
SENATE RESOLUTION

REQUESTING THE DEPARTMENT OF HEALTH TO CONVENE A WORKING GROUP
TO STUDY THE DEVELOPMENT OF ADULT RESIDENTIAL CARE HOMES IN
RESIDENTIAL NEIGHBORHOODS IN MANOA.

1 WHEREAS, an adult residential care home is defined under
2 section 321-15.1, Hawaii Revised Statutes, as any facility that
3 provides twenty-four hour living accommodations for a fee to
4 adults unrelated to the family, who require at least minimal
5 assistance with the activities of daily living, personal care
6 services, protection, and health care services, but who do not
7 need the professional health services provided in an
8 intermediate, skilled nursing, or acute care facility; and
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10 WHEREAS, in recent years, there has been a proliferation of
11 the establishment of adult residential care homes on Oahu; and
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13 WHEREAS, many of the adult residential care homes are
14 located in residential neighborhoods characterized by single
15 family residences, and in commercial or mixed use areas; and
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17 WHEREAS, concentrations of the adult residential care homes
18 in these areas have attendant traffic, parking, delivery, noise,
19 trash collection, and emergency services response challenges;
20 and
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22 WHEREAS, community residents have questioned the regulation
23 of these facilities in residential neighborhoods in Manoa,
24 including the regulation of the locations of the facilities,
25 their distance from each other, and whether they are compatible
26 with the land use; and
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28 WHEREAS, there is apparently no regulation to provide an
29 opportunity for public notice, review, or comment, especially by
30 adjoining property owners, regarding pending applications to
31 establish, modify, or expand adult residential care homes; and
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33 WHEREAS, the City and County of Honolulu Department of
34 Planning and Permitting has authority to issue permits related
35 to the building of the residential care homes; and



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2 WHEREAS, the Department of Health is authorized to license
3 the establishment and operation of adult residential care homes;
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6 WHEREAS, the Department of Health has begun the process of
7 reviewing current statutes and rules relating to the
8 community-based settings that it licenses; and

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10 WHEREAS, a working group should be convened to study the
11 development of adult residential care homes in residential
12 neighborhoods in Manoa; now, therefore,

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14 BE IT RESOLVED by the Senate of the Twenty-fourth
15 Legislature of the State of Hawaii, Regular Session of 2007,
16 that the Department of Health is requested to convene a working
17 group to study the development of adult residential care homes
18 in residential neighborhoods in Manoa; and

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20 BE IT FURTHER RESOLVED that the working group is requested
21 to include:

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23 (1) The Director of Health or designee;
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25 (2) The City and County of Honolulu Director of Planning
26 and Permitting or designee;
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28 (3) A representative of the task force that was
29 established pursuant to Senate Concurrent Resolution
30 No. 144, S.D. 1 (2006);
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32 (4) Elected officials representing districts in Manoa; and
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34 (5) Residents of Manoa; and

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36 BE IT FURTHER RESOLVED that in completing the study, the
37 working group is requested to:

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39 (1) Examine and determine the adequacy of the statutes,
40 administrative rules, and inspection and enforcement
41 processes, related to the establishment, modification,
42 and expansion of adult residential care facilities;
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1 (2) Determine whether adequate opportunity exists for
2 public notice and participation in the inspection and
3 enforcement processes related to the establishment,
4 modification, and expansion of adult residential care
5 homes; and
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7 (3) Consult with the Attorney General; and
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9 BE IT FURTHER RESOLVED that the working group is requested
10 to submit a report to the Legislature no later than twenty days
11 prior to the convening of the 2008 Regular Session; and
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13 BE IT FURTHER RESOLVED that certified copies of this
14 Resolution be transmitted to the Director of Health, Attorney
15 General, Director of the City and County of Honolulu Department
16 of Planning and Permitting; Senator of the Tenth Senatorial
17 District, and Representative of the Twenty-fourth Representative
18 District.

