

JAN 25 2006

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# A BILL FOR AN ACT

RELATING TO ADULT RESIDENTIAL CARE HOMES.

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

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

3           "(c) The director, pursuant to chapter 91, shall determine  
4 the rate of payment for domiciliary care provided to recipients  
5 eligible either for Federal Supplementary Security Income, or  
6 public assistance in accordance with state standards, or both.

7 The director shall provide for level of care payment as follows:

8           (1) For those adult residential care homes classified as  
9 facility type I, licensed developmental disabilities  
10 domiciliary homes as defined under section 321-15.9,  
11 and adult foster homes as defined under section  
12 321-11.2, the state supplemental payment shall not  
13 exceed [~~\$521.90~~] \$ \_\_\_\_\_; and

14           (2) For those adult residential care homes classified as  
15 facility type II, the state supplemental payment shall  
16 not exceed [~~\$629.90~~] \$ \_\_\_\_\_.

17           If the operator does not provide the quality of care  
18 consistent with the needs of the individual to the satisfaction



1 of the department, the department may remove the recipient to  
2 another facility.

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

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

12 SECTION 2. There is appropriated out of the general  
13 revenues of the State of Hawaii the sum of \$ , or so  
14 much thereof as may be necessary for fiscal year 2006-2007, for  
15 the purposes of this Act.

16 SECTION 3. The sum appropriated shall be expended by the  
17 department of human services for the purposes of this Act.

18 SECTION 4. Statutory material to be repealed is bracketed  
19 and stricken. New statutory material is underscored.

20 SECTION 5. This Act shall take effect on July 1, 2006.

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*[Handwritten signatures and text]*  
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2006-0622 SB SMA.doc



**Report Title:**

Adult Residential Care Homes; Level of Care Payment;  
Appropriation

**Description:**

Amends authorized reimbursements to adult residential care providers as determined by the director of human services. Appropriates funds.

