

---

---

# 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 facility  
2 level of care and a medicaid recipient; provided that  
3 [the]:

4 (A) The home has been certified and in operation for  
5 not less than one year; and

6 (B) The primary [~~and substitute caregivers are~~  
7 ~~certified nurse aides who have]~~ caregiver is a  
8 certified nurse aide as defined in section 457A-  
9 1.5 who has completed a state-approved training  
10 program and other training as required by the  
11 department[+], including a minimum of twenty-four  
12 hours of continuing education every two years, in  
13 addition to the requirements of section 346-46,  
14 and the substitute caregiver is a nurse aide as  
15 defined in section 457A-1.5, who has completed a  
16 minimum of sixteen hours of continuing education  
17 every two years;

18 and

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



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

3 "(g) Any community care foster family home shall be  
4 subject to monitoring and evaluation by the department or its  
5 designee for certification compliance and quality assurance on  
6 an annual or biennial basis. In complying with this subsection,  
7 any community care foster family home shall ensure that the  
8 following are current and made available for inspection by the  
9 department and clients:

- 10 (1) A certificate of approval;  
11 (2) Licenses for case managers as required in the  
12 department's administrative rules, and a list of case  
13 managers' names;  
14 (3) Certifications for certified nurse aides pursuant to  
15 section 457A-7; and  
16 (4) Certifications for nurse aides if applicable."

17 SECTION 3. Statutory material to be repealed is bracketed  
18 and stricken. New statutory material is underscored.

19 SECTION 4. This Act shall take effect on July 1, 2050.



**Report Title:**

Community Care Foster Family Homes

**Description:**

Requires Community Care Foster Family Homes to have a primary caregiver as a certified nurse aide and a substitute caregiver as a nurse aide with a certain minimum number of continuing education hours for Community Care Foster Family Homes certified for a maximum of three clients; be certified and in operation for a year prior to being certified for a third client; and make various certifications and licenses available for inspection. Effective July 1, 2050. (SB1360 HD2)

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

