

STAND. COM. REP. NO. 2278

Honolulu, Hawaii

FEB 12 2014

RE: S.B. No. 2853
S.D. 1

Honorable Donna Mercado Kim
President of the Senate
Twenty-Seventh State Legislature
Regular Session of 2014
State of Hawaii

Madam:

Your Committees on Health and Human Services, to which was referred S.B. No. 2853 entitled:

"A BILL FOR AN ACT RELATING TO DEVELOPMENTAL DISABILITIES
ADULT FOSTER HOMES,"

beg leave to report as follows:

The purpose and intent of this measure is to:

- (1) Prohibit legal guardians, trustees, and relatives from continuing to care for individuals with intellectual or developmental disabilities in a certified foster home;
- (2) Define "related" as related by blood or marriage or having a legal relationship;
- (3) Permit minors with intellectual or developmental disabilities to age in place under certain conditions;
and
- (4) Clarify that certified adult foster homes with dual certification shall not exceed a total of three individuals with intellectual or developmental disabilities.

Your Committees received testimony in support of this measure from the Department of Health and State Council on Developmental Disabilities. Your Committees received testimony in opposition to this measure from the Hawaii Disability Rights Center.

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Your Committees find that this measure is necessary to clarify the requirements of certification of adult foster homes for individuals with intellectual or developmental disabilities. Your Committees further find that adding a definition of "related" provides much needed clarity for existing and potential certified caregivers in order to understand the requirements for certification. This measure permits a foster boarding home for minors with intellectual or developmental disabilities to be dually certified, which will enable individuals to age in place and remain in their home.

Your Committees have amended this measure by:

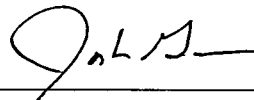
- (1) Inserting language to grandfather in all certified adult foster homes dually certified as foster boarding homes and in existence as of the effective date of this measure;
- (2) Inserting an effective date of January 1, 2050, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Health and Human Services that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2853, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2853, S.D. 1, and be referred to the Committee on Ways and Means.

Respectfully submitted on
behalf of the members of the
Committees on Health and Human
Services,



SUZANNE CHUN OAKLAND, Chair

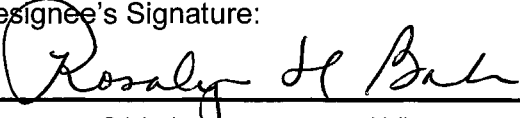


JOSH GREEN, Chair



The Senate
 Twenty-Seventh Legislature
 State of Hawai'i

Record of Votes
Committee on Health
HTH

Bill / Resolution No.:*	Committee Referral:	Date:		
SB 2853	HTH/HMS, WAM	2-3-2014		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is:				
<input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
GREEN, M.D., Josh (C)	✓			
BAKER, Rosalyn H. (VC)	✓			
CHUN OAKLAND, Suzanne	✓			
NISHIHARA, Clarence K.	✓			
SLOM, Sam				✓
TOTAL	4	-	-	1
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
				
Distribution:				
Original File with Committee Report	Yellow Clerk's Office	Pink Drafting Agency	Goldenrod Committee File Copy	

*Only one measure per Record of Votes

