

**ACT 98**

S.B. NO. 1352

A Bill for an Act Relating to Home and Community-Based Services.

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

SECTION 1. The legislature finds that Act 273, Session Laws of Hawaii 2001, established two-year demonstration projects within the department of human services (department) relating to licensing and certification of home and community-based services. Under Act 273, the department established standards for licensing home and community-based case management agencies, including, but not limited to, standards related to the conditions, management, and competence of such agencies, and authorized such agencies to certify community care foster family homes. The licensing and certification demonstration projects assist the department in fulfilling its regulatory oversight function, ensure the service quality and competency of home and community-based case management agencies, and protect the

health and welfare of individuals placed in certified community care foster family homes.

The purpose of this Act is to continue the demonstration projects relating to licensing and certification of community care foster family homes and home and community-based case management agencies established by Act 273, Session Laws of Hawaii 2001, for one additional year. This Act also appropriates funds from the criminal history record improvement revolving fund for required criminal history record checks for operators of community care foster family homes regulated under such projects.

SECTION 2. Act 273, Session Laws of Hawaii 2001, section 1, is amended by amending subsection (a) of section 346-B, Hawaii Revised Statutes, to read as follows:

“(a) Prior to ~~[June 30, 2003,]~~ June 30, 2004, this part shall apply equally to two distinct demonstration projects, except as provided in subsection (b), as follows:

- (1) In any county having a population of 500,000 persons or more; and
- (2) In any county having a population of less than 500,000 persons.”

SECTION 3. Act 273, Session Laws of Hawaii 2001, is amended by amending section 6 to read as follows:

“SECTION 6. This Act shall take effect on July 1, 2001, and shall be repealed on ~~[June 30, 2003,]~~ June 30, 2004.”

SECTION 4. The department of human services shall submit a report to the legislature no later than twenty days prior to the regular session of 2004 detailing the cost-effectiveness and administration of the certification process of community care foster family homes, as well as the possibility of integrating or consolidating the classification of community care foster family homes with adult residential care homes as defined in section 321-15.1, Hawaii Revised Statutes.

SECTION 5. There is appropriated out of the criminal history record improvement revolving fund the sum of \$65,000, or so much thereof as may be necessary, for fiscal year 2003-2004 for the purposes of Act 273, Session Laws of Hawaii 2001. The sum appropriated shall be expended by the department of the attorney general.

SECTION 6. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

SECTION 7. This Act shall take effect on June 29, 2003; provided that section 5 shall take effect on July 1, 2003.

(Approved May 28, 2003.)