

PROPOSED

THE SENATE  
TWENTY-FOURTH LEGISLATURE, 2007  
STATE OF HAWAII

S.B. NO. 427  
S.D. 1

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# A BILL FOR AN ACT

RELATING TO HUMAN SERVICES.

**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 licensed developmental disabilities domiciliary  
6 homes, community care foster family homes, and certified adult  
7 foster homes, to be provided to recipients who are eligible  
8 ~~[either]~~ for Federal Supplementary Security Income~~[7]~~ or public  
9 assistance ~~[in accordance with state standards]~~, or both. The  
10 director shall provide for level of care payment as follows:  
11           (1) For ~~[these]~~ adult residential care homes classified as  
12 facility type I, licensed developmental disabilities  
13 domiciliary homes as defined under section 321-15.9,  
14 community care foster family homes as defined under  
15 section 346-331, and certified adult foster homes as  
16 defined under section 321-11.2, the state supplemental  
17 payment shall not exceed ~~[\$621.90; and]~~ \$641.90;



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1 (2) For [~~these~~] adult residential care homes classified as  
2 facility type II, the state supplemental payment shall  
3 not exceed [~~\$729.90.~~] \$749.90;

4 (3) For skilled nursing facilities and intermediate  
5 facilities, the state supplemental payment shall not  
6 exceed \$20; and

7 (4) \$50 of the state supplemental payment shall be  
8 retained by the recipient for the recipient's personal  
9 use, except for a recipient who is a resident of a  
10 skilled nursing facility or intermediate facility who  
11 shall retain \$20 of the state supplemental payment.

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

16 The department shall handle abusive practices under this  
17 section in accordance with chapter 91.

18 Nothing in this subsection shall allow the director to  
19 remove a recipient from an adult residential care home or other  
20 similar institution if the recipient does not desire to be  
21 removed and the operator is agreeable to the recipient  
22 remaining, except where the recipient requires a higher level of



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1 care than provided or where the recipient no longer requires any  
2 domiciliary care."

3 SECTION 2. Statutory material to be repealed is bracketed  
4 and stricken. New statutory material is underscored.

5 SECTION 3. This Act shall take effect on July 1, 2007.



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**Report Title:**

Human Services; State Supplemental Payment

**Description:**

Increase state supplemental payments for certain domiciliary care and requires a portion of the payment to be retained by the recipient for personal use. (SD1)

