A BILL FOR AN ACT

RELATING TO KUPUNA CARE.

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

SECTION 1. The legislature finds that Hawaii's aging population motivated the legislature to pass the landmark kupuna caregivers program. The program supports qualified caregivers by providing up to $70 per day to cover the cost of adult care, chore services, home-delivered meals, homemaker services, personal care, respite, or transportation. To be eligible, caregivers must provide direct care to a care recipient who is at least sixty years old.

On January 31, 1997, Hawaii sued major tobacco companies, seeking damages and costs related to tobacco injuries and illnesses suffered by medicaid recipients. On November 23, 1998, Hawaii, along with forty five other states that had filed similar actions against the tobacco companies, entered into a global settlement. The tobacco companies agreed to pay various sums to the settling states over twenty-five years.

Given data that suggest forty-five per cent of Americans in 1965 smoked, and advertising and marketing efforts by tobacco
companies were prevalent, many kupuna today were likely to have
been smokers. Today, these kupuna may be suffering from
smoking-related diseases, including cancer, emphysema, and other
diseases, leading to a need for caregivers like those in the
kupuna care program.

The purpose of this Act is to use funds from the tobacco
settlement special fund to increase funding for the kupuna
caregivers program.

SECTION 2. Section 328L-2, Hawaii Revised Statutes, is
amended by amending subsection (b) to read as follows:

"(b) The fund shall be used for the purpose of receiving,
allocating, and appropriating the tobacco settlement moneys as
follows:

(1) Fifteen per cent shall be appropriated into the
emergency and budget reserve fund under section
328L-3;

(2) Twelve and one-half per cent shall be appropriated
into the Hawaii tobacco prevention and control trust
fund under section 328L-5;

(3) Twenty-six per cent shall be appropriated into the
university revenue-undertakings fund created in
section 304A-2167.5, to be applied to the payment of
the principal of and interest on, and to generate
required coverage, if any, for revenue bonds issued
by the board of regents of the University of Hawaii to
finance the cost of construction of a university
health and wellness center, including a new medical
school facility, to be situated on the island of Oahu;

[and]

(4) Ten per cent shall be appropriated to the executive
office on aging for purposes of the kupuna care
program and kupuna caregivers program; provided that
the allocation between the two programs shall be
determined by the executive office on aging; and

(5) Any remaining amounts shall be deposited to the
credit of the state general fund;

in the succeeding fiscal year."

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

SECTION 4. This Act shall take effect on July 1, 2019.
Report Title:
Kupuna Care; Kupuna Caregivers; Hawaii Tobacco Settlement Special Fund; Department of Health

Description:
Specifies that ten per cent of the moneys in the Hawaii tobacco settlement special fund shall be appropriated to the executive office on aging for purposes of the kupuna care program and the kupuna caregivers program. (SD1)

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