
A BILL FOR AN ACT

RELATING TO COMMUNITY CARE FOSTER FAMILY HOMES.

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

1 SECTION 1. Section 346-331, Hawaii Revised Statutes, is
2 amended by amending the definition of "community care foster
3 family home" to read as follows:

4 "Community care foster family home" or "home" means a home
5 that, for the purposes of this part:

- 6 (1) Is regulated by the department in accordance with
7 rules that are equitable in relation to rules that
8 govern expanded adult residential care homes;
- 9 (2) Is issued a certificate of approval by the department
10 or its designee to provide, for a fee, twenty-four-
11 hour living accommodations, including personal care
12 and homemaker services, for not more than two adults
13 at any one time, at least one of whom shall be a
14 medicaid recipient, who are at the nursing facility
15 level of care, who are unrelated to the foster family,
16 and who are receiving the services of a licensed home
17 and community-based case management agency; provided
18 that the department, in its discretion, may certify a



1 home for a third adult who is at the nursing level of
2 care and a medicaid recipient; provided that the:

3 (A) Home has been certified and in operation for not
4 less than one year;

5 (B) [~~primary and substitute caregivers are certified~~
6 nurse aides who have] Primary caregiver is a
7 certified nurse aide, as defined in section
8 457A-1.5, who has completed a state-approved
9 training program and other training as required
10 by the department; and

11 (C) Substitute caregiver is a nurse aide, as defined
12 in section 457A-1.5, who has completed a minimum
13 of twelve hours of continuing education every
14 calendar year; and

15 (3) Does not include expanded adult residential care homes
16 or assisted living facilities, which shall continue to
17 be licensed by the department of health."

18 SECTION 2. Section 346-334, Hawaii Revised Statutes, is
19 amended by amending subsection (g) to read as follows:

20 "(g) Any community care foster family home shall be
21 subject to monitoring and evaluation by the department or its
22 designee for certification compliance and quality assurance on



1 an annual or biennial basis. For the purposes of maintaining
2 certification compliance and quality assurance, a community care
3 foster family home shall ensure that its liability insurance
4 policy individually names each substitute caregiver and that the
5 following are current and made available for inspection by the
6 department and the community care foster family home's clients:

- 7 (1) Proof that a substitute caregiver possesses the
8 requisite skills to qualify as a nurse aide, as
9 defined in section 457A-1.5; and
10 (2) Proof of certifications for certified nurse aides
11 pursuant to section 457A-7 or 457A-8, as applicable."

12 SECTION 3. Statutory material to be repealed is bracketed
13 and stricken. New statutory material is underscored.

14 SECTION 4. This Act shall take effect on July 1, 2030.

15



Report Title:

Community Care Foster Family Homes

Description:

Amends previous caregiving requirements to specify that in community care foster family homes approved for a maximum of three clients, the primary caregiver must be a certified nurse aide and the substitute caregiver must be a nurse aide. Requires nurse aides acting as substitute caregivers to complete a minimum of twelve hours of continuing education each calendar year; requires community care foster family homes to be certified and in operation for at least one year prior to being certified for a third client, and makes various certifications and licenses available for inspection. Effective July 1, 2030.
(SD1)

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