



STATE OF HAWAII
STATE COUNCIL
ON DEVELOPMENTAL DISABILITIES
1010 RICHARDS STREET, Room 122
HONOLULU, HAWAII 96813
TELEPHONE: (808) 586-8100 FAX: (808) 586-7543
February 7, 2023

The Honorable Representative John M. Mizuno, Chair
House Committee on Human Services
and
The Honorable Representative Della Au Belatti, Chair
House Committee on Health and Homelessness
The Thirty-Second Legislature
State Capitol
State of Hawai'i
Honolulu, Hawai'i 96813

Dear Representative Mizuno, Representative Belatti, and Committee Members:

SUBJECT: HB916 Relating to Social Services

The Hawaii State Council on Developmental Disabilities **SUPPORTS HB916**, which increases the monthly needs allowance from \$50 to \$75. Clarifies that the needs allowance is not intended to replace or affect funds received from the federal supplemental security income program. Requires certain long-term care facility operators to pay for generic toiletries, linens, and meals and snacks. Requires the department of human services to perform an annual review of the needs allowance. Appropriate funds.

Increasing the personal needs allowance (PNA) will help offset the rising costs of items due to inflation. The PNA's intent is to allow individuals in care facilities to still have some monies they can spend on personal products not provided by the home. For our intellectual/developmental disability (I/DD) population that resides in these homes, this allowance also offers an opportunity to build money management skills and help build individuals' capacity to make their own choices.

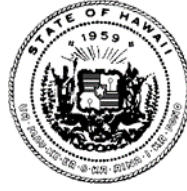
The Council also appreciates expanding what items a long-term care facility must provide. Including these items as baseline for individuals in care facilities will also free up more of the monthly needs allowance for genuinely personal items. With more essentials provided, it should promote the PNA to be used for things that will create opportunities for our I/DD population in these homes to be a part of our communities and or increase their quality of life.

Thank you for the opportunity to submit testimony in **strong support of HB916**.

Sincerely,

Daintry Bartoldus
Executive Administrator

JOSH GREEN, M.D.
GOVERNOR
KE KIA'ĀINA



CATHY BETTS
DIRECTOR
KA LUNA HO'OKELE

JOSEPH CAMPOS II
DEPUTY DIRECTOR
KA HOPE LUNA HO'OKELE

STATE OF HAWAII
KA MOKU'ĀINA O HAWAI'I
DEPARTMENT OF HUMAN SERVICES
KA 'OIHANA MĀLAMA LAWELAWE KANAKA
Office of the Director
P. O. Box 339
Honolulu, Hawaii 96809-0339

February 6, 2023

TO: The Honorable John M. Mizuno, Chair
House Committee on Human Services

The Honorable Representative Della Au Belatti, Chair
House Committee on Health & Homelessness

FROM: Cathy Betts, Director

SUBJECT: **HB 916 – RELATING TO SOCIAL SERVICES.**

Hearing: February 7, 2023, 8:45 a.m.
Conference Room 329 & Videoconferencing, State Capitol

DEPARTMENT'S POSITION: The Department of Human Services (DHS) appreciates the intent of this bill, offers comments, and requests amendments.

PURPOSE: The bill increases the monthly needs allowance from \$50 to \$75. Clarifies that the needs allowance is not intended to replace or affect funds received from the federal supplemental security income program. Requires certain long-term care facility operators to pay for generic toiletries, linens, and meals and snacks. Requires the Department Of Human Services to perform an annual review of the needs allowance. Appropriate funds.

This measure proposes to increase the monthly Personal Needs Allowance (PNA) paid for individuals living in specified settings under section 346-D-4.5, Hawaii Revised Statutes (HRS), from \$50.00 to \$75.00 per month.

The State Supplemental Payment (SSP) appropriation is used for the following:

- Domiciliary care payments, as specified in section 346-53(c), HRS;

- PNA for individuals residing in settings as specified in section 346D-4.5, HRS; and
- Administrative fees paid to the Social Security Administration (SSA) to add the SSP amounts to each individual's monthly Supplemental Security Income (SSI) check.

In State Fiscal Year (SFY) 2022, DHS coordinated with SSA, and SSA paid \$3,764,504.19 in one-time retroactive SSP payments to address “shortfalls” by increasing expenditures. Performing these one-time retroactive SSP payments enabled DHS to comply with the Maintenance of Effort (MOE) agreement, as referenced under Title 20 Code of Federal Regulation (CFR) 416.2096.

DHS respectfully asks the Legislature to consider this \$3,764,504.19 amount as the PNA rate increases in domiciliary care home settings, a \$25 PNA increase for approximately 2,129 individuals (SFY 2022 average enrollment) would increase annual expenditures to approximately \$638,700.00. For clarification, the PNA for individuals residing in domiciliary care home settings would be added to the care rate (\$25 PNA + current care rate = increased care rate) as the caregiver is required to remove PNA from monthly SSP payments for eligible individuals.

A \$25 PNA increase for approximately 195 individuals in nursing facilities would increase the annual expenditures by approximately \$58,500.00. The current budget can cover the increase with the projected budget surplus of approximately \$581,271.60.

\$17,810,955.00	-HMS 605 budget
<u>-\$16,785,143.91</u>	-MOE required annual SSP expenditure
\$1,025,811.09	-Remaining budget balance used to pay nursing home PNA and administrative fees
- <u>\$444,539.49</u>	-administrative fees SFY 2022
\$581,271.60	-remaining balance

In SFY 2022, approximately \$444,539.49 was expended for nursing home PNA and administrative fees resulting in a remaining balance of approximately \$581,271.60.

While the one-time retroactive SSP payment (shortfall) amount of approximately \$3,764,504.19 and the budget surplus of approximately \$581,271.60 are enough to cover the \$25 PNA increases, this assumes there will be no substantial increases in the number of eligible individuals entering domiciliary care home and nursing facility settings.

In addition to 346D-4.5(c), HRS, we note that sections 346-53(c)(1) and (2), HRS, will need to be amended to reflect the PNA increase to the domiciliary care rate amounts.

Therefore, if this is the Legislature's intent, we recommend Section 346-53 (c), HRS, be amended to read as follows:

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

- (1) Beginning on July 1, [~~2008~~] 2023, for adult residential care homes classified as facility type I, licensed developmental disabilities domiciliary homes as defined under section 321-15.9, community care foster family homes as defined under section 321-481, and certified adult foster homes as defined under section 321-11.2, the state supplemental payment shall not exceed [~~\$651.90~~] \$ 676.90; and
- (2) Beginning on July 1, [~~2008~~] 2023, for adult residential care homes classified as facility type II, the state supplemental payment shall not exceed [~~\$759.90~~] \$.

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

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

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

The Medicaid program has analyzed this proposed change and concluded that Medicaid does not need an additional appropriation. Currently, the Med-QUEST Division (MQD) anticipates that few to no additional individuals will become eligible for Medicaid due to PNA increases. However, MQD will need to take administrative actions to implement this change.

There are beneficiaries currently living in domiciliary care homes and Community Care Foster Family Homes that are eligible for Medicaid through the “medically needy” eligibility category. They contribute some of their income to help cover the cost of their care when they have income above Medicaid income eligibility standards. Although PNA increases would reduce this contribution marginally for some of these individuals, and MQD would expend some additional dollars on their medical care, this cost would be negligible, and there would be no need for an additional appropriation.

Page 3, line 16 states, “[t]he operators of facilities listed under subsection (a) shall pay for generic toiletries, including toilet paper, hand soap, and paper towels; linens, including bedding, sheets, blankets, towels, and bath towels; and meals and snacks for outings.” Regarding page Section 2, paragraph (e), page 3, line 16, DHS recommends this section be amended to clarify that operators are not authorized to use the PNA of residents for items without resident's consent and that operators maintain records when residents authorize the use of their PNA by operators describing how the money was spent.

Regarding Section 2, paragraph (g), on page 4, line 6: “The department of human services shall perform an annual review of the monthly needs allowance to ensure the allowance provides adequate coverage. The department of human services shall submit a report of corrections or improvements to the monthly needs allowance, including any proposed legislation, to the Legislature no later than twenty days prior to the convening of the regular session of 2024, and every session thereafter.” Regarding page 4, line 6, DHS coordinates with SSA in the disbursement of SSP and PNA but does not monitor the payments. To perform this task, DHS would require additional time to develop rules and resources to cover staff and system modifications, to perform annual reviews. As the measure continues through the session, DHS will update the resource needs.

Thank you for the opportunity to provide comments on this bill.

HB-916

Submitted on: 2/5/2023 7:24:44 PM

Testimony for HUS on 2/7/2023 8:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Cynthia Bartlett	Hawaii Autism Foundation	Support	Written Testimony Only

Comments:

Hawaii Autism Foundation is in support of this personal needs allowance increase. Many adults with autism live in care housing and need this increase for basic personal needs so they do not have to go without as costs of personal item needs have risen.

Thank you,

Cynthia Bartlett



TO: The Honorable Representative John Mizuno, Chair
The Honorable Representative Terez Amato, Vice Chair
House of Representatives Committee on Human Services

The Honorable Representative Della Au Bellati, Chair
The Honorable Jenna Takenouchi, Vice Chair
House of Representatives Committee on Health and Homelessness

FROM: Fae Torres, Maui Self-Advocacy Advisory Council, Vice Chair

SUBJECT: HB 916 – RELATING TO PERSONAL NEEDS ALLOWANCE

The 16 Self-Advocacy Advisory Council members of Maui are in support of HB 916, relating to Personal Needs allowance.



TO: The Honorable Representative John Mizuno, Chair
The Honorable Representative Terez Amato, Vice Chair
House of Representatives Committee on Human Services

The Honorable Representative Della Au Bellati, Chair
The Honorable Jenna Takenouchi, Vice Chair
House of Representatives Committee on Health and Homelessness

FROM: Cheryl Obrero, East Hawai'i Self-Advocacy Advisory Council, Chair

SUBJECT: HB 916 – RELATING TO PERSONAL NEEDS ALLOWANCE

The 7 Self-Advocacy Advisory Council members of East Hawai'i are in support of HB 916, relating to Personal Needs allowance.



TO: The Honorable Representative John Mizuno, Chair
The Honorable Representative Terez Amato, Vice Chair
House of Representatives Committee on Human Services

The Honorable Representative Della Au Bellati, Chair
The Honorable Jenna Takenouchi, Vice Chair
House of Representatives Committee on Health and Homelessness

FROM: Lois Phillips, West Hawai'i Self-Advocacy Advisory Council Member

SUBJECT: HB 916 – RELATING TO PERSONAL NEEDS ALLOWANCE

The 21 Self-Advocacy Advisory Council members of West Hawai'i are in support of HB 916, relating to Personal Needs allowance.



TO: The Honorable Representative John Mizuno, Chair
The Honorable Representative Terez Amato, Vice Chair
House of Representatives Committee on Human Services

The Honorable Representative Della Au Bellati, Chair
The Honorable Jenna Takenouchi, Vice Chair
House of Representatives Committee on Health and Homelessness

FROM: Deziree Tacub, Kaua'i Self-Advocacy Advisory Council, Chair

SUBJECT: HB 916 – RELATING TO PERSONAL NEEDS ALLOWANCE

The 17 Self-Advocacy Advisory Council members of Kaua'i are in support of HB 916, relating to Personal Needs allowance.



TO: The Honorable Representative John Mizuno, Chair
The Honorable Representative Terez Amato, Vice Chair
House of Representatives Committee on Human Services

The Honorable Representative Della Au Bellati, Chair
The Honorable Jenna Takenouchi, Vice Chair
House of Representatives Committee on Health and Homelessness

FROM: Joshua Ige, Lana'i Self-Advocacy Advisory Council, Chair

SUBJECT: HB 916 – RELATING TO PERSONAL NEEDS ALLOWANCE

As the only Self-Advocate on the island of Lana'i, the Lana'i Self-Advisory Council of Lana'i is in support of HB 916, relating to Personal Needs allowance.



TO: The Honorable Representative John Mizuno, Chair
The Honorable Representative Terez Amato, Vice Chair
House of Representatives Committee on Human Services

The Honorable Representative Della Au Bellati, Chair
The Honorable Jenna Takenouchi, Vice Chair
House of Representatives Committee on Health and Homelessness

FROM: Brandon Reny-Wong, Moloka'i Self-Advocacy Advisory Council, Chair

SUBJECT: HB 916 – RELATING TO PERSONAL NEEDS ALLOWANCE

The 7 Self-Advocacy Advisory Council members of Moloka'i are in support of HB 916, relating to Personal Needs allowance.



TO: The Honorable Representative John Mizuno, Chair
The Honorable Representative Terez Amato, Vice Chair
House of Representatives Committee on Human Services

The Honorable Representative Della Au Bellati, Chair
The Honorable Jenna Takenouchi, Vice Chair
House of Representatives Committee on Health and Homelessness

FROM: Timothy Renken, O'ahu Self-Advocacy Advisory Council, Chair and
President of the Hawai'i State Advocacy Advisory Council

SUBJECT: HB 916 – RELATING TO PERSONAL NEEDS ALLOWANCE

The 98 Self-Advocacy Advisory Council members of O'ahu are in support of HB 916, relating to Personal Needs allowance.

HB-916

Submitted on: 2/6/2023 3:59:42 PM

Testimony for HUS on 2/7/2023 8:45:00 AM

Submitted By	Organization	Testifier Position	Testify
BERNADETTE FIRME	UNITED CAREGIVER OF HAWAII-UCH	Support	Written Testimony Only

Comments:

I STRONGLY IN SUPPORT THIS BILL

THANK YOU AND ALOHA

HB-916

Submitted on: 2/6/2023 4:27:58 PM

Testimony for HUS on 2/7/2023 8:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Marybeth Leano	Community Care Family Foster Home	Support	Written Testimony Only

Comments:

Clients need the increase because of high cost of living.

HB-916

Submitted on: 2/5/2023 10:30:39 AM

Testimony for HUS on 2/7/2023 8:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Loren Liebling	Individual	Support	Written Testimony Only

Comments:

I support this bill for the sake of those who are less able to help themselves. Please have compassion. Thank you

HB-916

Submitted on: 2/5/2023 4:21:36 PM

Testimony for HUS on 2/7/2023 8:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Mathew Sanchez	Individual	Support	Written Testimony Only

Comments:

February 5, 2023

Testimony in SUPPORT of HB 916

Dear Representative Mizuno and Committee Members,

My name is Mathew Sanchez and I am in support of HB 916, which increases the monthly needs allowance for individuals residing in foster home, care home, domiciliary homes, and other long-term care facilities.

I think this bill is important because I only receive \$50 a month for my personal allowance. It is difficult to only have \$50 to spend on my personal items for a whole month, while I live in a foster home.

Thank you for allowing me to testify in support of HB 916

Mathew Sanchez

Molokai Hawaii

HB-916

Submitted on: 2/6/2023 8:22:54 AM

Testimony for HUS on 2/7/2023 8:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Kaili	Individual	Support	In Person

Comments:

I have friend live in the foster home \$50.00 is not enough to paticipate in the community please pass this bill to increase the allowance thank you.

HB-916

Submitted on: 2/6/2023 9:50:17 AM

Testimony for HUS on 2/7/2023 8:45:00 AM

Submitted By	Organization	Testifier Position	Testify
joshua Goetz	Individual	Support	Written Testimony Only

Comments:

Hi Joshua, gets here by support house bill 916. I have an individual moving on \$50 is not enough. I am pushing this for people with disabilities who need that money to pay to wash clothes buy clothes to for rent to hang out with friends. \$50 is not enough for everything I am mentioning right now.

HB-916

Submitted on: 2/6/2023 11:20:52 AM

Testimony for HUS on 2/7/2023 8:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Ruthie Agbayani	Individual	Support	Written Testimony Only

Comments:

The last time the personal needs allowance was increased was around the year 2007 from \$25 to \$50. Since then, and due to the economic impact and aftermath of the COVID19 pandemic, here in Hawaii, the cost of living and the cost of goods have drastically increased. Therefore, it is appropriate to increase the personal needs allowance from \$50 to \$75. Outside of the basic provisions that caregivers and facilities supply, the client/resident uses their personal needs allowance to pay for non-medical transportation costs (TheBus, TheHandi-Van, Taxi, Uber, etc), reading materials (books, magazines, newsletters, subscriptions), letter writing materials and postage costs, clothing and accessories, as well as brand favored products.

HB-916

Submitted on: 2/6/2023 2:27:45 PM

Testimony for HUS on 2/7/2023 8:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Maria Belinda Keliiholokai	Individual	Support	Written Testimony Only

Comments:

This bill allocating funds for the CCFFH Services should be pushed forward and gets approved as it would definitely benefit all the caregivers concerned in all their hardwork that has been displayed way back when.

We are constantly reminded of our dear Representative John Mizuno who is working with us hand in hand in the realization of these underlying bills.

Thank you so much,Sir for all your effort & support to our organization.

God bless you always.

Best regards,

Bell Keliiholokai,

Recording Secretary, UCH