
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 346-334, Hawaii Revised Statutes, is
2 amended by amending subsection (b) to read as follows:

3 "(b) The department shall adopt rules pursuant to chapter
4 91 relating to:

- 5 (1) Standards of conditions and competence for the
6 operation of community care foster family homes;
- 7 (2) Procedures for obtaining and renewing a certificate of
8 approval from the department;
- 9 (3) Minimum grievance procedures for clients of community
10 care foster family home services; and
- 11 (4) Requirements for primary and substitute caregivers
12 caring for three clients in community care foster
13 family homes including:
- 14 (A) Mandating that primary and substitute caregivers
15 be [~~twenty-one~~] _____ years of age or older;
- 16 (B) Mandating that primary and substitute caregivers
17 complete a minimum of [~~twelve~~] _____ hours of
18 continuing education every [~~twelve~~] _____



1 months or at least [~~twenty-four~~] _____ hours of
2 continuing education every [~~twenty-four~~] _____
3 months;

4 (C) Allowing the primary caregiver to be absent from
5 the community care foster family home for no more
6 than twenty-eight hours in a calendar week, not
7 to exceed five hours per day; provided that the
8 substitute caregiver is present in the community
9 care foster family home during the primary
10 caregiver's absence;

11 (D) Where the primary caregiver is absent from the
12 community care foster family home in excess of
13 the hours as prescribed in subparagraph (C),
14 mandating that the substitute caregiver be a
15 certified nurse aide; and

16 (E) Mandating that the substitute caregiver have, at
17 a minimum, one year prior work experience as a
18 caregiver in a community residential setting or
19 in a medical facility."

20 SECTION 2. Act 221, Session Laws of Hawaii 2011, is
21 amended by amending section 5 to read as follows:



1 "SECTION 5. This Act shall take effect on July 1, 2011;
2 provided that on June 30, 2013, this Act shall be repealed and
3 [~~sections~~] section 346-331 [~~and 346-334~~], Hawaii Revised
4 Statutes, shall be reenacted in the form in which [~~they~~] it read
5 on the day prior to the effective date of this Act."

6 SECTION 3. Section 2 of Act 93, Session Laws of Hawaii
7 2012, is amended by amending subsection (b) to read as follows:

8 "SECTION 2. Chapter 321, Hawaii Revised Statutes, is
9 amended by adding two new parts to be appropriately designated
10 and to read as follows:

11 "(b) The department shall adopt rules pursuant to chapter
12 91 relating to:

- 13 (1) Standards of conditions and competence for the
14 operation of community care foster family homes;
- 15 (2) Procedures for obtaining and renewing a certificate of
16 approval from the department;
- 17 (3) Minimum grievance procedures for clients of community
18 care foster family home services; and
- 19 (4) Requirements for primary and substitute caregivers
20 caring for three clients in community care foster
21 family homes including:



- 1 (A) Mandating that primary and substitute caregivers
2 be [~~twenty-one~~] _____ years of age or older;
- 3 (B) Mandating that primary and substitute caregivers
4 complete a minimum of [~~twelve~~] _____ hours of
5 continuing education every [~~twelve~~] _____
6 months or at least [~~twenty-four~~] _____ hours of
7 continuing education every [~~twenty-four~~] _____
8 months;
- 9 (C) Allowing the primary caregiver to be absent from
10 the community care foster family home for no more
11 than twenty-eight hours in a calendar week, not
12 to exceed five hours per day; provided that the
13 substitute caregiver is present in the community
14 care foster family home during the primary
15 caregiver's absence;
- 16 (D) Where the primary caregiver is absent from the
17 community care foster family home in excess of
18 the hours as prescribed in subparagraph (C),
19 mandating that the substitute caregiver be a
20 certified nurse aide; and
- 21 (E) Mandating that the substitute caregiver have, at
22 a minimum, one year prior work experience as a



1 caregiver in a community residential setting or
2 in a medical facility."

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

5 SECTION 5. This Act shall take effect on June 30, 2013,
6 and shall be repealed on June 30, 2016; provided that section 1
7 of this Act shall be repealed on July 1, 2014.

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INTRODUCED BY:

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JAN 18 2013



H.B. NO. 268

Report Title:

Community Care Foster Family Homes

Description:

Amends the minimum continuing education and minimum age requirements for primary and substitute caregivers caring for clients in community care foster family homes. Effective June 30, 2013, and repealed on June 30, 2016; provided that section 1 shall be repealed on July 1, 2014.

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

