Honolulu, Hawaii

April 4 , 2014

RE: S.B. No. 2853

S.D. 2 H.D. 2

Honorable Joseph M. Souki Speaker, House of Representatives Twenty-Seventh State Legislature Regular Session of 2014 State of Hawaii

## Sir:

Your Committee on Judiciary, to which was referred S.B. No. 2853, S.D. 2, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO DEVELOPMENTAL DISABILITIES ADULT FOSTER HOMES,"

begs leave to report as follows:

The purpose of this measure is to clarify the conditions under which adult foster homes for individuals with developmental or intellectual disabilities may be certified by the Department of Health by:

- (1) Granting the Director of Health discretion to allow up to three adults with developmental or intellectual disabilities in an adult foster home;
- (2) Limiting the total number of foster children and adults with developmental or intellectual disabilities in a dually certified home to three instead of five, and exempting foster homes already certified under existing requirements; and
- (3) Limiting the authority of the Department of Human Services to dually certify existing certified adult foster homes as foster boarding homes for children.

The Department of Health, State Council on Developmental Disabilities, and Department of Human Services testified in support of this measure.

Your Committee has amended this measure by:

- (1) Clarifying language regarding waivers to permit up to three disabled adult residents in one adult foster home;
- (2) Adding a definition for "certified caregiver";
- (3) Making it effective upon its approval; and
- (4) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2853, S.D. 2, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2853, S.D. 2, H.D. 2.

Respectfully submitted on behalf of the members of the Committee on Judiciary,

KARL RHOADS, Chair

## State of Hawaii House of Representatives HSGR 1525-14 The Twenty-seventh Legislature

## Record of Votes of the Committee on Judiciary

	ee Referral:	Date:	7	
SB 2853, SD2, HDI HLT, JUD Date: 3/27/14				
☐ The committee is reconsidering its previous decision on the measure.				
The recommendation is to:  Pass, unamended (as is)  Pass, with amendments (HD)  Hold  Pass short form bill with HD to recommit for future public hearing (recommit)				
JUD Members	Ayes	Ayes (WR)	Nays	Excused
1. RHOADS, Karl (C)				
2. HAR, Sharon E. (VC)			111 418	
3. BELATTI, Della Au				
4. BROWER, Tom			,	
5. CREAGAN, Richard				
6. ITO, Ken				
7. KAWAKAMI, Derek S.K.	/		•	
8. LEE, Chris				
9. NAKASHIMA, Mark M.				
10. TSUJI, Clift				
11. WOOLEY, Jessica		-		
12. MCDERMOTT, Bob				
13. THIELEN, Cynthia				
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TOTAL (13)	8			5
The recommendation is:  Adopted  If joint referral, did not support recommendation.  committee acronym(s)				
Vice Chair's or designee's signature:				
Distribution: Original (White) - Committee Duplicate (Yellow) - Chief Clerk's Office Duplicate (Pink) HMSO				