

JAN 20 2023

A BILL FOR AN ACT

RELATING TO SOCIAL SERVICES.

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

1 SECTION 1. Section 346-53, Hawaii Revised Statutes, is
2 amended by amending subsection (c) to read as follows:

3 "(c) The director, pursuant to chapter 91, shall determine
4 the rate of payment for domiciliary care, including care
5 provided in licensed developmental disabilities domiciliary
6 homes, community care foster family homes, and certified adult
7 foster homes, to be provided to recipients who are eligible for
8 federal supplementary security income or public assistance, or
9 both. The director shall provide for level of care payment as
10 follows:

11 (1) Beginning on July 1, [~~2008,~~] _____, for adult
12 residential care homes classified as facility type I,
13 licensed developmental disabilities domiciliary homes
14 as defined under section 321-15.9, community care
15 foster family homes as defined under section 321-481,
16 and certified adult foster homes as defined under



1 section 321-11.2, the state supplemental payment shall
2 not exceed [~~\$651.90~~] \$ _____; and

3 (2) Beginning on July 1, [~~2008~~], _____, for adult
4 residential care homes classified as facility type II,
5 the state supplemental payment shall not exceed
6 [~~\$759.90~~] \$ _____.

7 If the operator does not provide the quality of care
8 consistent with the needs of the individual to the satisfaction
9 of the department, the department may remove the recipient to
10 another facility.

11 The department shall handle abusive practices under this
12 section in accordance with chapter 91.

13 Nothing in this subsection shall allow the director to
14 remove a recipient from an adult residential care home or other
15 similar institution if the recipient does not desire to be
16 removed and the operator is agreeable to the recipient
17 remaining, except where the recipient requires a higher level of
18 care than provided or where the recipient no longer requires any
19 domiciliary care."

20 SECTION 2. Section 346D-4.5, Hawaii Revised Statutes, is
21 amended by amending subsection (c) to read as follows:



1 "(c) The State's supplemental payment for a needs
2 allowance under subsection (a) shall be increased by an amount
3 necessary to bring the allowance up to [~~\$50~~] \$_____ per
4 month. The payment under this section shall be afforded to an
5 individual notwithstanding that the individual is incapacitated;
6 provided that the moneys may be spent on behalf of the client,
7 with a written accounting, by the operator of the residence or
8 facility."

9 SECTION 3. Statutory material to be repealed is bracketed
10 and stricken. New statutory material is underscored.

11 SECTION 4. This Act shall take effect upon its approval.

12

INTRODUCED BY: _____

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S.B. NO. 849

Report Title:

Social Services; Monthly Needs Allowance; State Supplemental Payments

Description:

Amends the state supplemental payment ceiling for domiciliary care paid to recipients who are eligible for federal supplementary security income or public assistance, or both. Amends the monthly needs allowance for individuals residing in foster homes, care homes, domiciliary homes, and other long-term care facilities.

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