
A BILL FOR AN ACT

RELATING TO ADULT FOSTER HOMES.

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

1 SECTION 1. Section 321-11.2, Hawaii Revised Statutes, is
2 amended by amending subsection (b) to read as follows:

3 "(b) The rules of the department of human services adopted
4 under authority of section 346-17, which prescribe the standards
5 of conditions and competence of operation of child foster
6 boarding homes shall apply to adult foster homes.

7 Notwithstanding chapter 91, to the contrary, the rules shall be
8 considered adopted by the department of health on July 1, 1986,
9 for the purpose of regulating adult foster care homes and shall
10 be valid until the department of health adopts rules pursuant to
11 chapter 91. The department of health shall adopt rules pursuant
12 to chapter 91 necessary for the purposes of this section[-];
13 provided that the department of health shall not impose minimum
14 structural requirements on adult foster homes that are
15 operational under a valid, current, and non-suspended license
16 originally issued prior to July 1, 2014."

17 SECTION 2. Section 321-483, Hawaii Revised Statutes, is
18 amended by amending subsection (b) to read as follows:



1 "(b) The department shall adopt rules pursuant to chapter
2 91 relating to:

3 (1) Standards of conditions and competence for the
4 operation of community care foster family homes;
5 provided that the department shall not impose minimum
6 structural requirements on community care foster homes
7 that are operational under a valid, current, and non-
8 suspended license originally issued prior to July 1,
9 2014;

10 (2) Procedures for obtaining and renewing a certificate of
11 approval from the department;

12 (3) Minimum grievance procedures for clients of community
13 care foster family home services; and

14 (4) Requirements for primary and substitute caregivers
15 caring for three clients in community care foster
16 family homes including:

17 (A) Mandating that primary and substitute caregivers
18 be twenty-one years of age or older;

19 (B) Mandating that primary and substitute caregivers
20 complete a minimum of twelve hours of continuing
21 education every twelve months or at least twenty-



1 four hours of continuing education every twenty-
2 four months;

3 (C) Allowing the primary caregiver to be absent from
4 the community care foster family home for no more
5 than twenty-eight hours in a calendar week, not
6 to exceed five hours per day; provided that the
7 substitute caregiver is present in the community
8 care foster family home during the primary
9 caregiver's absence;

10 (D) Where the primary caregiver is absent from the
11 community care foster family home in excess of
12 the hours as prescribed in subparagraph (C),
13 mandating that the substitute caregiver be a
14 certified nurse aide; and

15 (E) Mandating that the substitute caregiver have, at
16 a minimum, one year prior work experience as a
17 caregiver in a community residential setting or
18 in a medical facility."

19 SECTION 3. Statutory material to be repealed is bracketed
20 and stricken. New statutory material is underscored.



1 SECTION 4. This Act shall take effect on July 1, 2014.

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INTRODUCED BY:

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JAN 16 2014



H.B. NO. 1725

Report Title:

Adult Foster Homes; Community Care Foster Homes

Description:

Prohibits the Department of Health from imposing minimum structural requirements on adult foster homes and community care foster homes that operate under a current and valid license prior to July 1, 2014. Effective July 1, 2014.

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

