
A BILL FOR AN ACT

RELATING TO THE AGING AND DISABILITY RESOURCE CENTERS.

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

1 SECTION 1. The legislature finds that the aging and
2 disability resource centers initiative is a collaborative
3 federal and state multi-agency effort with the support of the
4 counties led by the United States Administration on Aging and
5 Centers for Medicare and Medicaid Services to streamline access
6 to long-term supports and services for older adults, persons
7 with disabilities, family caregivers, and providers.

8 Aging and disability resource centers are designed to
9 address the frustrations many consumers and their families
10 experience when they need to obtain information and access to
11 long-term supports and services. In many communities, long-term
12 supports and services are administered by multiple agencies,
13 both public and private, and have complex, fragmented, and often
14 duplicative intake, assessment, and eligibility functions.
15 Determining how to obtain long-term supports and services can be
16 difficult. A single, coordinated system of information and
17 access for all persons seeking long-term supports and services
18 minimizes confusion, enhances individual choice, and fosters



1 informed decision-making. It also improves the ability of state
2 and county governments to manage resources and monitor program
3 quality through centralized data collection and evaluation,
4 which will result in the ability to target existing resources
5 where they are most needed, better estimate future need, and
6 develop long-term strategies for sustainability.

7 Aging and disability resource centers use two broad
8 strategies to divert persons from unnecessary and costly long-
9 term institutional care and ensure that short-term institutional
10 stays do not become permanent: (1) intervening with options
11 counseling; and (2) expediting eligibility determination
12 processes for home- and community-based services. Aging and
13 disability resource centers serve a critical role in improving
14 the ability of state and county governments to effectively
15 manage the long-term supports and services system, monitor
16 program quality, and measure responsiveness of state and county
17 systems of care.

18 The purpose of this Act is to establish a statewide aging
19 and disability resource center with sites in each county.

20 SECTION 2. Chapter 349, Hawaii Revised Statutes, is
21 amended by adding a new part to be appropriately designated and
22 to read as follows:



1 "PART . AGING AND DISABILITY RESOURCE CENTERS PROGRAM

2 §349- Definitions. As used in this part, unless the
3 context otherwise requires:

4 "Aging and disability resource centers" means an entity
5 established by the State as part of the state system of long-
6 term care serving as a highly visible and trusted source where
7 people of all incomes and ages can obtain information on the
8 full range of long-term support options and a single point of
9 entry for access to public long-term support programs and
10 benefits.

11 "Area agency on aging" means the agency in each county
12 designated by the executive office on aging, under section
13 305(a)(2)(A) of the Older Americans Act, P.L. 89-74, as amended,
14 to facilitate the area-wide development and implementation of a
15 comprehensive, coordinated system for providing long-term care
16 in home and community-based settings, in a manner responsive to
17 the needs and preferences of older individuals and their family
18 caregivers.

19 "Dementia" means a group of symptoms affecting intellectual
20 and social abilities severely enough to interfere with daily
21 functioning.



1 "Developmental disability" means a severe, chronic
2 disability of an individual that:

3 (1) Is attributable to a mental or physical impairment or
4 combination of mental and physical impairments;

5 (2) Is manifested before the individual attains age
6 twenty-two;

7 (3) Is likely to continue indefinitely;

8 (4) Results in substantial functional limitations in three
9 or more of the following areas of major life activity:

10 (A) Self-care;

11 (B) Receptive and expressive language;

12 (C) Learning;

13 (D) Mobility;

14 (E) Self-direction;

15 (F) Capacity for independent living; or

16 (G) Economic self-sufficiency; and

17 (5) Reflects the individual's need for a combination and
18 sequence of special, interdisciplinary, or generic
19 services, individualized supports, or other forms of
20 assistance that are of lifelong or extended duration
21 and are individually planned and coordinated.



1 An individual from birth to age nine, inclusive, who has a
2 substantial developmental delay or specific congenital or
3 acquired condition, may be considered to have a developmental
4 disability without meeting three or more of the criteria
5 described in paragraphs (1) through (5) of this definition if
6 the individual, without services and supports, has a high
7 probability of meeting three or more of those criteria later in
8 life.

9 "Family caregivers" means a spouse, adult child, other
10 relative, partner, or friend who has a personal relationship
11 with, and provides a broad range of unpaid assistance for an
12 older adult with a chronic or disabling condition.

13 "Informal caregiver" means a person who provides care for
14 an older person or person with a disability who needs long-term
15 supports and services, but does not receive compensation.

16 "Intellectual disability" is characterized by significant
17 limitations in intellectual functioning and adaptive behavior as
18 expressed in conceptual, social, and practical skills, which are
19 apparent prior to the age of eighteen. This definition shall
20 be based on the following assumptions:



- 1 (1) Limitations in present functioning shall be considered
- 2 within the context of community environments typical
- 3 of the individual's age peers and culture;
- 4 (2) Validate assessment considers cultural and linguistic
- 5 diversity as well as differences in communication,
- 6 sensory, motor, and behavioral factors;
- 7 (3) Within the individual, limitations often coexist with
- 8 strengths;
- 9 (4) An important purpose of describing limitations is to
- 10 develop a profile of needed supports; and
- 11 (5) With appropriate personalized supports over a
- 12 sustained period, the life functioning of the person
- 13 with intellectual disability generally will improve.
- 14 "Long-term supports and services" means the broad range of
- 15 assistance and care needed by older persons or persons with
- 16 physical or mental disabilities who have lost or never acquired
- 17 the ability to function independently.
- 18 "Options counseling" means an interactive decision-support
- 19 process whereby consumers, family members, and significant
- 20 others are supported in their deliberations to determine
- 21 appropriate long-term care choices in the context of a

1 consumer's needs, preferences, values, and individual
2 circumstances.

3 "Physical disability" means the broad range of disabilities
4 including orthopedic, neuromuscular, cardiovascular, and
5 pulmonary disorders, which may be congenital or a result of
6 aging or injury.

7 "Severe mental illness" means one of several diseases that
8 affects the brain and significantly and functionally impairs an
9 individual for an indefinite period of time.

10 **§349- Aging and disability resource centers;**

11 **established.** (a) There is established a statewide aging and
12 disability resource center with sites in each county to
13 streamline access to long-term supports and services by
14 integrating the full range of long-term supports and services
15 into a single, coordinated system.

16 (b) The aging and disability resource center shall be the
17 single point of entry, available in every county, where persons
18 of all ages, incomes, and disabilities may access information in
19 a person-centered manner on the full range of long-term supports
20 and services options, including but not limited to:

21 (1) Federal, state, and county revenue-funded programs and
22 services including those funded by medicaid, medicare,



- 1 the Older Americans Act, the Department of Veterans
2 Affairs, and kupuna care;
- 3 (2) A centralized application process for publicly funded
4 long-term services and supports;
- 5 (3) Privately administered programs and services;
- 6 (4) Supports and services for persons with Alzheimer's
7 disease and other related dementia;
- 8 (5) Transportation services;
- 9 (6) Housing options;
- 10 (7) Elder rights protection;
- 11 (8) Hospital and nursing home discharge planning and care
12 transition;
- 13 (9) Health, prevention, and wellness programs;
- 14 (10) Support for grandparents raising grandchildren and
15 other relatives age fifty-five years or older caring
16 for children;
- 17 (11) Informal and family caregiver support services; and
- 18 (12) Community resources and services for individuals with
19 disabilities.
- 20 (c) The aging and disability resource centers shall target
21 delivery of services to:
- 22 (1) Persons sixty years of age and older;



1 SECTION 4. The sum appropriated shall be expended by the
2 department of health for the purposes of this Act.

3 SECTION 5. This Act shall take effect on July 1, 2012.



Report Title:

Aging and Disability Resource Centers; Executive Office on Aging; Appropriation

Description:

Establishes and appropriates funds for aging and disability resource centers in each county to streamline access to long-term supports and services for older adults, persons with disabilities, and family caregivers. (SD2)

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