

JAN 25 2006

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# A BILL FOR AN ACT

RELATING TO 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, including care  
5 provided in developmental disabilities domiciliary homes,  
6 developmental disabilities adult foster homes, and developmental  
7 disabilities apartment complexes, provided to recipients  
8 eligible either for Federal Supplementary Security Income[7] or  
9 public assistance in accordance with state standards, or both.

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

11 (1) For those adult residential care homes classified as  
12 facility type I, licensed developmental disabilities  
13 domiciliary homes and licensed developmental  
14 disabilities apartment complexes as defined under  
15 section 321-15.9, and licensed adult foster homes as  
16 defined under section 321-11.2, the state supplemental  
17 payment shall not exceed [~~\$521.90~~] \$621.90; and



1 (2) For those adult residential care homes classified as  
 2 facility type II, the state supplemental payment shall  
 3 not exceed \$629.90.

4 If the operator does not provide the quality of care  
 5 consistent with the needs of the individual to the satisfaction  
 6 of the department, the department may remove the recipient to  
 7 another facility.

8 The department shall handle abusive practices under this  
 9 section in accordance with chapter 91.

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

17 SECTION 2. Statutory material to be repealed is bracketed  
 18 and stricken. New statutory material is underscored.

19 SECTION 3. This Act shall take effect upon its approval.  
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*Amid of Jif*

INTRODUCED BY:  
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SB. NO. 3247

**Report Title:**

ARCH

**Description:**

Increases by \$100 per resident per month, payments for type I adult residential care homes, adult foster homes, developmental disabilities domiciliary homes, and developmental disabilities apartment complexes.

