

ACT 157

H.B. NO. 2907-82

A Bill for an Act Relating to Public Assistance.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. The legislature finds that many elderly and infirm persons are forced into adult family boarding homes or care homes simply because they require personal care services. The institutionalization of these individuals is unnecessary and against their best health and social interest. It is also contrary to the community's interest as institutional living is more expensive than supplying one service that will keep the individual in the individual's own home.

SECTION 2. Chapter 346, Hawaii Revised Statutes, is amended by adding a new section to be appropriately designated and to read as follows:

"§346- Personal care; payment for services. (a) The department may offer within the funds available personal care services to those individuals who are eligible for medical assistance and whose physical dependency requires them to have intermittent assistance with personal care services where there is no respon-

sible relative or friend willing to volunteer such assistance.

(b) "Personal care services" mean services to assist in the areas of bathing, toileting, personal hygiene, dressing, feeding, and household tasks which are related to a medical need.

(c) Payment for personal care may be made only when the cost is substantially less than the cost for the care of the individual in an alternative plan, if personal care services were not available.

(d) "Substantially less" as the term is used in this section means not more than sixty per cent of the cost of the lowest level of care in an adult family boarding home or a care home."

SECTION 3. There is appropriated out of the general revenues of the State of Hawaii the sum of \$500,000, or so much thereof as may be necessary for fiscal year 1982-1983, for the purposes of this section.

SECTION 4. The sum appropriated by this Act shall be expended by the department of social services and housing for the purposes of this Act.

SECTION 5. New statutory material is underscored.¹

SECTION 6. This Act shall take effect upon its approval.

(Approved May 29, 1982.)

Note

1. Edited pursuant to HRS §23G-16.5.