
A BILL FOR AN ACT

RELATING TO KUPUNA CARE.

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

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

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

16 Given data that suggest forty-five per cent of Americans in
17 1965 smoked, and advertising and marketing efforts by tobacco



1 companies were prevalent, many kupuna today were likely to have
 2 been smokers. Today, these kupuna may be suffering from
 3 smoking-related diseases, including cancer, emphysema, and other
 4 diseases, leading to a need for caregivers like those in the
 5 kupuna care program.

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

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

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

14 (1) Fifteen per cent shall be appropriated into the
 15 emergency and budget reserve fund under section
 16 328L-3;

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

20 (3) Twenty-six per cent shall be appropriated into the
 21 university revenue-undertakings fund created in



1 section 304A-2167.5, to be applied to the payment of
 2 the principal of and interest on, and to generate
 3 required coverage, if any, for~~[7]~~ revenue bonds issued
 4 by the board of regents of the University of Hawaii to
 5 finance the cost of construction of a university
 6 health and wellness center, including a new medical
 7 school facility, to be situated on the island of Oahu;
 8 ~~[and]~~

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

14 ~~[(4)]~~ (5) Any remaining amounts shall be deposited to the
 15 credit of the state general fund;

16 in the succeeding fiscal year."

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, 2019.

20



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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