

---

---

# A BILL FOR AN ACT

RELATING TO LONG TERM CARE.

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

1           SECTION 1. While virtually all of Hawaii's elders want to  
2 age-in-place at home rather than in a care home or institution,  
3 many elders will require a more intensive caregiving environment  
4 at the end of their lives. However, the costs of institutional  
5 care have escalated beyond the financial means of most elders.  
6 The State's portion of medicaid expenditures has increased  
7 steadily over the years and is projected to increase  
8 significantly as baby boomers begin to retire. As Hawaii's  
9 population ages, the number of frail and disabled individuals  
10 will also increase, placing a precipitous demand on the need for  
11 long-term care services.

12           The legislature finds that an array of services are  
13 necessary to meet the long-term care needs of Hawaii's elders.  
14 To make this possible, the following shall be the long term care  
15 policy goals of the State of Hawaii:

16           (1) Creating a continuum of care, up to and including the  
17           end of life;



- 1 (2) Coordinating referral, case management, and service  
2 delivery through co-location and other means;
- 3 (3) Strengthening family caregiver support systems to  
4 encourage aging-in-place;
- 5 (4) Stimulating manpower development and training programs  
6 to expand the capacity of long-term care service  
7 providers;
- 8 (5) Developing financial mechanisms to help Hawaii's  
9 families meet the cost of long-term care;
- 10 (6) Seeking ways to create a better balance between public  
11 expenditures for institutional care and home- and  
12 community-based care;
- 13 (7) Fostering public understanding of caregiving issues;  
14 and
- 15 (8) Encouraging research and education on aging, long-term  
16 care, and related subjects through the University of  
17 Hawaii system.

18 The legislature further finds that it is necessary to  
19 develop new funding approaches for long-term care services, as  
20 well as services to assist elders to age-in-place in order to  
21 prevent the State from becoming fiscally liable for  
22 unsustainable costs under medicaid.



1           The purpose of this Act is to establish a long-term care  
2 commission to research what resources are necessary to meet  
3 state long-term care public policy goals and to recommend a  
4 program and funding mechanism that may provide long-term care  
5 services.

6           SECTION 2. (a) There is established a long-term care  
7 commission, which will identify problems with the current long-  
8 term care capacity, programs and services, and develop a  
9 comprehensive plan that, when implemented, will ensure the  
10 availability of a full continuum of institutional and community-  
11 based services, including support for family caregivers. The  
12 commission shall also research public and private financing  
13 options and develop a second plan that details what financial  
14 resources, or mix of public and private financing, are necessary  
15 to address needed state long-term care reforms, as well as state  
16 public policy goals and services.

17           (b) The long-term care commission shall consist of:

18           (1) Five members appointed by the governor;

19           (2) Five members appointed by the president of the senate;

20           and

21           (3) Five members appointed by the speaker of the house of  
22           representatives;



1 provided that all of the members shall be selected on the basis  
2 of their knowledge, interest, and experience in the following:  
3 research, policy development, and advocacy and service delivery  
4 relating to seniors or those with disabilities. Given the scope  
5 of the issues and activities to be considered by the commission,  
6 members shall also have expertise in business, economics,  
7 finance, and management, especially as they pertain to health  
8 care, long-term care, and social services. All of the members  
9 shall serve for two-year terms beginning on December 1, 2008,  
10 and ending on November 30, 2010.

11 (c) The commission shall elect a chairperson, who shall  
12 commence commission meetings, and a vice chairperson and shall  
13 adopt rules for the conduct of its work.

14 (d) The long-term care commission shall:

15 (1) Ensure that addressing the needs of the consumer is  
16 the paramount concern of policy development;

17 (2) Review available research, studies, and previously  
18 proposed programs relating to the financing and  
19 provision of a full continuum of long-term care  
20 services;

21 (3) Establish a set of policy goals and principles, to be  
22 proposed for enactment as statutory provisions, to



1 guide the work of the long-term care commission and  
2 the development of policy related to long-term care  
3 financing and service delivery. In creating these  
4 policies and development of the plan to reform long-  
5 term care services, the commission shall include the  
6 following critical elements:

- 7 (A) Creating a full continuum of care infrastructure,  
8 including different forms of institutional,  
9 community-based, and home-care programs and  
10 services, up to and including the end of life;
- 11 (B) Ensuring that all consumers needing and using  
12 long-term care services of any kind can easily  
13 access those services;
- 14 (C) Providing consumers with timely access to  
15 comprehensive information, including cost and  
16 quality information, about financing and service  
17 delivery options;
- 18 (D) Ensuring that health, long-term care, and social  
19 services are connected through the use of timely,  
20 standardized assessments, care planning, and  
21 coordination, and case management. Special  
22 attention shall be given to pre-admission



- 1           assessment and screening for those who need  
2           institutional services, smooth transitions  
3           between the current health and long-term care  
4           service systems and between institutional  
5           services and the community- or home-care  
6           services;
- 7           (E) Improving the use of technology to enable the  
8           tracking of patients across various care  
9           settings;
- 10          (F) Strengthening informal family caregiver support  
11          systems to encourage aging-in-place;
- 12          (G) Stimulating manpower development and training  
13          programs to expand the capacity of long-term care  
14          service providers;
- 15          (H) Developing additional public and private  
16          financial mechanisms to help Hawaii's families  
17          and to conserve limited state resources to meet  
18          the costs of long-term care;
- 19          (I) Seeking ways to create a real balance between  
20          public expenditures for institutional care, care  
21          provided in community settings, as well as care



- 1 in the home, based on the needs and preferences  
2 of those who use these services;
- 3 (J) Fostering public understanding of the risk of  
4 needing long-term care services, the cost of  
5 various levels and kinds of care, and caregiving  
6 issues; and
- 7 (K) Encouraging research and education on aging,  
8 long-term care, and related subjects through the  
9 University of Hawaii system;
- 10 (4) Prepare a five-year plan to accomplish the goals,  
11 including the recommendation of benchmarks to evaluate  
12 accomplishments for each year;
- 13 (5) Monitor federal legislation for changes that may  
14 impact the program and adjust the five-year plan  
15 accordingly;
- 16 (6) Collaborate with interested stakeholders, including  
17 community coalitions or organizations concerned with  
18 educating the public regarding long-term care; and
- 19 (7) Submit an interim report relating to the proposed  
20 system reforms including the final public policy goals  
21 and principles, to the legislature no later than  
22 twenty days prior to the convening of the 2009 regular



1 session, and a final report to the legislature no  
2 later than July 31, 2010. The final report shall  
3 include the final five year plan, as well as how the  
4 reforms will be prioritized and phased in, and a  
5 description and final recommendations of how financing  
6 long-term care services can be achieved.

7 (e) The long-term care commission may:

8 (1) Conduct or initiate new studies as it deems necessary;  
9 and

10 (2) Contract with consultants to conduct the studies,  
11 including an actuarial study, as it deems necessary  
12 for the purpose of recommending any program to address  
13 long-term care financing issues. Any contract  
14 executed pursuant to this paragraph shall be exempt  
15 from chapter 103D, Hawaii Revised Statutes; provided  
16 that the long-term care commission shall endeavor to  
17 ensure transparency in the letting of the contract.

18 (f) The University of Hawaii at Manoa, college of social  
19 sciences public policy center shall provide administrative  
20 support and staffing to facilitate the work of the long-term  
21 care commission.





1           SECTION 3. There is appropriated out of the general  
2 revenues of the State of Hawaii the sum of \$                    or so  
3 much thereof as may be necessary for fiscal year 2008-2009 for  
4 the long-term care commission to research what resources are  
5 necessary to provide a continuum of long-term care services for  
6 Hawaii's aging population and to recommend a program and funding  
7 mechanism that can provide these services pursuant to section 2  
8 of this Act.

9           The sum appropriated shall be expended by the University of  
10 Hawaii to assist the long-term care commission for the purposes  
11 of this Act.

12           SECTION 4. This Act shall take effect upon its approval  
13 and shall be repealed on December 1, 2010; provided that section  
14 3 of this Act shall take effect on July 1, 2008.



**Report Title:**

Social Services; Long-Term Care Commission; Appropriation

**Description:**

Establishes a long-term care commission to research what resources are necessary to meet state long-term care public policy goals and to recommend a program and funding mechanism that can provide these services. Appropriates funds. Sunsets on 12/01/10. (SB3255 HD1)

