A BILL FOR AN ACT

RELATING TO SOCIAL SERVICES.

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

SECTION 1. Section 346-53, Hawaii Revised Statutes, is amended by amending subsection (c) to read as follows:

"(c) The director, pursuant to chapter 91, shall determine the rate of payment for domiciliary care, including care provided in licensed developmental disabilities domiciliary homes, community care foster family homes, and certified adult foster homes, to be provided to recipients who are eligible for federal supplementary security income or public assistance, or both. The director shall provide for level of care payment as follows:

(1) Beginning on July 1, [2003,] _________, for adult residential care homes classified as facility type I, licensed developmental disabilities domiciliary homes as defined under section 321-15.9, community care foster family homes as defined under section 321-481, and certified adult foster homes as defined under
section 321-11.2, the state supplemental payment shall not exceed \( \$651.90 \); and

(2) Beginning on July 1, 2008, for adult residential care homes classified as facility type II, the state supplemental payment shall not exceed \( \$759.90 \).

If the operator does not provide the quality of care consistent with the needs of the individual to the satisfaction of the department, the department may remove the recipient to another facility.

The department shall handle abusive practices under this section in accordance with chapter 91.

Nothing in this subsection shall allow the director to remove a recipient from an adult residential care home or other similar institution if the recipient does not desire to be removed and the operator is agreeable to the recipient remaining, except where the recipient requires a higher level of care than provided or where the recipient no longer requires any domiciliary care."

SECTION 2. Section 346D-4.5, Hawaii Revised Statutes, is amended by amending subsection (c) to read as follows:
"(c) The State's supplemental payment for a needs allowance under subsection (a) shall be increased by an amount necessary to bring the allowance up to [$50] $__________ per month. The payment under this section shall be afforded to an individual notwithstanding that the individual is incapacitated; provided that the moneys may be spent on behalf of the client, with a written accounting, by the operator of the residence or facility."

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 Statutory material to be repealed is bracketed and stricken.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

SECTION 4. This Act shall take effect on December 31, 2059.
Report Title:
Social Services; Monthly Needs Allowance; State Supplemental Payment

Description:
Amends the monthly needs allowance for individuals residing in foster homes, care homes, domiciliary homes, and other long-term care facilities. Amends the state supplemental payment ceiling for domiciliary care paid to recipients who are eligible for federal supplementary security income or public assistance, or both. Takes effect on 12/31/2059. (HD1)

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