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# A BILL FOR AN ACT

RELATING TO ELDER ABUSE.

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

1           SECTION 1. Section 28-94, Hawaii Revised Statutes, is  
2 amended by amending the definition of "caregiver" to read as  
3 follows:

4           "Caregiver" means any person who has undertaken the care,  
5 custody, or physical control of, or who has a legal or  
6 contractual duty to care for the health, safety, and welfare of  
7 a dependent elder, including, but not limited to, owners,  
8 operators, employees, or staff of:

- 9           (1) Hospitals;
- 10           (2) Hospices;
- 11           (3) Adult residential care homes;
- 12           (4) Developmentally disabled domiciliary homes;
- 13           (5) Developmentally disabled adult foster homes;
- 14           (6) Intermediate care facilities;
- 15           (7) Skilled nursing facilities;
- 16           (8) Special treatment facilities;
- 17           (9) Assisted living facilities;



- 1 (10) Adult foster family homes;
- 2 (11) Adult day health care centers and adult day care
- 3 programs;
- 4 (12) Independent living centers;
- 5 (13) Long-term care facilities;
- 6 (14) Community care facilities for the elderly;
- 7 (15) Respite care facilities;
- 8 (16) Foster homes; and
- 9 (17) Private residences used for commercial purposes to
- 10 care for dependent elders.

11 The term "caregiver" includes an employee or agent of the State  
12 who has any involvement in assessing a dependent elder's mental  
13 capacity, or any involvement in the oversight or management of a  
14 dependent elder's financial affairs, or both."

15 SECTION 2. New statutory material is underscored.

16 SECTION 3. This Act shall take effect on July 1, 3000.



**Report Title:**

Attorney General; Dependent Elder Abuse; Civil Action;  
Caregivers

**Description:**

Specifies that the Attorney General may bring a civil action on behalf of the State for alleged abuse of a dependent elder by employees or agents of the State whose duty is to oversee or manage the financial affairs of a dependent elder. (HB1858 HD1)

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

