
A BILL FOR AN ACT

RELATING TO CARE HOMES.

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

1 SECTION 1. Section 346-331, Hawaii Revised Statutes, is
2 amended by amending the definition of "community care foster
3 family home" to read as follows:

4 "Community care foster family home" or "home" means a home
5 that, for the purposes of this part:

- 6 (1) Is regulated by the department in accordance with
7 rules that are equitable in relation to rules that
8 govern expanded adult residential care homes;
- 9 (2) Is issued a certificate of approval by the department
10 or its designee to provide, for a fee, twenty-four-
11 hour living accommodations, including personal care
12 and homemaker services, for not more than two adults
13 at any one time, at least one of whom shall be a
14 medicaid recipient, who are at the nursing facility
15 level of care, who are unrelated to the foster family,
16 and who are receiving the services of a licensed home
17 and community-based case management agency; provided
18 that the department, in its discretion, may certify a



1 home for a third adult who is at the nursing level of
2 care and a medicaid recipient; provided further that
3 if a home is licensed for a third bed, that home shall
4 employ an additional nursing assistant or other
5 secondary caregiver; provided further that the primary
6 and substitute caregivers are certified nurse aides
7 who have completed a state-approved training program
8 and other training as required by the department; and
9 (3) Does not include expanded adult residential care homes
10 or assisted living facilities, which shall continue to
11 be licensed by the department of health."

12 SECTION 2. (a) The department of human services, in
13 collaboration with the department of health, shall undertake a
14 study to:

- 15 (1) Detail the current system of resident referral and
16 discharge from acute care and long term care
17 facilities to home and community-based care homes
18 administered under both the department of human
19 services and the department of health, including any
20 inconsistencies; and
21 (2) Determine a uniform system for the referral and
22 discharge of residents from acute care and long term



1 care facilities to home and community-based care homes
2 under both the department of human services and the
3 department of health; and

4 (3) Determine recommended policy changes necessary to
5 implement the determined uniform referral and
6 discharge system.

7 (b) In undertaking this study, the department of human
8 services shall solicit input from all parties involved in acute
9 care and long term care, including hospitals and other acute
10 care facilities, case management agencies, and home and
11 community-based care home operators. The department of human
12 services, in collaboration with the department of health, shall
13 take the solicited input into consideration when determining a
14 uniform referral and discharge system.

15 (c) The department of human services, in collaboration
16 with the department of health shall submit a report to the
17 legislature, including findings, recommendations, and
18 implementing draft legislation no later than twenty days prior
19 to the convening of the regular session of 2011.

20 SECTION 3. This Act shall take effect on January 1, 2050.



Report Title:

Home and Community-Based Residential Care Homes

Description:

Requires a community care foster family home licensed for a third bed to employ an additional nursing assistant or other secondary caregiver. Requires the Department of Human Services, in collaboration with the Department of Health, to undertake a study to determine a uniform referral and discharge system and report back to the 2011 Legislature. (HB2978 HD1).

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

