

JAN 26 2009

A BILL FOR AN ACT

RELATING TO ASSISTANCE FOR AGED, BLIND, AND PERMANENTLY AND
TOTALLY DISABLED PERSONS.

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

1 SECTION 1. Section 346-52, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "[+]§346-52 [+] Aged, blind, and permanently and totally
4 disabled persons; eligibility for assistance. (a) A person
5 shall be eligible for state-funded public assistance who meets
6 the requirements established by the Federal Supplemental
7 Security Income Program or its successor agency, provided that
8 the person is also determined needy in accordance with state
9 standards.

10 (b) The allowance for the aged, blind, and permanently and
11 totally disabled persons shall not exceed sixty-two and one-half
12 per cent of the standard of need.

13 (c) Within the limitations of this section, the department
14 shall adopt rules pursuant to chapter 91 to determine:

15 (1) The allowance for the aged, blind, and permanently and
16 totally disabled persons based upon the total amount

- 1 appropriated for the aged, blind, and permanently and
2 totally disabled persons;
3 (2) A method for determining allowance amounts; and
4 (3) Other necessary provisions to implement public
5 assistance to aged, blind, and permanently and totally
6 disabled persons."

7 SECTION 2. Section 346-53, Hawaii Revised Statutes, is
8 amended by amending subsections (a) and (b) to read as follows:

9 "(a) This subsection does not apply to general assistance
10 to households without minor dependents[-] or to public
11 assistance to aged, blind, and permanently and totally disabled
12 persons. The standard of need shall equal the poverty level
13 established by the federal government in 2006, prorated over a
14 twelve-month period based on family size.

15 The assistance allowance provided shall be based on a
16 percentage of the standard of need. For exempt households and
17 households in which all caretaker relatives are minors, living
18 independently with minor dependents and attending school, the
19 assistance allowance shall be set no higher than sixty-two and
20 one-half per cent and no lower than forty-four per cent of the
21 standard of need. For all other households, the assistance
22 allowance shall be set no higher than sixty-two and one-half per

1 cent of the standard of need and set no lower than thirty-four
2 per cent of the standard of need. The standard of need shall be
3 determined by dividing the 2006 federal poverty level by twelve
4 and rounding down the quotient. The remaining quotient shall be
5 multiplied by the per cent as set by the director by rules
6 pursuant to chapter 91, and the final product shall be rounded
7 down to determine the assistance allowance; provided that:

- 8 (1) The department may increase or reduce the assistance
9 allowance as determined in this subsection for non-
10 exempt households for the purpose of providing work
11 incentives or services under part XI;
- 12 (2) No reduction shall be allowed that jeopardizes
13 eligibility for or receipt of federal funds;
- 14 (3) Reductions in the assistance allowance shall be
15 limited to no more than one per year; and
- 16 (4) No non-exempt household, which includes an adult who
17 has received sixty cumulative months of temporary
18 assistance to needy families with minor dependents,
19 shall be eligible for an assistance allowance, unless
20 authorized by federal regulations.
- 21 (b) The director shall determine the allowance for general
22 assistance to households without minor dependents and public

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1 assistance to aged, blind, and permanently and totally disabled
2 persons based upon the total amount appropriated for general
3 assistance to households without minor dependents [7] and aged,
4 blind, and permanently and totally disabled persons,
5 respectively, among other relevant factors."

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 July 1, 2009.

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INTRODUCED BY: _____

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11

BY REQUEST

Report Title:

Public Assistance; Aged, Blind, and Permanently and Totally Disabled Persons

Description:

Indicates that assistance for eligible aged, blind, and permanently and totally disabled persons is available up to the amount of any legislative appropriation not to exceed the current statutory sixty-two and one-half per cent of the standard of need.

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JUSTIFICATION SHEET

DEPARTMENT: Human Services

TITLE: A BILL FOR AN ACT RELATING TO ASSISTANCE FOR AGED, BLIND, AND PERMANENTLY AND TOTALLY DISABLED PERSONS.

PURPOSE: To indicate that the state-funded Aged, Blind, and Disabled public assistance program is available for eligible individuals up to the amount of any appropriation not to exceed the current statutory sixty-two and one-half percent of the standard of need.

MEANS: Amend sections 346-52 and 346-53(a) and (b), Hawaii Revised Statutes.

JUSTIFICATION: This bill will allow the Legislature greater flexibility to control the funding for this program depending on the State's financial status. It will also increase transparency and improve the State's ability to track and reliably project costs for this program. Assistance will be provided within the limits of the Legislature's authorized appropriation.

Impact on the public: The maximum assistance amount for this program will remain at the current sixty-two and one-half percent of the standard of need. The department's ability to provide the maximum assistance will depend on the program caseload and the funding authorized by the Legislature for this program.

Impact on the department and other agencies: The department will have to improve the accuracy of its caseload projections.

GENERAL FUND: None.

OTHER FUNDS: None.

PPBS PROGRAM DESIGNATION: HMS 212

HMS-07(09)

OTHER AFFECTED
AGENCIES:

None.

EFFECTIVE DATE:

July 1, 2009.