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# 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 to research what resources are necessary to meet  
8 state long-term care public policy goals and to recommend a  
9 program and funding mechanism that can provide these services.

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

11           (1) Five members appointed by the governor;

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

13           and

14           (3) Five members appointed by the speaker of the house of  
15           representatives;

16 provided that all of the members shall be selected on the basis  
17 of their knowledge, interest, and experience in the following:  
18 long-term care services or aging-in-place services, research or  
19 education, aging or disability advocacy, public policy  
20 development, business, economics or finance, facilities planning  
21 and management, medical or health services, and social services,  
22 or related experience; provided further that all of the members



1 shall serve for two-year terms beginning on December 1, 2008,  
2 and ending on November 30, 2010.

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

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

7 (1) Review available research, studies, and previously  
8 proposed programs relating to the provision of a  
9 continuum of long-term care services;

10 (2) Establish a purpose statement to guide the long-term  
11 care commission in the recommendation of a program to  
12 achieve the State's long-term care policy goals, which  
13 are:

14 (A) Creating a continuum of care, up to and including  
15 the end of life;

16 (B) Coordinating referral, case management, and  
17 service delivery through co-location and other  
18 means;

19 (C) Strengthening family caregiver support systems to  
20 encourage aging-in-place;



- 1 (D) Stimulating manpower development and training  
2 programs to expand the capacity of long-term care  
3 service providers;
- 4 (E) Developing financial mechanisms to help Hawaii's  
5 families meet the cost of long-term care;
- 6 (F) Seeking ways to create a better balance between  
7 public expenditures for institutional care and  
8 home- and community-based care;
- 9 (G) Fostering public understanding of caregiving  
10 issues; and
- 11 (H) Encouraging research and education on aging,  
12 long-term care, and related subjects through the  
13 University of Hawaii system;
- 14 (3) Prepare a five-year plan to accomplish the goals,  
15 including the recommendation of benchmarks to evaluate  
16 accomplishments for each year;
- 17 (4) Monitor federal legislation for changes that may  
18 impact the program and adjust the five-year plan  
19 accordingly;
- 20 (5) Collaborate with interested stakeholders, including  
21 community coalitions or organizations concerned with  
22 educating the public regarding long-term care; and



- 1           (6)   Submit an interim report to the legislature no later
- 2                    than twenty days prior to the convening of the 2009
- 3                    regular session, and a final report to the legislature
- 4                    no later than July 31, 2010.  The final report shall
- 5                    include but not be limited to a description of how the
- 6                    recommended program relates to:
- 7                    (A)  Other components of the State's aging-in-place,
- 8                                family caregiver support, and long-term care
- 9                                systems;
- 10                   (B)  Related research, education, and training
- 11                                programs;
- 12                   (C)  Support for employed caregivers; and
- 13                   (D)  Care home, adult foster home, nursing home, and
- 14                                assisted living, and other retirement facilities
- 15                                in the State.
- 16           (e)  The long-term care commission may:
- 17                   (1)  Conduct or initiate new studies as it deems necessary;
- 18                                and
- 19                   (2)  Contract with consultants to conduct the studies,
- 20                                including an actuarial study, as it deems necessary
- 21                                for the purpose of recommending a program and funding
- 22                                mechanism and reporting to the legislature.  Any



1 contract executed pursuant to this paragraph shall be  
 2 exempt from chapter 103D, Hawaii Revised Statutes;  
 3 provided that the long-term care commission shall  
 4 endeavor to ensure transparency in the letting of the  
 5 contract.

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

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

18 The sum appropriated shall be expended by the University of  
 19 Hawaii to assist the long-term care commission for the purposes  
 20 of this Act.



1 SECTION 4. This Act shall take effect upon its approval  
2 and shall be repealed on December 1, 2010; provided that section  
3 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 SD2)

