

JAN 17 2025

A BILL FOR AN ACT

RELATED TO CARE HOMES.

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 subsections (c) and (d) 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 supplemental security income or public assistance, or
9 both. The director shall provide for level of care payment as
10 follows:

11 (1) For adult residential care homes classified as
12 facility type I, licensed developmental disabilities
13 domiciliary homes as defined under section 321-15.9,
14 community care foster family homes as defined under
15 section 321-481, and certified adult foster homes as
16 defined under section 321-11.2, the state supplemental



1 payment shall not [~~exceed~~] be less than \$784[-] and
2 shall not exceed \$1,332; and

3 (2) For adult residential care homes classified as
4 facility type II, the state supplemental payment shall
5 not [~~exceed~~] be less than \$892[-] and shall not exceed
6 \$1,440.

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

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

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

20 (d) [~~On July 1, 2006, and thereafter, as~~] As the
21 department determines a need, the department shall authorize a



1 payment, as allowed by federal law, for resident clients
2 receiving supplemental security income in adult residential care
3 home type I and type II facilities, licensed developmental
4 disabilities domiciliary homes as defined under section 321-
5 15.9, community care foster family homes as defined under
6 section 321-481, and certified adult foster homes as defined
7 under section 321-11.2, when state funds appropriated for the
8 purpose of providing payments under subsection (c) for a
9 specific fiscal year are not expended fully within a period that
10 meets the requirements of the department's maintenance of effort
11 agreement with the Social Security Administration[-]; provided
12 that the payment under this subsection shall not exceed \$500 and
13 shall only be authorized if the maximum payments under
14 subsection (c) have been paid for at least twelve consecutive
15 months.

16 The payment shall be made with that portion of state funds
17 identified in this subsection that has not been expended.

18 The department shall determine the rate of payment to
19 ensure compliance with its maintenance of effort agreement with
20 the Social Security Administration."

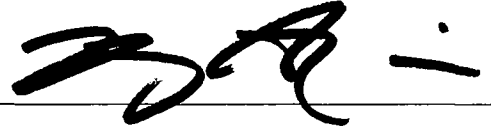


1 SECTION 2. Statutory material to be repealed is bracketed
2 and stricken. New statutory material is underscored.

3 SECTION 3. This Act shall take effect on July 1, 2025.

4

INTRODUCED BY: _____

A handwritten signature in black ink, appearing to be "J. A. -", is written over a horizontal line.

S.B. NO. 1058

Report Title:

CCFFH; ARCH; DDDOM; Adult Foster Homes; Department of Human Services; State Supplemental Payments

Description:

Increases the state supplemental payment ceilings for type I adult residential care homes, licensed developmental disabilities domiciliary homes, community care foster family homes, certified adult foster homes, and type II adult residential care homes. Authorizes an additional payment for resident clients residing in these homes when state funds for the state supplemental payment for a specific fiscal year are not fully expended, under certain circumstances.

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