

STAND. COM. REP. NO.

1038

Honolulu, Hawaii

March 20, 2009

RE: S.B. No. 190  
S.D. 1  
H.D. 1

Honorable Calvin K.Y. Say  
Speaker, House of Representatives  
Twenty-Fifth State Legislature  
Regular Session of 2009  
State of Hawaii

Sir:

Your Committee on Human Services, to which was referred S.B. No. 190, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO COMMUNITY CARE FOSTER FAMILY HOME,"

begs leave to report as follows:

The purpose of this bill is to require the Department of Human Services (DHS) to allow two private pay clients to live in the same community care foster family home if they share a relationship as defined by DHS.

The Adult Residential Care Home Operators - Big Island Chapter, Adult Foster Home Operators of the Big Island, and numerous concerned individuals supported this bill. DHS opposed this measure. The State Attorney General provided comments.

Your Committee recognizes that while it is imperative to preserve space in community care foster family homes certified by DHS for those whose financial difficulties leave them with limited options for long-term care as they age, your Committee also realizes that private long-term care is becoming increasingly cost prohibitive, even for those who do not need to rely on Medicaid.

SB190 HD1 HSCR HUS HMS 2009-3039



While there are regulations in place that allow private-pay individuals to occupy space in community care foster family homes, current restrictions prevent two private-pay individuals from living in the same home, with the unintended consequences of two private-pay individuals who share a close, lifetime bond, including spouses, siblings, and a parent and child, having to spend their twilight years apart.

As it is important to meet the needs of both populations, your Committee believes that a demonstration project will present an opportunity to test a solution that protects resources specifically reserved for Medicaid clients while respecting the commitment made to each other by two individuals.

Accordingly, your Committee has amended this bill by:

- (1) Removing language that requires DHS to define the relationship required between two individuals;
- (2) Including provisions that allow DHS to permit two private-pay individuals to live in the same community care foster family home as a two-year demonstration project;
- (3) Specifying conditions under which two private-pay individuals can live in the same community care foster family home, including the nature of the individuals' relationship;
- (4) Adding a provision that requires DHS to monitor and evaluate the demonstration project for any adverse impact on the availability of beds for Medicaid clients;
- (5) Inserting a purpose section; and
- (6) Including a sunset date.

Technical, nonsubstantive amendments were also made for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Human Services that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 190, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 190, S.D. 1, H.D. 1, and be referred to the Committee on Finance.



Respectfully submitted on  
behalf of the members of the  
Committee on Human Services,

  
JOHN M. MIZUNO, Chair



