
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 United States
2 Social Security Administration issues one monthly payment to
3 eligible recipients receiving care, or their representative
4 payee, that includes supplemental security income and the State
5 supplemental payment. The legislature further finds that the
6 State supplemental payment includes the personal needs allowance
7 for the individual receiving care and a domiciliary care rate
8 for the provider.

9 Accordingly, the purpose of this Act is to increase the
10 domiciliary care rates for certain providers and clarify that
11 the needs allowance and the domiciliary care rates are included
12 in the State supplemental payment ceiling amounts.

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

15 "(c) The director, pursuant to chapter 91, shall determine
16 the rate of payment for domiciliary care, including care
17 provided in licensed developmental disabilities domiciliary



1 homes, community care foster family homes, and certified adult
2 foster homes, to be provided to recipients who are eligible for
3 federal supplemental security income or public assistance, or
4 both. The director shall provide for level of care payment and
5 needs allowance as follows:

6 (1) For adult residential care homes classified as
7 facility type I, licensed developmental disabilities
8 domiciliary homes as defined under section 321-15.9,
9 community care foster family homes as defined under
10 section 321-481, and certified adult foster homes as
11 defined under section 321-11.2, the state supplemental
12 payment, which includes the care rate and needs
13 allowance, shall not exceed [~~\$784;~~] \$829; and

14 (2) For adult residential care homes classified as
15 facility type II, the state supplemental payment,
16 which includes the care rate and needs allowance,
17 shall not exceed [~~\$892.~~] \$937.

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



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

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

10 SECTION 3. Section 346D-4.5, Hawaii Revised Statutes, is
11 amended by amending subsection (c) to read as follows:

12 "(c) The State's supplemental payment, as authorized by
13 section 346-53(c)(1) and (2), for a needs allowance under
14 subsection (a) shall be increased by an amount necessary to
15 bring the allowance up to \$75 per month. The payment under this
16 section shall be afforded to an individual notwithstanding that
17 the individual is incapacitated; provided that the moneys may be
18 spent on behalf of the client, with a written accounting, by the
19 operator of the residence or facility."

20 SECTION 4. Statutory material to be repealed is bracketed
21 and stricken. New statutory material is underscored.



1 SECTION 5. This Act shall take effect upon its approval.



Report Title:

Department of Human Services; Needs Allowance; Long-Term Care Facilities; State Supplemental Payments

Description:

Increase the domiciliary care rates for certain providers and clarifies that the needs allowance and the domiciliary care rates are included in the State supplemental payment ceiling amounts. (SD1)

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

