

JAN 17 2008

---

---

# A BILL FOR AN ACT

RELATING TO CARE HOMES.

**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 for  
8 Federal Supplementary Security Income or public assistance, or  
9 both. The director shall provide for level of care payment as  
10 follows:

11 (1) [~~For~~] Beginning on July 1, 2008, for adult residential  
12 care homes classified as facility type I, licensed  
13 developmental disabilities domiciliary homes as  
14 defined under section 321-15.9, community care foster  
15 family homes as defined under section 346-331, and  
16 certified adult foster homes as defined under section  
17 321-11.2, the state supplemental payment shall not  
18 exceed [~~\$641.90~~] \$686.83;



1           (2) ~~[For]~~ Beginning on July 1, 2008, for adult residential  
2           care homes classified as facility type II, the state  
3           supplemental payment shall not exceed ~~[\$749.90;]~~  
4           \$802.39; and

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

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

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

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

21          SECTION 2. There is appropriated out of the general  
22          revenues of the State of Hawaii the sum of \$                         or so



1 much thereof as may be necessary for fiscal year 2008-2009 for  
2 increases in level of care payments as provided for in section 1  
3 of this Act.

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

6 SECTION 3. Statutory material to be repealed is bracketed  
7 and stricken. New statutory material is underscored.

8 SECTION 4. This Act shall take effect on July 1, 2008.

9

INTRODUCED BY:

Shiranne Chun Cleveland  
Norman Sakerna  
Hrdlawy



**Report Title:**

Care Homes; Increase Payments; Appropriation

**Description:**

Increases payments for level of care for ARCH types I and II, licensed developmental disabilities domiciliary homes, community care foster family homes, and certified adult foster homes by 7% from \$641.90 to \$686.83 for level I and from \$749.90 to \$802.39 for level II beginning on 7/1/08. Appropriation.

