



EXECUTIVE CHAMBERS
HONOLULU

LINDA LINGLE
GOVERNOR

GOV. MSG. NO. **816**

July 7, 2006

The Honorable Robert Bunda, President
and Members of the Senate
Twenty-Third State Legislature
State Capitol, Room 003
Honolulu, Hawaii 96813

Dear Mr. President and Members of the Senate:

This is to inform you that on July 7, 2006, the following bill was signed into law:

SB3253 SD1 HD1 CD1

A BILL FOR AN ACT RELATING TO CAREGIVING.
(ACT 285)

Sincerely,

A handwritten signature in black ink, appearing to read "Linda Lingle".

LINDA LINGLE

THE SENATE
TWENTY-THIRD LEGISLATURE, 2006
STATE OF HAWAII

S.B. NO. 3253
S.D. 1
H.D. 1
C.D. 1

A BILL FOR AN ACT

RELATING TO CAREGIVING.

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

1 SECTION 1. Caregiving has always been a universal
2 experience affecting families of all ethnicities, lifestyles,
3 and income levels. Recently, however, family caregiving has
4 become more than an act of love and familial responsibility.
5 Due to a shortage of care providers in Hawaii, family caregiving
6 has become a critical element of our health and long-term care
7 system.

8 The legislature finds that families, rather than
9 institutions, are the primary providers of long-term care for
10 older adults in the state. Twenty-eight per cent of Hawaii's
11 adult population report that they provide care or assistance to
12 a person age sixty or older. Of these individuals, twenty-nine
13 per cent provided care for a spouse or partner, and twenty-one
14 per cent cared for a parent. These numbers actually may be much
15 higher because there may be many "hidden" caregivers in Hawaii
16 who do not identify themselves as such.

17 Caregivers are motivated to provide care to family members
18 because of the preference of the elderly to remain at home with



1 their families and the high cost of institutional long-term
2 care.

3 In Hawaii, the likelihood of becoming a caregiver does not
4 vary substantially among different demographic and socioeconomic
5 groups. Married persons in Hawaii are equally as likely to
6 provide care to an older adult as their unmarried counterparts.
7 Among the different ethnic groups in Hawaii, native Hawaiians
8 are most likely to provide regular care to an older adult,
9 followed by Filipinos, Japanese, and Caucasians. According to
10 national studies, women are more likely than men to be primary
11 caregivers. Women also provide higher intensities and
12 frequencies of care.

13 Sixty-five per cent of Hawaii's caregivers are employed in
14 addition to their caretaking responsibilities. To balance their
15 employment and elder care roles, working caregivers take leaves
16 of absence, report to work late or leave early, change from
17 full-time to part-time employment, switch to less demanding
18 jobs, retire early, or give up work completely. Consequently,
19 caregiving may reduce a caregiver's retirement income because of
20 reduced work hours or fewer years in the workforce, resulting in
21 reduced contributions to pensions, social security, and other
22 retirement savings.



1 The legislature further finds that significant changes in
2 the medicare and medicaid health insurance programs nationally
3 and locally will impose greater responsibilities upon
4 individuals and families to be well-informed and astute about
5 long-term care planning, financing, and the options available to
6 assist them. Consumers will need expert, one-to-one counseling
7 in articulating their questions as they seek specific
8 information or help. Technology may facilitate the
9 dissemination of information, but agencies still must have the
10 capacity to explain and clarify issues and direct people to
11 available resources.

12 Hawaii is facing a growing healthcare worker shortage,
13 while health and long-term care needs continue to rise. As a
14 result of cost-containment policies and practices, people with
15 ongoing healthcare needs are being discharged from hospitals and
16 other care facilities with complex healthcare requirements.
17 These individuals are faced with reduced home- and community-
18 based care options, thereby placing the responsibility on
19 families who may be inadequately prepared and trained to provide
20 such care.

21 The caregiving tradition in Hawaii will continue to be
22 challenged by changes in demographics. Birth rates, marriages,



1 single-occupant households, the high cost of living, and family
2 members working outside the home or moving away from Hawaii will
3 all affect the availability of family caregivers. Hawaii must
4 also assist older adults who migrate into the State and who lack
5 a natural family support system.

6 By 2020, more than one in four individuals will be sixty
7 years old or older. The need for personal care assistance due
8 to physical, sensory, cognitive, and self-care disabilities
9 increases with age. As Hawaii's population ages, many more
10 families will be providing higher levels of long-term care to
11 frail and disabled older adults at home.

12 Hawaii's long-term care system is on a collision course
13 with the day-to-day reality of families coping with caring for
14 loved ones with chronic conditions. Without attention to this
15 situation, the \$875,000,000 in unpaid support services provided
16 by Hawaii's family caregivers may be jeopardized when these
17 caregivers suffer from the costs that impede their ability to
18 give care. As this pattern unfolds, the quality of care
19 provided to the frail elderly and individuals with disabling or
20 chronic conditions will diminish, and the costs to Hawaii's
21 long-term care system will skyrocket. Public policy must be
22 formulated to address these issues.



1 The purpose of this Act is to establish a joint legislative
2 committee on family caregiving to address the looming care
3 crisis.

4 SECTION 2. (a) There is established a joint legislative
5 committee on family caregiving. The committee shall be composed
6 of eight members as follows:

7 (1) Four members of the house of representatives,
8 consisting of three members from the majority party
9 and one member from the minority party, who shall be
10 appointed by the speaker of the house of
11 representatives; and

12 (2) Four members of the senate, consisting of three
13 members from the majority party and one member from
14 the minority party, who shall be appointed by the
15 president of the senate.

16 The committee shall select a chairperson from its
17 membership.

18 (b) The joint legislative committee shall develop
19 comprehensive public policy to strengthen support for family
20 caregivers who provide unpaid, informal assistance to persons
21 age sixty and older with physical or cognitive disabilities.



1 (c) The joint legislative committee shall consider
2 providing support in categories including but not limited to:

- 3 (1) Coordinated services and policies;
- 4 (2) Training and education;
- 5 (3) Respite services;
- 6 (4) Financial incentives; and
- 7 (5) Balancing work and caregiving.

8 (d) The joint legislative committee shall seek input from
9 the department of health, the department of human services, the
10 department of taxation, the University of Hawaii, the executive
11 office on aging, and the elderly, disability, business, and
12 faith-based communities.

13 (e) The joint legislative committee shall submit its
14 findings and recommendations to the legislature no later than
15 twenty days prior to the convening of the regular session of
16 2007.

17 (f) The joint legislative committee shall cease to exist
18 on June 30, 2007.

19 SECTION 3. This Act shall take effect on July 1, 2006.



GOVERNOR OF THE STATE OF HAWAII


Approved this day: JUL - 7 2006



THE SENATE OF THE STATE OF HAWAII

Date: May 2, 2006
Honolulu, Hawaii 96813

We hereby certify that the foregoing Bill this day passed Final Reading in the Senate of the Twenty-third Legislature of the State of Hawaii, Regular Session of 2006.



President of the Senate




Clerk of the Senate


**THE HOUSE OF REPRESENTATIVES
OF THE STATE OF HAWAII**

Date: May 2, 2006
Honolulu, Hawaii 96813

We hereby certify that the foregoing Bill this day passed Final Reading in the House of Representatives of the Twenty-third Legislature of the State of Hawaii, Regular Session of 2006.



Speaker, House of Representatives



Clerk, House of Representatives