

JAN 15 2014

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# 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 (a) to read as follows:

3 "(a) The department of health is authorized to certify  
4 adult foster homes for individuals with developmental  
5 [~~disabilities~~] or intellectual disabilities requiring such care  
6 beyond the individual's eighteenth birthday. "Adult foster  
7 home" means a private family home providing care on a twenty-  
8 four hour basis [~~for~~] to adults with developmental or  
9 intellectual disabilities. To be certified, an adult foster  
10 home shall [~~have~~]:

11 (1) House not more than two adults with developmental or  
12 intellectual disabilities at the same time [~~, who are~~  
13 ~~unrelated to the foster family.~~]; and

14 (2) Have a certified caregiver who is:

15 (A) A legal guardian of the foster adult;

16 (B) A trustee of the foster adult; or

17 (C) Related to the foster adult. "Related" means

18 related by blood, related by marriage, or having



1                   a legal relationship between the certified  
2                   caregiver and the foster adult.

3           The director of health may waive the two adult limit for  
4 certification of that home as an adult foster home; provided  
5 that the number of adults with developmental or intellectual  
6 disabilities in the certified home shall not exceed three adults  
7 with developmental or intellectual disabilities. To accommodate  
8 residents of a foster boarding home for children with  
9 developmental or intellectual disabilities who reach the age of  
10 eighteen years, where the home is certified as a foster boarding  
11 home for children under ~~[section]~~ sections 346-16 and 346-17,  
12 the director of health may waive the two adult limit for  
13 certification of that home as an adult foster home, provided  
14 that: (1) the total number of foster children with  
15 developmental or intellectual disabilities and adults with  
16 developmental or intellectual disabilities in such a dually  
17 certified home shall not exceed ~~[five,]~~ three, and (2) no new  
18 adults or children may be admitted into the home ~~[while there~~  
19 ~~are any foster children residing in the home]~~. An existing  
20 adult foster home shall not have dual certification when the  
21 certification of the adult foster home precedes dual  
22 certification."



# S.B. NO. 2006

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 upon its approval.  
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INTRODUCED BY: *Enrique Crum Aparna*

*Laura L...*  
*Y...*



# S.B. NO. 2006

**Report Title:**

Adult Foster Homes; Certified Caregiver; Dual Certification

**Description:**

Requires adult foster homes to have a certified caregiver for the foster adult in the home. Reduces total number of foster children and foster adults with developmental or intellectual disabilities permitted in a dually certified home to three. Prohibits dual certification when certification of the adult foster home precedes dual certification.

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