

JAN 21 2022

A BILL FOR AN ACT

RELATING TO KUPUNA CARE.

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

1 SECTION 1. The legislature finds that Hawaii's aging
2 population motivated the legislature to pass the landmark kupuna
3 caregivers program. The program supports qualified caregivers
4 by providing up to \$70 per day to cover the cost of adult care,
5 chore services, home-delivered meals, homemaker services,
6 personal care, respite, or transportation. To be eligible,
7 caregivers must provide direct care to a care recipient who is
8 at least sixty years old.

9 On January 31, 1997, Hawaii sued major tobacco companies,
10 seeking damages and costs related to tobacco injuries and
11 illnesses suffered by medicaid recipients. On November 23,
12 1998, Hawaii, along with forty-five other states that had filed
13 similar actions against the tobacco companies, entered into a
14 global settlement. The tobacco companies agreed to pay various
15 sums to the settling states over twenty-five years.

16 Given data that suggest forty-five per cent of Americans in
17 1965 smoked, and advertising and marketing efforts by tobacco



1 companies were prevalent, many kupuna today were likely to have
2 been smokers. Now, these kupuna are likely suffering from the
3 damaging effects of smoking, including cancer, cardiovascular,
4 and other diseases, leading to a need for caregivers, like those
5 in the kupuna care program.

6 The purpose of this Act is to use funds from the tobacco
7 settlement special fund to increase funding for the kupuna
8 caregivers program.

9 SECTION 2. Section 328L-2, Hawaii Revised Statutes, is
10 amended by amending subsection (b) to read as follows:

11 "(b) The fund shall be used for the purpose of receiving,
12 allocating, and appropriating the tobacco settlement moneys as
13 follows:

14 (1) Fifteen per cent shall be appropriated into the
15 emergency and budget reserve fund under section 328L-
16 3;

17 (2) Twelve and one-half per cent shall be appropriated
18 into the Hawaii tobacco prevention and control trust
19 fund under section 328L-5;

20 (3) Twenty-six per cent shall be appropriated into the
21 university revenue-undertakings fund created in



1 section 304A-2167.5, to be applied to the payment of
2 the principal of and interest on, and to generate
3 required coverage, if any, for, revenue bonds issued
4 by the board of regents of the University of Hawaii to
5 finance the cost of construction of a university
6 health and wellness center, including a new medical
7 school facility, to be situated on the island of Oahu;
8 [and]

9 (4) Ten per cent shall be deposited to the credit of the
10 general fund to be allocated to and expended by the
11 department of health for purposes of the kupuna care
12 program and the kupuna caregivers program established
13 pursuant to sections 349-17 and 349-18, respectively,
14 at the discretion of the executive office on aging;
15 provided that any funds deposited pursuant to this
16 paragraph shall be in addition to and shall not
17 supplant any portion of the base budget of the
18 executive office on aging; and

19 ~~[-(4)-]~~ (5) Any remaining amounts shall be deposited to the
20 credit of the state general fund;

21 in the succeeding fiscal year."



S.B. NO. 2462

1 SECTION 3. Statutory material to be repealed is bracketed
2 and stricken. New statutory material is underscored.

3 SECTION 4. This Act shall take effect on July 1, 2022.

4

INTRODUCED BY: _____

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S.B. NO. 2462

Report Title:

Kupuna Care; Kupuna Caregivers; Hawaii Tobacco Settlement
Special Fund; Department of Health

Description:

Specifies that ten per cent of the moneys in the Hawaii Tobacco Settlement Special Fund shall be allocated to and expended by the Department of Health for purposes of the Kupuna Care Program and the Kupuna Caregivers Program. Specifies that the allotment of tobacco settlement moneys shall not supplant the base budget of the Executive Office on Aging.

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