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## A BILL FOR AN ACT

RELATING TO CARE HOMES.

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

1           SECTION 1. Act 93, Session Laws of Hawaii 2012, is amended  
2 by amending subsection (b) of section 321-C of "PART . HOME  
3 AND COMMUNITY-BASED CASE MANAGEMENT AGENCIES AND COMMUNITY CARE  
4 FOSTER FAMILY HOMES" established in section 2 of the Act to read  
5 as follows:

6           "(b) The department shall adopt rules pursuant to chapter  
7 91 relating to:

- 8           (1) Standards of conditions and competence for the  
9           operation of community care foster family homes;
- 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;



- 1 (B) Mandating that primary and substitute caregivers  
2 complete a minimum of [~~twelve~~] \_\_\_\_\_ hours of  
3 continuing education every [~~twelve~~] \_\_\_\_\_ months  
4 or at least [~~twenty-four~~] \_\_\_\_\_ hours of  
5 continuing education every [~~twenty-four~~] \_\_\_\_\_  
6 months;
- 7 (C) Allowing the primary caregiver to be absent from  
8 the community care foster family home for no more  
9 than twenty-eight hours in a calendar week, not  
10 to exceed five hours per day; provided that the  
11 substitute caregiver is present in the community  
12 care foster family home during the primary  
13 caregiver's absence;
- 14 (D) Where the primary caregiver is absent from the  
15 community care foster family home in excess of  
16 the hours as prescribed in subparagraph (C),  
17 mandating that the substitute caregiver be a  
18 certified nurse aide; and
- 19 (E) Mandating that the substitute caregiver have, at  
20 a minimum, one year prior work experience as a  
21 caregiver in a community residential setting or  
22 in a medical facility."



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 Statutory material to be repealed is bracketed  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

3 SECTION 3. This Act shall take effect on June 29, 2014,  
4 and shall be repealed on July 1, 2015; provided that section  
5 321-C(b), Hawaii Revised Statutes, established in section 2 of  
6 Act 93, Session Laws of Hawaii 2012, shall be reenacted in the  
7 form in which it read in that Act on June 28, 2014.  
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INTRODUCED BY:

*[Signature]* *[Signature]*  
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JAN 16 2014



# H.B. NO. 1739

**Report Title:**

Caregivers; Minimum Age; Continuing Education

**Description:**

Amends the minimum age and continuing education requirements for primary and substitute caregivers caring for three clients in community care foster family homes required to be adopted as rules by the Department of Health.

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

