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# A BILL FOR AN ACT

RELATING TO COMMUNITY CARE FOSTER FAMILY HOME.

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

1           SECTION 1. Notwithstanding the definition of "community  
2 care foster family home" under section 346-331, Hawaii Revised  
3 Statutes, the department of human services shall allow two  
4 private pay clients to be cared for in the same community care  
5 foster family home, provided:

6           (1) The department of human services shall define the  
7 relationship between two private pay clients the  
8 department shall require for two private pay clients  
9 to be cared for in the same community care foster  
10 family home; and

11           (2) The department of human services' definition of the  
12 relationship shall not be in violation of the equal  
13 protection clauses of the Constitution of the United  
14 States and the Hawaii Constitution.

15           SECTION 2. The department of human services shall adopt  
16 interim rules exempt from the requirements of chapter 91, Hawaii  
17 Revised Statutes, to carry out the purposes of this Act;

1 provided that the interim rules shall be adopted no later than  
2 one month after the effective date of this Act, and shall be  
3 replaced by permanent rules adopted pursuant to chapter 91,  
4 Hawaii Revised Statutes, no later than December 31, 2010.

5 SECTION 3. It is the intent of this Act not to jeopardize  
6 the receipt of any federal aid. If this Act is found to be in  
7 conflict with federal requirements that are a prescribed  
8 condition for the allocation of federal funds to the State, this  
9 Act shall be deemed null and void.

10 SECTION 4. This Act shall take effect upon approval.

**Report Title:**

Human Services; Community Care Foster Family Home; Private Pay Clients

**Description:**

Requires the department of human services to allow two private pay clients to live together in a community care foster family home if two private pay clients share a relationship to be defined by the department. (SD1)