
A BILL FOR AN ACT

RELATING TO A HAWAII CAREGIVER GRANT PROGRAM.

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

1 SECTION 1. The legislature finds that family caregivers
2 are quickly becoming the new advocates for the aged, a major
3 focus of public policy in recent years. Family caregivers are
4 those who provide care without payment or formal training to
5 their family, friends, neighbors, or even strangers. It is
6 estimated that, nationally, family caregivers provide over
7 \$200,000,000,000 of care annually. The legislature also finds
8 that, nationally, formal home care services are estimated to
9 cost about \$32,000,000,000 annually and nursing home services
10 cost about \$83,000,000,000. In Hawaii, it is estimated that
11 family caregivers provide about \$875,000,000 in care on an
12 annual basis.

13 The legislature further finds that family caregivers are a
14 vital component of the long-term care system and that government
15 needs to support caregivers in this often difficult and costly
16 role. Most people who need long-term care prefer to receive
17 assistance and services at home and to stay in their
18 communities, near family and friends, for as long as possible.



1 Family caregivers provide over eighty per cent of home care
2 services and over ninety per cent of all long-term care
3 services. At least seventy-five per cent of all family care is
4 provided by women. About two-thirds of older people living in
5 the community rely solely on informal help, mainly from wives
6 and adult daughters. Caregiving itself has become harder for
7 all family caregivers partly because those who need long-term
8 care are living longer with chronic illness and disabilities.

9 As long-term care costs continue to rise, it is in the
10 interest of the State to devise mechanisms to assist family
11 caregivers who care for the elderly and those who require at-
12 home long-term care by keeping them off medicaid and out of
13 costly nursing homes. Families can be an important part of the
14 solution to serious long-term care system problems such as
15 budget and workforce shortages. Family caregivers can relieve
16 state spending on nursing home care. During times of fiscal
17 discipline, family caregiving can be a way to reduce costs
18 without hurting the people the State is trying to serve.

19 The purpose of this Act is to establish a Hawaii caregiver
20 grant program to assist family caregivers in offsetting the
21 costs of caring for a mentally or physically impaired relative.

1 SECTION 2. As used in this Act, unless the context
2 requires otherwise:

3 "Activities of daily living" means bathing, dressing,
4 walking, toileting, transferring, bowel control, bladder
5 control, and eating or feeding.

6 "Assistance" means aid that is required to be provided by
7 another person in order to safely complete the activity.

8 "Care for a mentally or physically impaired relative" means
9 assistance with the activities of daily living provided to such
10 relative when the relative has been screened and has been found
11 to be eligible, in accordance with relevant state standards, for
12 placement and medicaid reimbursement for services in a nursing
13 home or other licensed living facility.

14 "Caregiver" means an individual age eighteen and over with
15 a Hawaii adjusted gross family income of not more than \$50,000,
16 who is a relative of a mentally or physically impaired person,
17 and who provides care for a mentally or physically impaired
18 relative within the State.

19 "Mentally or physically impaired relative" means a relative
20 who is a resident of Hawaii who requires assistance with two or
21 more activities of daily living during a period of more than six
22 months.

1 "Relative" means a spouse, child, father, mother, sibling,
2 or other person who is related by blood, marriage, or adoption,
3 a legal guardian, or a reciprocal beneficiary as that term is
4 defined in section 572C-3.

5 SECTION 3. There is established a Hawaii caregiver grant
6 program in the executive office on aging under which any
7 caregiver who provides care for a mentally or physically
8 impaired relative shall be eligible to receive an annual
9 caregiver grant in the amount of not more than \$500.

10 SECTION 4. (a) The grants under this Act shall be paid to
11 the caregiver during the calendar year immediately following the
12 calendar year in which the care for a mentally or physically
13 impaired relative was provided. The total amount of grants to
14 be paid under this part for any year shall not exceed the amount
15 appropriated by the legislature to the fund for payment to
16 caregivers for that year.

17 (b) Only one grant shall be allowed annually for each
18 mentally or physically impaired relative receiving care under
19 this section. Multiple caregivers providing care to the same
20 mentally or physically impaired relative shall be eligible to
21 share the \$500 grant, as mutually agreed upon by the caregivers;
22 provided that only one caregiver may submit a grant application

1 for the mentally or physically impaired relative. A caregiver
2 providing care to more than one eligible mentally or physically
3 impaired relative shall submit a separate grant application for
4 each mentally or physically impaired relative receiving care.

5 (c) The mentally or physically impaired relative receiving
6 care may live in the caregiver's home or in the mentally or
7 physically impaired person's own home, but shall not be
8 receiving medicaid-reimbursed community long-term care services,
9 other than on a temporary or periodic basis, or living in a
10 nursing home or other licensed living facility where assistance
11 with activities of daily living is already provided and the cost
12 of such assistance is included in the monthly bill or rental
13 fee.

14 (d) The executive office on aging may hire one full-time
15 professional staff person and one full-time clerical staff
16 person to administer the grant program.

17 SECTION 5. Grant applications shall be submitted by
18 caregivers to the executive office on aging between January 1
19 and March 1 of the year following the calendar year in which the
20 care for a mentally or physically impaired relative was
21 provided. Failure to meet the application deadline shall render
22 the caregiver ineligible to receive a grant for care provided



1 during the previous calendar year. Applications for grants
2 shall include:

- 3 (1) Proof of the caregiver's income;
- 4 (2) Certification by the private physician who has
5 screened the mentally or physically impaired relative
6 and found the person to be eligible, in accordance
7 with relevant state regulations, for placement in a
8 nursing home or other licensed living facility;
- 9 (3) The mentally or physically impaired relative's place
10 of residence; and
- 11 (4) Such other relevant information as the executive
12 office on aging may reasonably require.

13 Any caregiver applying for a grant shall affirm, by signing
14 and submitting the caregiver's application for a grant, that the
15 mentally or physically impaired relative for whom the caregiver
16 provided care and the care provided meet the criteria set forth
17 in this part.

18 As a condition of receipt of a grant, a caregiver shall
19 agree to make available to the executive office on aging for
20 inspection, upon request, all relevant and applicable documents
21 to determine whether the caregiver meets the requirements for
22 the receipt of grants as set forth in this part, and to consent



1 to the use by the executive office on aging of all relevant
2 information relating to eligibility for the requested grant.

3 SECTION 6. The executive office on aging shall review
4 applications for grants and determine eligibility and the amount
5 of the grant to be allocated to each eligible caregiver. If
6 available moneys are less than the amount of grants to which
7 applicants are eligible for caregiver services provided in the
8 preceding calendar year, the moneys shall be apportioned among
9 eligible applicants pro rata, based upon the amount of the grant
10 for which an applicant is eligible and the amount of money that
11 is available.

12 SECTION 7. The executive office on aging shall establish
13 rules and procedures pursuant to chapter 91 to effectuate the
14 caregiver grant program.

15 SECTION 8. Except in accordance with a valid judicial
16 order or as otherwise provided by law, any employee or former
17 employee of the executive office on aging shall not divulge any
18 information acquired by the employee or former employee in the
19 performance of the employee's or former employee's duties with
20 respect to the income or grant eligibility of any caregiver
21 submitted pursuant to this part. This section shall not apply
22 to:

1 (1) Acts performed or information published in the course
2 of duty under law;

3 (2) Inquiries and investigations to obtain information as
4 to the implementation of this part by a duly
5 constituted committee of the legislature, or when such
6 an inquiry or investigation is relevant to its study;
7 provided that the information shall be confidential;
8 or

9 (3) The publication of statistics in a manner to prevent
10 the identification of particular caregivers.

11 SECTION 9. There is appropriated out of the general
12 revenues of the State of Hawaii the sum of \$, or so
13 much thereof as may be necessary for fiscal year 2006-2007, to
14 establish the Hawaii caregiver grant program. The sum
15 appropriated shall be expended by the department of health.

16 SECTION 10. This Act shall take effect on July 1, 2006,
17 and shall be repealed on June 30, 2011.

Report Title:

Caregiver Grant Program; Established

Description:

Establishes a caregiver grant program within the executive office on aging. Establishes criteria for grant qualifications. Appropriates funds for the grant program. Authorizes the hiring of additional personnel to service the grant program. (SD1)

