

JAN 25 2006

A BILL FOR AN ACT

RELATING TO CARE HOMES.

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

1 SECTION 1. The legislature finds that, although the cost
2 of care has risen, payments from the State for individuals in
3 adult residential care homes have not increased since 1997. The
4 purpose of this Act is to increase the level of payment so that
5 adult residential home operators may be assisted in dealing with
6 increased care costs.

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

9 "(c) The director, pursuant to chapter 91, shall determine
10 the rate of payment for domiciliary care provided to recipients
11 eligible either for Federal Supplementary Security Income, or
12 public assistance in accordance with state standards, or both.
13 The director shall provide for level of care payment as follows:

14 (1) For those adult residential care homes classified as
15 facility type I, licensed developmental disabilities
16 domiciliary homes as defined under section 321-15.9,
17 and adult foster homes as defined under section
18 321-11.2, the state supplemental payment shall [~~not~~



1 ~~exceed \$521.90;~~ be an amount as specified in the
2 Hawaii administrative rules but shall not be less than
3 \$621.90; and

4 (2) For those adult residential care homes classified as
5 facility type II, the state supplemental payment shall
6 ~~[not exceed \$629.90.]~~ be an amount as specified in the
7 Hawaii administrative rules but shall not be less than
8 \$729.90.

9 If the operator does not provide the quality of care
10 consistent with the needs of the individual to the satisfaction
11 of the department, the department may remove the recipient to
12 another facility.

13 The department shall handle abusive practices under this
14 section in accordance with chapter 91.

15 Nothing in this subsection allows the director to remove a
16 recipient from an adult residential care home or other similar
17 institution if the recipient does not desire to be removed and
18 the operator is agreeable to the recipient remaining, except
19 where the recipient requires a higher level of care than
20 provided, or where the recipient no longer requires any
21 domiciliary care."



1 SECTION 3. There is appropriated out of the general
 2 revenues of the State of Hawaii the sum of \$, or so much
 3 thereof as may be necessary for fiscal year 2006-2007, for the
 4 increase in the level of payments for adult residential care
 5 homes pursuant to this Act.

6 The sum appropriated shall be expended by the department of
 7 human services for the purposes of this Act.

8 SECTION 4. Statutory material to be repealed is bracketed
 9 and stricken. New statutory material is underscored.

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

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INTRODUCED BY:

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Report Title:

Care Homes; Increase Level of Payments

Description:

Increases payments for: (1) type I ARCHs, developmental disabilities domiciliary homes, and adult foster homes, from not more than \$521.90 to not less than \$621.90; and (2) type II ARCHs from not more than \$629.90 to not less than \$729.90.
Appropriates \$ for FY 2006-2007.

