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# 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  
17 section 321-11.2, the state supplemental payment,



1           which includes the care rate and personal needs  
2           allowance, shall not exceed [~~\$651.90~~] \$809; and  
3           (2) Beginning on July 1, [~~2008~~], \_\_\_\_\_, for adult  
4           residential care homes classified as facility type II,  
5           the state supplemental payment, which includes the  
6           care rate and personal needs allowance, shall not  
7           exceed [~~\$759.90~~] \$917.

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

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

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



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

3 "(c) The State's supplemental payment for a needs  
4 allowance under subsection (a) shall be increased by an amount  
5 necessary to bring the allowance up to [~~\$50~~] \$75 per month. The  
6 payment under this section shall be afforded to an individual  
7 notwithstanding that the individual is incapacitated; provided  
8 that the moneys may be spent on behalf of the client, with a  
9 written accounting, by the operator of the residence or  
10 facility."

11 SECTION 3. Statutory material to be repealed is bracketed  
12 and stricken. New statutory material is underscored.

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



**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. (SD1)

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

