
A BILL FOR AN ACT

RELATING TO LONG-TERM CARE.

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

1 SECTION 1. The legislature finds that virtually all of
2 Hawaii's seniors prefer to age in place at home rather than in a
3 care home or institution, and that many seniors will require
4 more intensive services and caregiving at the end of their
5 lives. Over the years, many initiatives have been undertaken to
6 facilitate the needed transformation of the services and
7 programs that support seniors and persons with disabilities in
8 Hawaii, such as Quest-Ex, the expansion of Kupuna Care, the
9 Aging and Disability Resource Center, and the Going Home
10 Program.

11 The legislature further finds that the costs of
12 institutional care have escalated beyond the financial means of
13 most seniors. The State's portion of medicaid expenditures has
14 increased steadily over the years and is projected to increase
15 significantly as baby boomers are entering retirement. As
16 Hawaii's population ages, the number of frail and disabled
17 individuals have increased, placing a precipitous demand on the



1 need for long-term care services, as well as significant cost
2 pressures on the state budget. The legislature therefore finds
3 that there is an urgent need to make quality long-term care
4 services as accessible, efficient, and effective as possible.

5 The legislature further finds that it is necessary to
6 explore public and private sector approaches to support payment
7 for long-term care services, which can assist seniors to age in
8 place and prevent the State from becoming fiscally liable for
9 unsustainable costs under medicaid.

10 The purpose of this Act is to reestablish the long-term
11 care commission to identify further-needed reforms of the
12 long-term care system, research program changes and resources
13 necessary to meet the State's long-term care public policy
14 goals, and explore an array of funding options that may help
15 support the provision of long-term care services in the future.

16 SECTION 2. (a) There is established a long-term care
17 commission that shall be placed within the university of Hawaii
18 college of social sciences public policy center for
19 administrative purposes. The commission shall:



- 1 (1) Review and update, as appropriate, the long-term care
2 policy goals and guiding principles expressed in part
3 II of Act 224, Session Laws of Hawaii 2008;
- 4 (2) Review the assessments, conclusions, and
5 recommendations contained in the Long-Term Care Reform
6 in Hawaii: Report of the Hawaii Long-Term Care
7 Commission, Final Report, dated January 18, 2012, and
8 update as appropriate, including:
- 9 (A) Identifying problems with current long-term care
10 capacity, programs, and services; and
- 11 (B) Reviewing and updating public and private
12 financing options and developing recommendations
13 about financial resources, including a mix of
14 public and private financing, necessary to
15 achieve needed state long-term care reforms and
16 state public policy goals;
- 17 (3) Develop an updated five-year comprehensive long-term
18 care plan to accomplish long-term care policy goals
19 that, when implemented, will ensure the availability
20 of a full continuum of institutional and



- 1 community-based services, including benchmarks to
2 evaluate accomplishments for each year;
- 3 (4) Monitor federal legislation for recent changes that
4 may impact the program and adjust the long-term care
5 plan accordingly; and
- 6 (5) Collaborate with interested stakeholders, including
7 the executive office on aging and community coalitions
8 or organizations concerned with educating the public
9 regarding long-term care.
- 10 (b) The long-term care commission shall consist of:
- 11 (1) Five members appointed by the governor;
- 12 (2) Five members appointed by the president of the senate;
- 13 (3) Five members appointed by the speaker of the house of
14 representatives; and
- 15 (4) Five non-voting, ex-officio members, who are the
16 directors of the following departments, or their
17 designees, and who shall collaborate with and support
18 the work of the commission, as requested:
- 19 (A) Department of commerce and consumer affairs;
- 20 (B) Department of health;
- 21 (C) Department of human services;



1 (D) Department of labor and industrial relations; and

2 (E) Department of taxation.

3 (c) Each member shall have a background in business,
4 economics, finance, management, health care, long-term care,
5 social services, or public policy development, or be an advocate
6 for or consumer of long-term care services. Members shall be
7 appointed as soon as practicable, but no later than
8 September 30, 2023. Any vacancies occurring in the membership
9 of the commission shall be filled for the remainder of the
10 unexpired term in the same manner as the original appointments.

11 (d) A simple majority of voting members shall constitute a
12 quorum, whose affirmative vote shall be necessary for all
13 actions.

14 (e) The members shall serve without compensation, but
15 shall be reimbursed for necessary expenses incurred in the
16 performance of commission duties.

17 (f) The university of Hawaii college of social sciences
18 public policy center shall convene the first commission meeting
19 as soon as practicable, but no later than November 1, 2023. At
20 this first meeting, the commission shall elect from among its
21 members a chairperson, who shall convene commission meetings,



1 and a vice chairperson, and shall adopt rules for the conduct of
2 its work.

3 (g) The commission shall:

4 (1) Submit an interim report to the legislature no later
5 than twenty days prior to the convening of the 2025
6 regular session, describing the progress made in the
7 development of the five-year plan and preliminary
8 proposed system reforms; and

9 (2) Submit a final report to the legislature no later than
10 twenty days prior to the convening of the 2028 regular
11 session, which shall include the final five-year plan,
12 an explanation of how the reforms will be prioritized
13 and phased in, and a description and final
14 recommendations regarding the financing of long-term
15 care services, including support for caregivers.

16 (h) The commission may:

17 (1) Conduct or initiate studies as it deems necessary; and

18 (2) Hire staff and contract with third parties to conduct
19 studies, including an actuarial study, as it deems
20 necessary for the purpose of evaluating various
21 options about systems reforms and about how to help



1 State residents pay for needed long-term care and
2 supportive services in the future. Any contract
3 executed pursuant to this subsection shall be exempt
4 from chapter 103D, Hawaii Revised Statutes; provided
5 that any such contract is approved by the commission
6 in an open meeting.

7 (i) The university of Hawaii college of social sciences
8 public policy center shall provide administrative and policy
9 support to facilitate the work of the commission.

10 (j) The term of the commission shall terminate on
11 adjournment sine die of the regular session of the 2028
12 legislature.

13 SECTION 3. There is appropriated out of the general
14 revenues of the State of Hawaii the sum of \$ or so much
15 thereof as may be necessary for fiscal year 2023-2024 and the
16 same sum or so much thereof as may be necessary for fiscal year
17 2024-2025 for the long-term care commission.

18 The sums appropriated shall be expended by the university
19 of Hawaii for the purposes of this Act.



1 SECTION 4. This Act shall take effect on July 1, 2023.

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INTRODUCED BY:

A handwritten signature in black ink, appearing to be 'W. J. ...', written over a horizontal line.

JAN 23 2023



H.B. NO. 838

Report Title:

Social Services; Long Term Care Commission; UH; Appropriation

Description:

Reestablishes the long-term care commission within the University of Hawaii college of social sciences public policy center to identify further needed reforms of Hawaii's long-term care system. Appropriates moneys.

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