
A BILL FOR AN ACT

RELATING TO SUBSTITUTE CAREGIVERS.

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

1 SECTION 1. The legislature finds that care facilities play
2 a vital role in caring for elderly and disabled individuals in
3 the State. The legislature notes that these care facilities
4 often provide twenty-four hour care. The legislature further
5 finds that because primary caregivers in these care facilities
6 are occasionally temporarily unable to serve as primary
7 caregivers, substitute caregivers often provide valuable
8 services to the individuals in these facilities.

9 The legislature recognizes that the maximum number of hours
10 that substitute caregivers may serve as substitute caregivers
11 per day must be carefully calculated. Requiring substitute
12 caregivers to work too many hours may result in crucial errors
13 being made. However, not allowing substitute caregivers to work
14 enough hours per day may cause a number of other problems,
15 including but not limited to scheduling issues and increased
16 costs, without providing any material benefits.



1 Accordingly, the purpose of this Act is to authorize
2 substitute caregivers in certain state-licensed or state-
3 certified care facilities to serve in that capacity for a
4 maximum of six hours per day.

5 SECTION 2. Chapter 321, Hawaii Revised Statutes, is
6 amended by adding a new section to part I be appropriately
7 designated and to read as follows:

8 "§321- Substitute caregivers; care facilities.

9 Notwithstanding any law to the contrary, any substitute
10 caregiver in a state-licensed or state-certified care facility
11 may act as a substitute caregiver for a maximum of six hours per
12 day; provided that this section shall only apply to substitute
13 caregivers who are required by the department to be nurse aides
14 and who are substituting for a caregiver employed by one of the
15 following:

- 16 (1) An adult residential care home;
- 17 (2) An expanded adult residential care home;
- 18 (3) A developmental disabilities domiciliary home;
- 19 (4) A community care foster family home; or
- 20 (5) An adult foster home for developmentally disabled
21 individuals."



1 SECTION 3. New statutory material is underscored.

2 SECTION 4. This Act shall take effect upon its approval.

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INTRODUCED BY: Rich R. Brownilla Ahatok

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JAN 24 2019

H.B. NO. 1596

Report Title:

Department of Health; Care Facilities; Substitute Caregivers;
Wages and Hours; Maximum Hours Per Day

Description:

Authorizes certain substitute caregivers in certain care facilities to serve in that capacity for a maximum of 6 hours per day.

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