
A BILL FOR AN ACT

RELATING TO HUMAN SERVICES.

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

1 SECTION 1. The legislature finds that public assistance
2 programs currently limit eligibility to those with few or no
3 assets. The function of asset limits is to ensure public
4 resources reach individuals and families most in need. However,
5 there is growing recognition that asset limits can discourage
6 savings and prevent families from making investments that can
7 help them escape poverty. Assets, such as personal savings, are
8 precisely the kind of resources that allow families to move off
9 and stay off of public assistance programs.

10 The purpose of this Act, therefore, is to raise the asset
11 limit for public assistance for households with minor dependents
12 from \$5,000 to \$10,000.

13 SECTION 2. Section 346-29, Hawaii Revised Statutes, is
14 amended by amending subsection (c) to read as follows:

15 "(c) In determining the needs of an applicant or recipient
16 for public assistance by the department, the department shall:

17 (1) Disregard the amounts of earned or unearned income as
18 required or allowed by federal acts and other



1 regulations, to receive federal funds and disregard
2 from gross earned income twenty per cent plus \$200 and
3 a percentage of the remaining balance of earned income
4 consistent with federal regulations and other
5 requirements;

6 (2) Consider as net income in all cases the income as
7 federal acts and other regulations require the
8 department to consider for receipt of federal funds
9 and may consider the additional income and resources
10 as these acts and regulations permit to be considered;

11 (3) For households with minor dependents, disregard a
12 total of [~~\$5,000~~] \$10,000 in assets and the value of
13 one motor vehicle in determining the needs of persons
14 for financial assistance; provided that the amount to
15 be disregarded shall not exceed standards under
16 federally funded financial assistance programs. This
17 paragraph shall not apply to persons eligible for
18 federal supplemental security income benefits, aid to
19 the aged, blind or disabled, or general assistance to
20 households without minor dependents. In determining
21 the needs of persons eligible for federal supplemental
22 security income benefits, aid to the aged, blind, or



- 1 disabled, or general assistance to households without
2 minor dependents, the department shall apply all the
3 resource retention and exclusion requirements under
4 the federal supplemental security income program;
- 5 (4) Apply the resource retention requirements under the
6 federal supplemental security income program in
7 determining the needs of a single person for medical
8 assistance only;
- 9 (5) Apply the resource retention requirements under the
10 federal supplemental security income program in
11 determining the needs of a family of two persons for
12 medical assistance only and an additional \$250 for
13 each additional person included in an application for
14 medical assistance only;
- 15 (6) Disregard amounts of emergency assistance granted
16 under section 346-65;
- 17 (7) Not consider as income or resources any payment for
18 services to or on behalf of, or any benefit received
19 by, a participant under the first-to-work program of
20 part XI, other than wages. Wages earned by a
21 participant while participating in the first-to-work
22 program shall be considered income of the participant,



- 1 unless the wages are excluded or disregarded under any
2 other law;
- 3 (8) Not consider as income or resources payment made to
4 eligible individuals, eligible surviving spouses,
5 surviving children or surviving parents as specified
6 under [~~Title~~] title I of the Civil Liberties Act of
7 1988, Public Law 100-383, which made restitution to
8 individuals of Japanese ancestry who were interned
9 during World War II;
- 10 (9) Allow the community spouse of an individual residing
11 in a medical institution to maintain countable
12 resources to the maximum allowed by federal statutes
13 or regulations with provisions for increases, as
14 allowed by the Secretary of Health and Human Services
15 by means of indexing, court order, or fair hearing
16 decree, without jeopardizing the eligibility of the
17 institutionalized spouse for medical assistance;
- 18 (10) Allow an individual residing in a medical institution
19 to contribute toward the support of the individual's
20 community spouse, thereby enabling the community
21 spouse to maintain the monthly maximum income allowed
22 by federal statutes or regulations, with provisions



- 1 for increases as allowed by the Secretary of Health
2 and Human Services by means of indexing, court order,
3 or fair hearing decree;
- 4 (11) Consider the transfer of assets from the applicant's
5 name to another name within the specified time period
6 as required by federal regulations, known as the
7 [±]lookback[±] period, prior to the application for
8 medical assistance for care in a nursing home or other
9 long-term care facility. Pursuant to rules adopted
10 under chapter 91, the director may attribute any
11 assets that have been transferred within the required
12 federal [±]lookback[±] period from the applicant if
13 the director determines that transfer of certain
14 assets was made solely to make the applicant eligible
15 for assistance under this chapter; and
- 16 (12) Not consider as income or resources any funds
17 deposited into a family self-sufficiency escrow
18 account on behalf of a participant under a federal
19 housing choice voucher family self-sufficiency program
20 as required or allowed under federal law."



1 SECTION 3. Statutory material to be repealed is bracketed
2 and stricken. New statutory material is underscored.

3 SECTION 4. This Act shall take effect on July 1, 2030.



Report Title:

Department of Human Services; Public Assistance Programs

Description:

Raises the asset limit for public assistance for households with minor dependents from \$5,000 to \$10,000. Effective July 1, 2030. (HB2685 HD2)

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

