

ACT 45

H.B. NO. 1477

A Bill for an Act Relating to Social Services.

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

SECTION 1. The legislature finds that the United States Social Security Administration issues one monthly payment to eligible recipients receiving care, or their representative payee, that includes supplemental security income and the state supplemental payment. The legislature further finds that the state supplemental payment includes the personal needs allowance for the individual receiving care and a domiciliary care rate for the provider.

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

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

“(c) The director, pursuant to chapter 91, shall determine the rate of payment for domiciliary care, including care provided in licensed developmental disabilities domiciliary homes, community care foster family homes, and certified adult foster homes, to be provided to recipients who are eligible for federal supplemental security income or public assistance, or both. The director shall provide for level of care payment and needs allowance as follows:

- (1) For adult residential care homes classified as facility type I, licensed developmental disabilities domiciliary homes as defined under section 321-15.9, community care foster family homes as defined under section 321-481, and certified adult foster homes as defined under section 321-11.2, the state supplemental payment, which includes the care rate and needs allowance, shall not exceed [~~\$784;~~] ~~\$829;~~ and
- (2) For adult residential care homes classified as facility type II, the state supplemental payment, which includes the care rate and needs allowance, shall not exceed [~~\$892;~~] ~~\$937.~~

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

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

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

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

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

ACT 45

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

SECTION 5. This Act shall take effect on October 1, 2025.

(Approved May 14, 2025.)