

STAND. COM. REP. NO.

582

Honolulu, Hawaii

February 17, 2017

RE: H.B. No. 1396
H.D. 1

Honorable Joseph M. Souki
Speaker, House of Representatives
Twenty-Ninth State Legislature
Regular Session of 2017
State of Hawaii

Sir:

Your Committee on Human Services, to which was referred H.B. No. 1396 entitled:

"A BILL FOR AN ACT RELATING TO COMMUNITY CARE FOSTER FAMILY HOMES,"

begs leave to report as follows:

The purpose of this measure is to recognize the varied needs of the State's aging population by allowing the Department of Health (DOH) flexibility to include two private-pay individuals to be cared for in the same community care foster family home if certain requirements are met.

For purposes of facilitating public input and discussion, your Committee circulated H.B. No. 1396, H.D. 1, Proposed, prior to holding a public hearing on this measure on February 15, 2017.

Testimony in support of H.B. No. 1396, H.D. 1, Proposed, was received from DOH, Department of Human Services (DHS), Hawaii Disability Rights Center, Adult Foster Homecare Association of Hawaii, and several individuals.

In its deliberations, your Committee noted that the proposed H.D. 1 clarified the process of allowing two private-pay individuals to be cared for in the same community care foster family home.

HB1396 HD1 HSCR HUS HMS 2017-2216



Accordingly, your Committee has amended this measure by adopting the proposed H.D. 1, which gives DOH, in consultation with DHS the discretion to allow two private-pay individuals to be cared for in the same home if all of the specified conditions are met, which include:

- (1) The community care foster family home is certified for three beds;
- (2) The operator of the three-bed community care foster family home has had a vacant Medicaid bed for at least six months; however, the operator shall not transfer out a Medicaid or private-pay client from the home to accept a private-pay individual;
- (3) The two private-pay individuals are in a relationship with each other as a married couple or in a civil union and one of the private-pay individuals is currently residing in the community care foster family home for at least six months;
- (4) DOH, in its discretion, determines that no other adult residential care home, expanded adult residential care home, or healthcare facility within the area has an available opening and is capable of providing care to both private pay individuals; and
- (5) There are no Medicaid recipients seeking placement in the community care foster family home that the married or civil union private-pay individual is seeking to occupy.

As amended, this measure also sets forth procedures for filling community care foster family home bed vacancies in the event of death or divorce of the individuals.

Technical, nonsubstantive amendments were made for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Human Services that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1396, as amended herein, and recommends that it pass Second



Reading in the form attached hereto as H.B. No. 1396, H.D. 1, and
be referred to your Committee on Judiciary.

Respectfully submitted on
behalf of the members of the
Committee on Human Services,



DEE MORIKAWA, Chair



State of Hawaii
House of Representatives
The Twenty-ninth Legislature

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Record of Votes of the Committee on Human Services

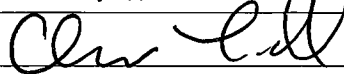
Bill/Resolution No.: HB 1396	Committee Referral: HUS, JUD	Date: 02/15/17
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The committee is reconsidering its previous decision on the measure.

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)

HUS Members	Ayes	Ayes (WR)	Nays	Excused
1. MORIKAWA, Dee (C)	/			
2. TODD, Chris (VC)	/			
3. BELATTI, Della Au	/			
4. HAR, Sharon E.				/
5. KOBAYASHI, Bertrand	/			
6. OSHIRO, Marcus R.	/			
7. TUPOLA, Andria P.L.	/			
TOTAL (7)	6	0	0	1

The recommendation is: Adopted Not Adopted
 If joint referral, _____ did not support recommendation.
 committee acronym(s)

Vice Chair's or designee's signature: 

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