
A BILL FOR AN ACT

RELATING TO LONG-TERM CARE.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature has made it a priority to find
2 solutions to Hawaii's predicted long-term care crisis based on
3 the State's rapidly aging population. Many families in Hawaii
4 choose to care for elderly or disabled family members in their
5 homes rather than in a facility. However, in-home care does not
6 allow the same financing options through Medicaid as licensed
7 nursing facilities. Additionally, the medical needs of the
8 person being cared for may change, thereby requiring a different
9 type of care.

10 It is the legislature's intent to promote independence and
11 choice by allowing individuals, who are eligible under Medicaid
12 to receive nursing facility care, to receive the full spectrum
13 of service options available, including the following:

- 14 (1) Admittance to a nursing facility;
- 15 (2) The option to remain in the individual's community and
16 receive home- and community-based long-term care,
17 support, and services; and



1 (3) The option to relocate from a nursing facility back to
2 the individual's community and to receive home- and
3 community-based long-term care, support, and services.

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

7 "§346- Medicaid funds; transfer. (a) If an individual
8 chooses to remain in the individual's community or to relocate
9 from a nursing facility or long-term care-based facility to
10 receive home- and community-based long-term care, support, and
11 services, the department shall transfer medicaid funds intended
12 for payment to a nursing facility or long-term care-based
13 facility for payment for home- or community based long-term
14 care, support, and services.

15 (b) The costs for home- and community-based services may
16 not exceed, on an average per capita basis, the total
17 expenditures that would have been incurred if the individual
18 received facility-based long-term care, services, or support.

19 (c) The department shall establish rules pursuant to
20 chapter 91 to carry out the purposes of this section."

21 SECTION 3. The department of human services shall apply
22 for all waivers and grants necessary to implement this Act.



- 1 SECTION 4. New statutory material is underscored.
- 2 SECTION 5. This Act shall take effect on July 1, 2008.



Report Title:

Long-term Care; Medicaid; Transfer of Funds

Description:

Allows persons eligible to receive Medicaid funds for care at nursing home facilities to remain at home and receive home- and community-based long-term care. Requires the department of human services to apply for necessary waivers and grants to allow funds to be used in that manner. (HB2062 SD2)

