

ACT 164

H.B. NO. 992

A Bill for an Act Relating to Personal Care Services.

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

SECTION 1. Act 209, Session Laws of Hawaii 1988, is amended by amending section 5 to read as follows:

ACT 164

“SECTION 5. This Act shall take effect on July 1, 1988; provided that on June 30, [1991,] 1995, section 2 shall be repealed, and section 346-64, Hawaii Revised Statutes, shall be reenacted in the form in which it read on the day before the effective date of this Act.”

SECTION 2. Section 346-64, Hawaii Revised Statutes, is amended by amending subsection (c) to read as follows:

“(c) A ceiling shall be placed on the personal care services program expenditures, limiting total expenditures to not more than [seventy-five per cent of the annual medical assistance cost to maintain recipients in the program caseload at their appropriate level of institutional care. The medical assistance cost which shall be the basis for the expenditure ceiling shall be determined by the department of human services.] the amount authorized by the federal Health Care Financing Administration. A recipient who is not eligible for medical assistance may receive personal care services and shall make payment for these services based on a sliding fee system based on income, assets, and family size as established by the department. The department or its authorized agent shall make a comprehensive assessment of and provide a written plan of care to a recipient receiving personal care services. The plan of care shall be, to the extent possible, developed to reflect the desires of the recipient, or the recipient’s legal representative, and may provide for differential levels of case management.”

SECTION 3. Statutory material to be repealed is bracketed. New statutory material is underscored.

SECTION 4. This Act shall take effect on June 29, 1991.

(Approved May 23, 1991.)