A BILL FOR AN ACT

RELATING TO SOCIAL SERVICES.

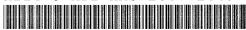
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BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

- The legislature recognizes that social security 1 SECTION 1. recipients who reside in institutional care settings receive a 2 monthly personal allowance. Approximately four thousand 3 4 individuals living in nursing-level-of-care institutional settings receive approximately \$30 of monthly benefits to be 5 used for individual needs. The needs allowance is intended to 6 pay for clothing, toiletries, bus fare, personal postage costs, 7 snacks, and other incidental expenses of day-to-day living. 8 An allowance has never been formally established or 9 required for the approximately two thousand five hundred 10 individuals living in adult residential care homes, licensed 11 12 developmental disabilities domiciliary homes, community care foster family homes, certified adult foster homes, and other 13 domiciliary care. However, the department of human services has 14 informally recommended that care home operators also provide \$30 15 16 per month for the residents' personal needs. In 1974, the federal government established the minimum 17
 - needs allowance for a nursing home resident at \$25, which was HB1475 HD2 HMS 2007-2569

- 1 subsequently raised in 1988 to \$30, the current monthly
- 2 allowance. In 2004, only eleven states' monthly allowance
- 3 remained at \$30, while other states raised the minimum monthly
- 4 allowance. If the needs allowance was pegged to the Consumer
- 5 Price Index, \$25 in 1974 would be the equivalent of \$115.19 in
- 6 2004.
- 7 The legislature finds that it is imperative that the
- 8 minimum monthly allowance be increased to allow institutional
- 9 long-term care residents to enjoy an acceptable quality of life.
- 10 The purpose of this Act is to establish a personal
- 11 allowance for individuals residing in care homes, nursing homes,
- 12 and other long-term care facilities.
- 13 SECTION 2. Chapter 346D, Hawaii Revised Statutes, is
- 14 amended by adding a new section to be appropriately designated
- 15 and to read as follows:
- 16 "\$346D- Personal allowance; waiver program. (a)
- 17 There is established a monthly needs allowance for individuals
- 18 living in qualified facilities. The needs allowance shall be
- 19 administered by the department of human services to pay for
- 20 clothing and other miscellaneous personal needs such as bus
- 21 fare, personal postage costs, haircuts, and other costs of day-
- 22 to-day living.

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              The needs allowance shall be $50 per month per
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    individual.
              The needs allowance is not intended to replace or
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    affect the funds received from the federal supplemental security
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    income program, and shall be supplemental to any funds provided
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    to a recipient by the federal supplemental security income
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    program.
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              The operators of adult residential care homes type I
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    and type II, developmental disabilities domiciliary homes,
    community care foster family homes, adult foster homes, and
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    other domiciliary care facilities, shall pay for generic
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    toiletries (including toilet paper, hand soap, and paper
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    towels), linens (including bedding, sheets, blankets, towels,
    and bath rugs), and meals and snacks for outings.
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         (e) The needs allowance shall apply to persons otherwise
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    eligible to receive monthly income pursuant to state laws or
    rules and federal laws or regulations, and is not intended to
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    affect the classifications of or number of persons eligible to
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    receive such funds.
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         (f) The department shall perform an annual review of the
    monthly needs allowance to ensure it provides adequate coverage
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    and shall report annually to the legislature beginning no later
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- 1 than twenty days prior to the regular session of 2008 with
- 2 suggestions for corrections or improvements to the monthly needs
- 3 allowance, including any proposed legislation.
- 4 (g) For the purposes of this section, "qualified facility"
- 5 means adult residential care home type I and type II facilities,
- 6 developmental disabilities domiciliary homes as defined under
- 7 section 321-15.9, community care foster family homes as defined
- 8 under section 346-331, adult foster homes as defined under
- 9 section 321-11.2, domiciliary care residences and facilities as
- 10 defined under section 346-1, nursing facilities as defined under
- 11 section 346E-1, and residential alternatives for individuals
- 12 served by the residential alternatives community care program."
- 13 SECTION 3. There is appropriated out of the general
- 14 revenues of the State of Hawaii the sum of \$ or so much
- 15 thereof as may be necessary for fiscal year 2007-2008 to provide
- 16 a monthly personal allowance for individuals living in adult
- 17 residential care home type I and type II facilities,
- 18 developmental disabilities domiciliary homes as defined under
- 19 section 321-15.9, community care foster family homes as defined
- 20 under section 346-331, adult foster homes as defined under
- 21 section 321-11.2, domiciliary care residences and facilities as
- 22 defined under section 346-1, nursing facilities as defined under

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- 1 section 346E-1, and residential alternatives for individuals
- 2 served by the residential alternatives community care program.
- 3 The sum appropriated shall be expended by the department of
- 4 human services for the purposes of this Act.
- 5 SECTION 4. New statutory material is underscored.
- 6 SECTION 5. This Act shall take effect on July 1, 2020.

Report Title:

Personal allowance; Care homes

Description:

Establishes provisions for a \$50 monthly personal allowance for residents of certain care homes. Appropriates funds. (HB1475 HD2)