
A BILL FOR AN ACT

RELATING TO HEALTH.

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

1 SECTION 1. Section 321-483, Hawaii Revised Statutes, is
2 amended by 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 [†] and
7 any other community-based care home or facility
8 licensed or certified under the department;

9 (2) Procedures for obtaining and renewing a certificate of
10 approval from the department; provided that the
11 department shall grant or deny:

12 (A) An application for an initial certificate of
13 approval within _____ days after the department's
14 receipt of the application; and

15 (B) An application to renew a certificate of approval
16 within _____ days after the department's receipt
17 of the application;



1 (3) Application fee for an initial certificate of approval
2 and to renew a certificate of approval; provided that
3 the application fee for an initial certificate of
4 approval shall be \$ _____ and the fee to renew a
5 certificate of approval shall be \$ _____ ;

6 [~~(3)~~] (4) Minimum grievance procedures for clients of
7 community care foster family home services[+] and any
8 other community-based care home or facility licensed
9 or certified under the department;

10 [~~(4)~~] (5) Requirements for primary and substitute
11 caregivers caring for three clients in community care
12 foster family homes and any other community-based care
13 home or facility licensed or certified under the
14 department, including:

15 (A) Mandating that primary and substitute caregivers
16 be twenty-one years of age or older;

17 (B) Mandating that primary and substitute caregivers
18 complete a minimum of twelve hours of continuing
19 education every twelve months or at least twenty-
20 four hours of continuing education every twenty-
21 four months;



1 (C) Allowing the primary caregiver to be absent from
2 the community care foster family home or other
3 community-based care home or facility for no more
4 than twenty-eight hours in a calendar week, not
5 to exceed five hours per day; provided that the
6 substitute caregiver is present in the community
7 care foster family home or other community-based
8 care home or facility during the primary
9 caregiver's absence;

10 (D) Where the primary caregiver is absent from the
11 community care foster family home or other
12 community-based care home or facility in excess
13 of 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. Statutory material to be repealed is bracketed
21 and stricken. New statutory material is underscored.

1 SECTION 3. This Act shall take effect upon its approval.

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INTRODUCED BY:

John M. Pappas
Guthrie Huelen
Lyn de Crite
[Signature]
Michelle [Signature]
Cindy Evans
[Signature]
[Signature]
[Signature]
[Signature]

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H.B. NO. 694

Report Title:

Community-Based Care Homes or Facilities; Community Care Foster Family Homes; Department of Health; Licensing; Fees

Description:

Sets time limit for the grant or denial of an application for an initial or renewed certificate of approval to operate a community care foster family home or any community-based care home or facility licensed or certified under the Department of Health. Authorizes an application fee and sets fee amounts.

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