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# A BILL FOR AN ACT

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RELATING TO ELDER ABUSE.

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

1       SECTION 1.   Section 28-94, Hawaii Revised Statutes, is  
2   amended by amending the definition of "caregiver" to read as  
3   follows:

4       "Caregiver" means any person who has undertaken the care,  
5   custody, or physical control of, or who has a legal or  
6   contractual duty to care for the health, safety, and welfare of  
7   a dependent elder, including, but not limited to, owners,  
8   operators, employees, or staff of:

- 9       (1)   Hospitals;  
10       (2)   Hospices;  
11       (3)   Adult residential care homes;  
12       (4)   Developmentally disabled domiciliary homes;  
13       (5)   Developmentally disabled adult foster homes;  
14       (6)   Intermediate care facilities;  
15       (7)   Skilled nursing facilities;  
16       (8)   Special treatment facilities;  
17       (9)   Assisted living facilities;



- 1 (10) Adult foster family homes;  
2 (11) Adult day health care centers and adult day care  
3 programs;  
4 (12) Independent living centers;  
5 (13) Long-term care facilities;  
6 (14) Community care facilities for the elderly;  
7 (15) Respite care facilities;  
8 (16) Foster homes; and  
9 (17) Private residences used for commercial purposes to  
10 care for dependent elders.
- 11 The term "caregiver" includes an employee or agent of the State  
12 who has any involvement in assessing a dependent elder's mental  
13 capacity, or any involvement in the oversight or management of a  
14 dependent elder's financial affairs, or both."
- 15 SECTION 2. New statutory material is underscored.
- 16 SECTION 3. This Act shall take effect on July 1, 3000.



**Report Title:**

Attorney General; Dependent Elder Abuse; Civil Action;  
Caregivers

**Description:**

Specifies that the Attorney General may bring a civil action on behalf of the State for alleged abuse of a dependent elder by employees or agents of the State whose duty is to oversee or manage the financial affairs of a dependent elder. (HB1858 HD1)

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

