
A BILL FOR AN ACT

RELATING TO FOSTER YOUTH.

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

1 SECTION 1. The legislature finds that many youth entering
2 foster care exhibit chronic health, developmental, and
3 psychiatric disorders. The legislature also finds that mental
4 health and medical care needs of youth in foster care can differ
5 from youth not in care. One 2003 study found that eighty per
6 cent of youth in foster care received services for mental health
7 issues during foster care placement. Another study found that
8 fifty-four per cent of former foster youth had a mental health
9 diagnosis after leaving foster care. The same study also found
10 that one-third of former foster youth lacked health insurance.

11 The legislature further finds that former foster youth
12 without health insurance lack access to crucial medical
13 services, including mental health care, reproductive health
14 services, and prescription drug coverage. Lack of health
15 insurance may result in high levels of emergency room and
16 inpatient care, the progression of chronic disease, and
17 thousands of dollars of medical debt, all of which can be



1 devastating to former foster youth transitioning to independent
2 lives after foster care.

3 The purpose of this Act is to require the department of
4 human services to automatically enroll former foster youth in an
5 appropriate medical assistance program and automatically re-
6 enroll former foster youth until they reach age twenty-six.

7 SECTION 2. Chapter 346, Hawaii Revised Statutes, is
8 amended by adding a new section to be appropriately designated
9 and to read as follows:

10 "§346- Medical assistance for former foster youth. (a)

11 The department of human services shall provide medical
12 assistance to former foster youth who:

13 (1) Are under twenty-four years of age on July 1, 2012;
14 under twenty-five years of age on January 1, 2013; and
15 under twenty-six years of age on January 1, 2014;

16 (2) Were in foster care under the responsibility of the
17 State on the date of attaining eighteen years of age
18 or such higher age as the State may elect pursuant to
19 the Patient Protection and Affordable Care Act of
20 2010, Public Law No. 111-148;

21 (3) Were enrolled in the medicaid program while in such
22 foster care; and



1 (4) Have a household income of up to three hundred per
2 cent of the federal poverty level for Hawaii.

3 (b) The department of human services shall seek approval
4 from the Centers for Medicare and Medicaid Services to implement
5 this section, and implementation shall be subject to approval by
6 the Centers for Medicare and Medicaid.

7 (c) The department shall adopt rules pursuant to chapter
8 91 as may be necessary to effectuate the purposes of this
9 section."

10 SECTION 3. It is the intent of this Act not to jeopardize
11 the receipt of any federal aid. If any provision of this Act,
12 or the application thereof to any person or circumstance, is
13 found to be in conflict with federal requirements that are a
14 prescribed condition for the allocation of federal funds to the
15 State, the provision shall be deemed void; provided that the
16 voided provision shall not affect other provisions or
17 applications of the Act that can be given effect without the
18 voided provision, and to this end the provisions of this Act are
19 severable.

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1 SECTION 4. New statutory material is underscored.

2 SECTION 5. This Act shall take effect on July 1, 2050.



Report Title:

Former Foster Youth; Medical Assistance; Keiki Caucus

Description:

Requires the department of human services with federal approval to provide medical assistance to former Hawaii foster youth who are younger than 24 years of age in 2012, younger than 25 years of age in 2013, and younger than 26 years of age in 2014, among other conditions. Effective July 1, 2050. (HB2292 HD1)

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

