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# A BILL FOR AN ACT

RELATING TO LIABILITY INSURANCE.

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

1 SECTION 1. Chapter 321, Hawaii Revised Statutes, is  
2 amended by adding a new section to be appropriately designated  
3 and to read as follows:

4 "§321- Liability insurance. (a) All operators of adult  
5 foster homes under section 321-11.2 and adult residential care  
6 homes, assisted living facilities, and expanded adult  
7 residential care homes as defined in section 321-15.1 shall  
8 obtain and maintain liability insurance with respect to their  
9 operation of such homes or facilities in a coverage amount  
10 deemed sufficient by the director of health.

11 This section shall not apply to operators of adult foster  
12 homes, adult residential care homes, assisted living facilities,  
13 and expanded adult residential care homes that:

14 (1) Are operating under a contract with the department of  
15 human services or the department of health; and

16 (2) Are in compliance with the liability insurance  
17 coverage requirements of that contract.



1        (b) The department shall adopt rules pursuant to chapter  
2 91 to effectuate the purposes of this section."

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

6        "§346- Liability insurance. (a) All operators of  
7 assisted living facilities, community care foster family homes,  
8 and expanded adult residential care homes as defined in section  
9 346-331 shall obtain and maintain liability insurance with  
10 respect to their operation of such homes or facilities in a  
11 coverage amount deemed sufficient by the director.

12        This section shall not apply to operators of assisted  
13 living facilities, community care foster family homes, and  
14 expanded adult residential care homes that:

- 15        (1) Are operating under a contract with the department of  
16        human services or the department of health; and
- 17        (2) Are in compliance with the liability insurance  
18        coverage requirements of that contract.

19        (b) The department shall adopt rules pursuant to chapter  
20 91 to effectuate the purposes of this section."

21        SECTION 3. New statutory material is underscored.

22        SECTION 4. This Act shall take effect on January 7, 2059.



**Report Title:**

Care Home Operators; Liability Insurance

**Description:**

Requires care home operators to carry liability insurance to cover the operations of the care home. Exempts care home operators operating under a contract with either the Department of Health or Department of Human Services who are in compliance with the liability insurance coverage requirements under the contract. Effective January 7, 2059. (HB2776 HD2)

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

