

JAN 25 2012

S.B. NO. 2661

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# A BILL FOR AN ACT

RELATING TO MEDICAID.

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

1           SECTION 1. Section 346-14, Hawaii Revised Statutes, is  
2 amended to read as follows:

3           "**§346-14 Duties generally.** Except as otherwise provided  
4 by law, the department of human services shall:

5           (1) Establish and administer programs and standards, and  
6           adopt rules as deemed necessary for all public  
7           assistance programs;

8           (2) Establish, extend, and strengthen services for the  
9           protection and care of abused or neglected children  
10           and children in danger of becoming delinquent to make  
11           paramount the safety and health of children who have  
12           been harmed or are in life circumstances that threaten  
13           harm;

14           (3) Establish and administer programs, and adopt rules as  
15           deemed necessary, for the prevention of domestic and  
16           sexual violence and the protection and treatment of  
17           victims of domestic and sexual violence;

18           (4) Assist in preventing family breakdown;



1 (5) Place, or cooperate in placing, abused or neglected  
2 children in suitable private homes or institutions and  
3 place, or cooperate in placing, children in suitable  
4 adoptive homes;

5 (6) Have authority to establish, maintain, and operate  
6 receiving homes for the temporary care and custody of  
7 abused or neglected children until suitable plans are  
8 made for their care; and accept from the police and  
9 other agencies, for temporary care and custody, any  
10 abused or neglected child until satisfactory plans are  
11 made for the child;

12 (7) Administer the medical assistance programs for  
13 eligible public welfare and other medically needy  
14 individuals by establishing standards, eligibility,  
15 and health care participation rules, payment  
16 methodologies, reimbursement allowances, systems to  
17 monitor recipient and provider compliance, and  
18 assuring compliance with federal requirements to  
19 maximize federal financial participation;

20 (8) Cooperate with the federal government in carrying out  
21 the purposes of the Social Security Act and in other  
22 matters of mutual concern pertaining to public



1 welfare, public assistance, and child welfare  
2 services, including the making of reports, the  
3 adoption of methods of administration, and the making  
4 of rules as are found by the federal government, or  
5 any properly constituted authority thereunder, to be  
6 necessary or desirable for the efficient operation of  
7 the plans for public welfare, assistance, and child  
8 welfare services or as may be necessary or desirable  
9 for the receipt of financial assistance from the  
10 federal government;

11 (9) Carry on research and compile statistics relative to  
12 public and private welfare activities throughout the  
13 State, including those dealing with dependence,  
14 defectiveness, delinquency, and related problems;

15 (10) Develop plans in cooperation with other public and  
16 private agencies for the prevention and treatment of  
17 conditions giving rise to public welfare problems;

18 (11) Adopt rules governing the procedure in hearings,  
19 investigations, recording, registration, determination  
20 of allowances, and accounting and conduct other  
21 activities as may be necessary or proper to carry out  
22 this chapter;



- 1       (12) Supervise or administer any other activities  
2             authorized or required by this chapter, including the  
3             development of the staff of the department through in-  
4             service training and educational leave to attend  
5             schools and other appropriate measures, and any other  
6             activities placed under the jurisdiction of the  
7             department by any other law;
- 8       (13) Make, prescribe, and enforce policies and rules  
9             governing the activities provided for in section 346-  
10            31 it deems advisable, including the allocation of  
11            moneys available for assistance to persons assigned to  
12            work projects among the several counties or to  
13            particular projects where the apportionment has not  
14            been made pursuant to other provisions of law, if any,  
15            governing expenditures of the funds;
- 16       (14) Determine the appropriate level for the Hawaii  
17             security net, by developing a tracking and monitoring  
18             system to determine what segments of the population  
19             are not able to afford the basic necessities of life,  
20             and advise the legislature annually regarding the  
21             resources required to maintain the security net at the  
22             appropriate level;



- 1       (15) Subject to the appropriation of state funds and
- 2            availability of federal matching assistance, expand
- 3            optional health care to low-income persons as follows:
- 4            (A) Pregnant women and infants under one year of age
- 5            living in families with incomes up to one hundred
- 6            eighty-five per cent of the federal poverty level
- 7            and without any asset restrictions;
- 8            (B) Children under six years of age living in
- 9            families with incomes up to one hundred thirty-
- 10           three per cent of the federal poverty level and
- 11           without any asset restrictions;
- 12           (C) Older children to the extent permitted under
- 13           optional federal medicaid rules;
- 14           (D) Elder persons;
- 15           (E) Aliens;
- 16           (F) The homeless; and
- 17           (G) Other handicapped and medically needy persons;
- 18           [and]
- 19       (16) Subject to the appropriation of state funds and
- 20       availability of federal matching assistance, provide
- 21       health care preventative services to improve wellness;
- 22       and



1        [~~(16)~~] (17) Subject to the appropriation of state funds and  
2                    availability of federal matching assistance, establish  
3                    the income eligibility level for the medically needy  
4                    program at one hundred thirty-three per cent of the  
5                    assistance allowance."

6            SECTION 2. Statutory material to be repealed is bracketed  
7 and stricken. New statutory material is underscored.

8            SECTION 3. This Act shall take effect upon its approval.

9

INTRODUCED BY: *Therese Chun Caballero*



# S.B. NO. 2661

**Report Title:**

Department of Human Services; Medicaid; Wellness; Prevention

**Description:**

Includes among the department of human services general duties, the provision of health care preventative services to improve wellness, subject to the appropriation of state funds and availability of federal matching assistance.

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

