
A BILL FOR AN ACT

RELATING TO THE AGING AND DISABILITY RESOURCE CENTERS.

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

1 SECTION 1. The legislature finds that the aging and
2 disability resource centers initiative is a collaborative
3 federal and state multi-agency effort with the support of the
4 counties led by the United States Administration on Aging and
5 Centers for Medicare and Medicaid Services to streamline access
6 to long-term supports and services for older adults, all persons
7 with disabilities, family caregivers, and providers.

8 Aging and disability resource centers are designed to
9 address the frustrations many consumers and their families
10 experience when they need to obtain information and access to
11 long-term supports and services. In many communities, long-term
12 supports and services are administered by multiple agencies,
13 both public and private, and have complex, fragmented, and often
14 duplicative intake, assessment, and eligibility functions.

15 Figuring out how to obtain long-term supports and services can
16 be difficult. A single, coordinated system of information and
17 access for all persons seeking long-term supports and services
18 minimizes confusion, enhances individual choice, and fosters



1 informed decision-making. It also improves the ability of state
2 and county governments to manage resources and monitor program
3 quality through centralized data collection and evaluation,
4 which will result in the ability to target existing resources
5 where most needed, better estimate future need, and develop
6 long-term strategies for sustainability.

7 Aging and disability resource centers use two broad
8 strategies to divert persons from unnecessary and costly long-
9 term institutional care and ensure that short-term institutional
10 stays do not become permanent: (1) intervening with options
11 counseling and (2) expediting eligibility determination
12 processes for home and community-based services. Aging and
13 disability resource centers serve a critical role in improving
14 the ability of state and county governments to effectively
15 manage the long-term supports and services system, monitor
16 program quality, and measure responsiveness of state and county
17 systems of care.

18 The purpose of this Act is to establish a statewide aging
19 and disability resource center with sites in each county.

20 SECTION 2. Chapter 349, Hawaii Revised Statutes, is
21 amended by adding a new part to be appropriately designated and
22 to read as follows:



1 **"PART . AGING AND DISABILITY RESOURCE CENTERS PROGRAM**

2 **§349- Definitions.** As used in this part, unless the
3 context otherwise requires:

4 "Aging and disability resource centers" means an entity
5 established by the State as part of the state system of long-
6 term care serving as a highly visible and trusted source where
7 people of all incomes and ages can get information on the full
8 range of long-term support options and a single point of entry
9 for access to public long-term support programs and benefits.

10 "Area agency on aging" means the agency in each county
11 designated by the executive office on aging, under section
12 305(a)(2)(A) of the Older Americans Act, P.L. 89-74, to
13 facilitate the area-wide development and implementation of a
14 comprehensive, coordinated system for providing long-term care
15 in home and community-based settings, in a manner responsive to
16 the needs and preferences of older individuals and their family
17 caregivers.

18 "Dementia" means a group of symptoms affecting intellectual
19 and social abilities severely enough to interfere with daily
20 functioning.

21 "Developmental disability" means a severe, chronic
22 disability of an individual that:



- 1 (1) Is attributable to a mental or physical impairment or
- 2 combination of mental and physical impairments;
- 3 (2) Is manifested before the individual attains age
- 4 twenty-two;
- 5 (3) Is likely to continue indefinitely;
- 6 (4) Results in substantial functional limitations in three
- 7 or more of the following areas of major life activity:
- 8 (A) Self-care;
- 9 (B) Receptive and expressive language;
- 10 (C) Learning;
- 11 (D) Mobility;
- 12 (E) Self-direction;
- 13 (F) Capacity for independent living; or
- 14 (G) Economic self-sufficiency; and
- 15 (5) Reflects the individual's need for a combination and
- 16 sequence of special, interdisciplinary, or generic
- 17 services, individualized supports, or other forms of
- 18 assistance that are of lifelong or extended duration
- 19 and are individually planned and coordinated.

20 An individual from birth to age nine, inclusive, who has a
21 substantial developmental delay or specific congenital or
22 acquired condition, may be considered to have a developmental



1 disability without meeting three or more of the criteria
2 described in paragraphs (1) through (5) of this definition if
3 the individual, without services and supports, has a high
4 probability of meeting three or more of those criteria later in
5 life.

6 "Family caregivers" means a spouse, adult child, other
7 relative, partner, or friend who has a personal relationship
8 with, and provides a broad range of unpaid assistance for an
9 older adult with a chronic or disabling condition.

10 "Informal caregiver" means a person who provides care for
11 an older person or person with a disability who needs long-term
12 supports and services, but does not receive compensation.

13 "Intellectual disability" is characterized by significant
14 limitations in intellectual functioning and adaptive behavior as
15 expressed in conceptual, social, and practical skills, which are
16 apparent prior to the age of eighteen. This definition must be
17 based on the following assumptions:

- 18 (1) Limitations in present functioning must be considered
19 within the context of community environments typical
20 of the individual's age peers and culture;



1 (2) Validate assessment considers cultural and linguistic
2 diversity as well as differences in communication,
3 sensory, motor, and behavioral factors;

4 (3) Within the individual, limitations often coexist with
5 strengths;

6 (4) An important purpose of describing limitations is to
7 develop a profile of needed supports; and

8 (5) With appropriate personalized supports over a
9 sustained period, the life functioning of the person
10 with intellectual disability generally will improve.

11 "Long-term supports and services" means the broad range of
12 assistance and care needed by older persons or persons with
13 physical or mental disabilities who have lost or never acquired
14 the ability to function independently.

15 "Options counseling" means an interactive decision-support
16 process whereby consumers, family members, and significant
17 others are supported in their deliberations to determine
18 appropriate long-term care choices in the context of a
19 consumer's needs, preferences, values, and individual
20 circumstances.

21 "Physical disability" means the broad range of disabilities
22 including orthopedic, neuromuscular, cardiovascular, and



1 pulmonary disorders, which may be congenital or a result of
2 aging or injury.

3 "Severe mental illness" means one of several diseases that
4 affects the brain and significantly and functionally impairs an
5 individual for an indefinite period of time.

6 **§349- Aging and disability resource centers;**

7 **established.** (a) There is established a statewide aging and
8 disability resource center with sites in each county to
9 streamline access to long-term supports and services by
10 integrating the full range of long-term supports and services
11 into a single, coordinated system.

12 (b) The aging and disability resource center shall be the
13 single point of entry, available in every county, where persons
14 of all ages, incomes, and disabilities may access information in
15 a person-centered manner on the full range of long-term supports
16 and services options, including but not limited to:

17 (1) Federal, state, and county revenue-funded programs and
18 services including but not limited to those funded by
19 medicaid, medicare, the Older Americans Act, the
20 Veterans Administration, and kupuna care;

21 (2) A centralized application process for publicly funded
22 long-term services and supports;



- 1 (3) Privately administered programs and services;
- 2 (4) Supports and services for persons with Alzheimer's
- 3 disease and other related dementia;
- 4 (5) Transportation services;
- 5 (6) Housing options;
- 6 (7) Elder rights protection;
- 7 (8) Hospital and nursing home discharge planning and care
- 8 transition;
- 9 (9) Health, prevention, and wellness programs;
- 10 (10) Support for grandparents raising grandchildren and
- 11 other relatives age fifty-five years or older caring
- 12 for children;
- 13 (11) Informal and family caregiver support services; and
- 14 (12) Community resources and services for individuals with
- 15 disabilities.
- 16 (c) The aging and disability resource centers shall target
- 17 delivery of services to:
 - 18 (1) Persons sixty years of age and older;
 - 19 (2) Persons of any age with physical disabilities, serious
 - 20 mental illness, dementia, and developmental or
 - 21 intellectual disabilities;



1 (3) Informal and family caregivers providing assistance to
2 persons needing long-term supports and services;

3 (4) Professionals seeking long-term supports and services
4 on behalf of their clients; and

5 (5) Persons planning for their future long-term supports
6 and services needs.

7 (d) The executive office on aging shall coordinate the
8 implementation of the statewide aging and disability resource
9 center.

10 (e) The aging and disability resource center shall be a
11 function of each area agency on aging within the respective
12 geographic service area."

13 SECTION 3. There is appropriated out of the general
14 revenues of the State of Hawaii the sum of \$1,400,000, or so
15 much thereof as may be necessary for fiscal year 2012-2013 for
16 the executive office on aging of the department of health to
17 administer to establish a statewide aging and disability
18 resource center with sites in each county.

19 SECTION 4. The sum appropriated shall be expended by the
20 department of health for the purposes of this Act.

21 SECTION 5. This Act shall take effect on July 1, 2012.

22



Report Title:

Aging and Disability Resource Centers; Executive Office on Aging; Appropriation

Description:

Establishes and appropriates funds for aging and disability resource centers in each county to streamline access to long-term supports and services for older adults, persons with disabilities, and family caregivers. (SD1)

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

