
A BILL FOR AN ACT

RELATING TO HEALTH.

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

1 SECTION 1. Section 3, Act 93, Session Laws of Hawaii 2012,
2 is amended to read as follows:

3 "SECTION 3. Section 346-53, Hawaii Revised Statutes, is
4 amended by amending subsections (c) and (d) to read as follows:

5 "(c) The director, pursuant to chapter 91, shall determine
6 the rate of payment for domiciliary care, including care
7 provided in licensed developmental disabilities domiciliary
8 homes, community care foster family homes, and certified adult
9 foster homes, to be provided to recipients who are eligible for
10 Federal Supplementary Security Income or public assistance, or
11 both. The director shall provide for level of care payment as
12 follows:

13 (1) Beginning on July 1, 2008, for adult residential care
14 homes classified as facility type I, licensed
15 developmental disabilities domiciliary homes as
16 defined under section 321-15.9, community care foster
17 family homes as defined under section 321-481, and
18 certified adult foster homes as defined under section



1 321-11.2, the state supplemental payment shall not
2 exceed \$651.90; [~~and~~]

3 (2) Beginning on July 1, 2008, for adult residential care
4 homes classified as facility type II, the state
5 supplemental payment shall not exceed \$759.90[~~-~~];

6 (3) Beginning on November 8, 2014, for adult residential
7 care homes as defined under section 321-15.1 and
8 classified as facility type I, licensed developmental
9 disabilities domiciliary homes as defined under
10 section 321-15.9, community care foster family homes
11 as defined under section 321-481, and certified adult
12 foster homes as defined under section 321-11.2, the
13 state supplemental payment shall not exceed \$ _____ ;

14 (4) Beginning on November 8, 2014, for adult residential
15 care homes as defined under section 321-15.1 and
16 classified as facility type II, the state supplemental
17 payment shall not exceed \$ _____ ;

18 (5) Beginning on November 8, 2014, for expanded adult
19 residential care homes as defined under section 321-
20 15.1 and classified as facility type I, the state
21 supplemental payment shall not exceed \$ _____ ;



- 1 (6) Beginning on November 8, 2014, for expanded adult
2 residential care homes as defined under section 321-
3 15.1 and classified as facility type II, the state
4 supplemental payment shall not exceed \$; and
- 5 (7) Beginning on November 8, 2014, for services provided
6 by home and community-based case management agencies
7 as defined under section 321-481, the state
8 supplemental payment shall not exceed \$.

9 If the operator does not provide the quality of care
10 consistent with the needs of the individual to the satisfaction
11 of the department, the department may remove the recipient to
12 another facility.

13 The department shall handle abusive practices under this
14 section in accordance with chapter 91.

15 Nothing in this subsection shall allow the director to
16 remove a recipient from an adult residential care home or other
17 similar institution if the recipient does not desire to be
18 removed and the operator is agreeable to the recipient
19 remaining, except where the recipient requires a higher level of
20 care than provided or where the recipient no longer requires any
21 domiciliary care.



1 (d) On July 1, 2006, and thereafter, as the department
2 determines a need, the department shall authorize a payment, as
3 allowed by federal law, for resident clients receiving
4 supplemental security income in adult residential care home, as
5 defined under section 321-15.1, type I and type II facilities,
6 expanded adult residential care homes, as defined under section
7 321-15.1, type I and type II facilities, licensed developmental
8 disabilities domiciliary homes as defined under section 321-
9 15.9, community care foster family homes as defined under
10 section 321-481, and certified adult foster homes as defined
11 under section 321-11.2, when state funds appropriated for the
12 purpose of providing payments under subsection(c) for a specific
13 fiscal year are not expended fully within a period that meets
14 the requirements of the department's maintenance of effort
15 agreement with the Social Security Administration.

16 The payment shall be made with that portion of state funds
17 identified in this subsection that has not been expended.

18 The department shall determine the rate of payment to
19 ensure compliance with its maintenance of effort agreement with
20 the Social Security Administration." "

21 SECTION 2. There is appropriated out of the general
22 revenues of the State of Hawaii the sum of \$ or so



1 much thereof as may be necessary for fiscal year 2014-2015 for
2 increases in level of care payments as provided for in this Act.

3 The sum appropriated shall be expended by the department of
4 human services for the purposes of this Act.

5 SECTION 3. Statutory material to be repealed is bracketed
6 and stricken. New statutory material is underscored.

7 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. 1736

Report Title:

Care Homes; Foster Homes; State Supplemental Income

Description:

Amends the state supplemental income (SSI) for adult residential care homes (ARCHs), expanded ARCHs, and other homes specified in section 346-53, Hawaii Revised Statutes. Establishes an SSI rate for services provided by home and community-based case management agencies. 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.

