
A BILL FOR AN ACT

RELATING TO COMMUNITY CARE FOSTER FAMILY HOMES.

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

1 SECTION 1. Chapter 346D, Hawaii Revised Statutes, is
2 amended by adding a new section to be appropriately designated
3 and to read as follows:
4 "§346D- Community-based facility; commensurate medicaid
5 reimbursement. For the purpose of reimbursement, all medicaid
6 beneficiaries categorized in the same or equivalent level of
7 care, living in a community-based facility, whether a licensed
8 community care foster family home or licensed adult residential
9 care home and for reason of reimbursement parity, shall receive
10 a commensurate amount of reimbursement for board and lodging and
11 food and services."

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

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



1 (1) Is regulated by the department in accordance with
2 rules that are equitable in relation to rules that
3 govern expanded adult residential care homes;

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

17 (A) The home has been certified and in operation for
18 not less than one year; and

19 (B) The primary ~~[and substitute caregivers are~~
20 ~~certified nurse aides who have]~~ caregiver is a
21 certified nurse aide as defined in section 457A-
22 1.5 who has completed a state-approved training

1 program and other training as required by the
 2 department[+], including a minimum of twenty-four
 3 hours of continuing education every two years, in
 4 addition to the requirements of section 346-46,
 5 and the substitute caregiver is a nurse aide as
 6 defined in section 457A-1.5, who has completed a
 7 minimum of sixteen hours of continuing education
 8 every two years;

9 and

10 (3) Does not include expanded adult residential care homes
 11 or assisted living facilities, which shall continue to
 12 be licensed by the department of health."

13 SECTION 3. Section 346-334, Hawaii Revised Statutes, is
 14 amended by amending subsection (g) to read as follows:

15 "(g) Any community care foster family home shall be
 16 subject to monitoring and evaluation by the department or its
 17 designee for certification compliance and quality assurance on
 18 an annual or biennial basis. In complying with this subsection,
 19 any community care foster family home shall ensure the following
 20 are current and made available for inspection by the department
 21 and clients:

22 (1) A certificate of approval;



- 1 (2) Licenses for case managers as required in the
- 2 department's administrative rules and a list of case
- 3 managers' names;
- 4 (3) Certifications for certified nurse aides pursuant to
- 5 section 457A-7; and
- 6 (4) Certifications for nurse aides if applicable."

7 SECTION 4. Statutory material to be repealed is bracketed
8 and stricken. New statutory material is underscored.

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



Report Title:

Community Care Foster Family Homes

Description:

Requires Community Care Foster Family Homes to have a primary caregiver as a certified nurse aide and a substitute caregiver as a nurse aide with a certain minimum number of continuing education hours; be certified and in operation for a year prior to being certified for a third client; and make various certifications and licenses available for inspection. Requires reimbursements for reason of parity of Medicaid beneficiaries in the same level of care in a community-based facility. Effective July 1, 2050. (SB1360 HD1)

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

