:					
8	"SECTION 2. Chapter 321, Hawaii Revised Statutes, is					
9	amended by adding two new parts to be appropriately designated					
10	and to read as follows:					
11	"(b)	The department shall adopt rules pursuant to chapter				
12	91 relating to:					
13	(1)	Standards of conditions and competence for the				
14		operation of community care foster family homes;				
15	(2)	Procedures for obtaining and renewing a certificate of				
16		approval from the department;				
17	(3)	Minimum grievance procedures for clients of community				
18		care foster family home services; and				
19	(4)	Requirements for primary and substitute caregivers				
20		caring for three clients in community care foster				
21		family homes including:				



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1	(A)	Mandating that primary and substitute caregivers
2		be [twenty one] years of age or older;
3	(B)	Mandating that primary and substitute caregivers
4		complete a minimum of [twelve] hours of
5		continuing education every [twelve]
6		months or at least [twenty four] hours of
7		continuing education every [twenty four]
8		months;
9	(C)	Allowing the primary caregiver to be absent from
10		the community care foster family home for no more
11		than twenty-eight hours in a calendar week, not
12		to exceed five hours per day; provided that the
13		substitute caregiver is present in the community
14		care foster family home during the primary
15		caregiver's absence;
16	(D)	Where the primary caregiver is absent from the
17		community care foster family home in excess of
18		the hours as prescribed in subparagraph (C),
19		mandating that the substitute caregiver be a
20		certified nurse aide; and
21	(E)	Mandating that the substitute caregiver have, at
22		a minimum, one year prior work experience as a



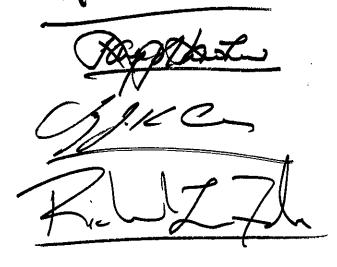
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caregiver in a community residential setting or
in a medical facility."
SECTION 4. Statutory material to be repealed is bracketed
and stricken. New statutory material is underscored.
SECTION 5. This Act shall take effect on June 30, 2013,
and shall be repealed on June 30, 2016; provided that section 1
of this Act shall be repealed on July 1, 2014.

INTRODUCED BY:

Row Cuconilla Konen Unter



for the label

JAN 1 8 2013



Report Title: Community Care Foster Family Homes

Description:

Amends the minimum continuing education and minimum age requirements for primary and substitute caregivers caring for clients in community care foster family homes. Effective June 30, 2013, and repealed on June 30, 2016; provided that section 1 shall be repealed on July 1, 2014.

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

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