



GOV. MSG. NO. 1118

EXECUTIVE CHAMBERS
KE KE'ENA O KE KIA'ĀINA

JOSH GREEN, M.D.
GOVERNOR
KE KIA'ĀINA

May 13, 2024

The Honorable Ronald D. Kouchi
President of the Senate,
and Members of the Senate
Thirty-Second State Legislature
State Capitol, Room 409
Honolulu, Hawai'i 96813

The Honorable Scott K. Saiki
Speaker, and Members of the
House of Representatives
Thirty-Second State Legislature
State Capitol, Room 431
Honolulu, Hawai'i 96813

Dear President Kouchi, Speaker Saiki, and Members of the Legislature:

This is to inform you that on May 13, 2024, the following bill was signed into law:

HB1974 HD1 SD1

RELATING TO SOCIAL SERVICES.
ACT 018

Sincerely,

Josh Green, M.D.
Governor, State of Hawai'i

HOUSE OF REPRESENTATIVES
THIRTY-SECOND LEGISLATURE, 2024
STATE OF HAWAII

H.B. NO. 1974
H.D. 1
S.D. 1

A BILL FOR AN ACT

RELATING TO SOCIAL SERVICES.

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

1 SECTION 1. The legislature finds that the State provides a
2 personal needs allowance for individuals residing in adult
3 residential care homes, domiciliary homes, adult foster homes,
4 and other long-term care facilities. The personal needs
5 allowance allows recipients to purchase necessary items, such as
6 clothing, toiletries, and meals, and covers other day-to-day
7 living expenses.

8 The legislature further finds that when the federal
9 government first established the needs allowance in 1974, the
10 allowance was set at \$25 per month, which was then subsequently
11 increased to \$30 in 1998. Act 96, Session Laws of Hawaii 2007,
12 increased the monthly needs allowance to \$50 to better
13 accommodate the increase in the cost of living. However, the
14 allowance has not been increased since then. The legislature
15 believes that the personal needs allowance must be increased to
16 effectively support individuals residing in long-term care
17 facilities.



1 Accordingly, the purpose of this Act is to:

- 2 (1) Increase the personal needs allowance from \$50 to \$75;
- 3 (2) Clarify that the needs allowance is not intended to
4 replace or affect funds received from the federal
5 supplemental security income program;
- 6 (3) Require certain long-term care facility operators to
7 pay for generic toiletries, linens, and meals and
8 snacks; and
- 9 (4) Clarify the individuals who are eligible to receive
10 the needs allowance.

11 SECTION 2. Section 346D-4.5, Hawaii Revised Statutes, is
12 amended to read as follows:

13 "§346D-4.5 Needs allowance; waiver program individuals.

14 (a) There may be established a monthly needs allowance for
15 individuals living in:

- 16 (1) Adult residential care home type I and type II
17 facilities;
- 18 (2) Licensed developmental disabilities domiciliary homes
19 as defined in section 321-15.9;
- 20 (3) Community care foster family homes as defined in
21 section 321-481;



- 1 (4) Certified adult foster homes as defined in section
2 321-11.2;
- 3 (5) Domiciliary care as defined in section 346-1;
- 4 (6) A nursing facility; or
- 5 (7) A community-based residence as part of the residential
6 alternatives community care program.

7 (b) The needs allowance may be administered by the
8 department of human services to pay for clothing and other
9 personal miscellaneous needs, such as bus fare, personal postage
10 costs, haircuts, and other costs of day-to-day living.

11 (c) The State's supplemental payment for a needs allowance
12 under subsection (a) shall be increased by an amount necessary
13 to bring the allowance up to [~~\$50~~] \$75 per month. The payment
14 under this section shall be afforded to an individual
15 notwithstanding that the individual is incapacitated; provided
16 that the moneys may be spent on behalf of the client, with a
17 written accounting, by the operator of the residence or
18 facility.

19 (d) The needs allowance is not intended to replace or
20 affect the funds received from the federal supplemental security
21 income program and shall be supplemental to any funds provided



1 to a recipient by the federal supplemental security income
2 program.

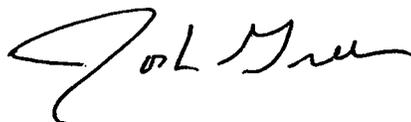
3 (e) The operators of facilities identified in subsection
4 (a) shall pay for generic toiletries, including toilet paper,
5 hand soap, and paper towels; linens, including bedding, sheets,
6 blankets, towels, and bath towels; and meals and snacks for
7 outings; provided that operators shall not use the needs
8 allowance without the consent of the individual receiving the
9 needs allowance.

10 (f) The needs allowance shall apply to persons otherwise
11 eligible to receive monthly income pursuant to state law or
12 rules and federal laws or regulations and is not intended to
13 affect the classifications of, or number of, persons eligible to
14 receive these funds."

15 SECTION 3. Statutory material to be repealed is bracketed
16 and stricken. New statutory material is underscored.

17 SECTION 4. This Act shall take effect on October 1, 2024.

APPROVED this 13th day of May , 2024



GOVERNOR OF THE STATE OF HAWAII



HB No. 1974, HD 1, SD 1

THE HOUSE OF REPRESENTATIVES OF THE STATE OF HAWAII

Date: April 22, 2024
Honolulu, Hawaii

We hereby certify that the above-referenced Bill on this day passed Final Reading in the House of Representatives of the Thirty-Second Legislature of the State of Hawaii, Regular Session of 2024.



Scott K. Saiki
Speaker
House of Representatives

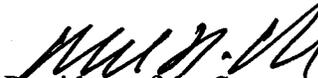


Brian L. Takeshita
Chief Clerk
House of Representatives

THE SENATE OF THE STATE OF HAWAI'I

Date: April 9, 2024
Honolulu, Hawai'i 96813

We hereby certify that the foregoing Bill this day passed Third Reading in the Senate of the Thirty-Second Legislature of the State of Hawai'i, Regular Session of 2024.


President of the Senate


Clerk of the Senate