
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,~~] October 1, 2024, for
12 adult residential care homes classified as facility
13 type I, licensed developmental disabilities
14 domiciliary homes as defined under section 321-15.9,
15 community care foster family homes as defined under
16 section 321-481, and certified adult foster homes as
17 defined under section 321-11.2, the state supplemental



1 payment, which includes the care rate and personal
2 needs allowance, shall not exceed [~~\$651.90~~] \$809; and
3 (2) Beginning on [~~July 1, 2008,~~] October 1, 2024, for
4 adult residential care homes classified as facility
5 type II, the state supplemental payment, which
6 includes the care rate and personal needs allowance,
7 shall not 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. (SD2)

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