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# A BILL FOR AN ACT

RELATING TO MEDICAID.

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

1           SECTION 1. The legislature finds that concerns stemming  
2 from the spread of infection during the COVID-19 pandemic and  
3 personal preferences create a strong demand for community-based  
4 care options for kupuna. In a 2021 quantitative research study  
5 conducted by AARP, among Hawaii residents aged forty-five and  
6 older, seventy-five per cent said that having affordable  
7 long-term care options in their community was an important  
8 independent living issue. Maintaining a connection with family  
9 and friends and the ability to continue to visit familiar health  
10 care providers is much easier when the State's kupuna can be  
11 cared for close to home.

12           The legislature further finds that reimbursement rates that  
13 do not have medicare rates for equivalent services, such as all  
14 community-based waiver services, are reviewed and determined by  
15 the department of human services at least every five years. The  
16 last review of home and community-based reimbursement rates for  
17 residential services by the department of human services' med-



1 QUEST division was conducted through a third-party study by the  
2 actuarial firm Milliman and reported on December 30, 2022. The  
3 study developed benchmark comparison rates for certain home and  
4 community-based services, including residential services  
5 provided in community care foster family homes and expanded  
6 adult residential care homes, in-home services, and case  
7 management services for home and community-based case management  
8 agencies.

9 The legislature additionally finds that, for all provider  
10 types included in the study conducted by Milliman, current  
11 median direct care wages paid by the home and community-based  
12 services providers fell below the United States Bureau of Labor  
13 Statistics twenty-fifth percentile for those occupation codes  
14 and titles, except for licensed practical nurses, who fell just  
15 below the fiftieth percentile. Providers face significant wage  
16 pressures for registered nurses and certified nursing assistants  
17 and are competing with facilities, which are reimbursed at  
18 higher rates by medicaid, and private pay services for the same  
19 labor force. Most providers therefore relied on contracted  
20 registered nurses. Providers were not able to offer benefits,  
21 including health insurance, to their employees and relied on



1 substitute caregivers who were sometimes unpaid, including  
2 families and friends of the providers. High inflation has also  
3 further increased costs for operators providing residential  
4 services in community care foster family homes and expanded  
5 adult residential care homes.

6 The purpose of this Act is to appropriate funds to increase  
7 funding of certain medicaid home and community-based services,  
8 including case management services for home and community-based  
9 case management agencies and residential services offered in  
10 community care foster family homes and expanded adult  
11 residential care homes. This Act also requires the department  
12 of human services to obtain the maximum federal matching funds  
13 available for the expenditure, which will result in a larger  
14 impact on reimbursements received by service providers.

15 SECTION 2. There is appropriated out of the general  
16 revenues of the State of Hawaii the sum of \$5,760,000 or so much  
17 thereof as may be necessary for fiscal year 2024-2025 to  
18 increase the funding of certain medicaid home and community-  
19 based services, including case management services for home and  
20 community-based case management agencies and residential  
21 services offered in community care foster family homes and



1 expanded adult residential care homes; provided that the  
2 department of human services shall obtain the maximum federal  
3 matching funds available for this expenditure; provided further  
4 that the department of human services shall pursue all funding  
5 sources known to the State, including private grants, prior to  
6 expending any general revenues appropriated pursuant to this  
7 Act.

8 The sum appropriated shall be expended by the department of  
9 human services for the purposes of this Act.

10 SECTION 3. In accordance with section 9 of article VII of  
11 the Hawaii State Constitution and sections 37-91 and 37-93,  
12 Hawaii Revised Statutes, the legislature has determined that the  
13 appropriations contained in H.B. No. , will cause the state  
14 general fund expenditure ceiling for fiscal year 2024-2025 to be  
15 exceeded by \$ or per cent. In addition, the  
16 appropriation contained in this Act will cause the general fund  
17 expenditure ceiling for fiscal year 2024-2025 to be further  
18 exceeded by \$ or per cent. The combined total  
19 amount of general fund appropriations contained in only these  
20 two Acts will cause the state general fund expenditure ceiling  
21 for fiscal year 2024-2025 to be exceeded by



1 \$ or per cent. The reasons for exceeding the  
2 general fund expenditure ceiling are that:

3 (1) The appropriation made in this Act is necessary to  
4 serve the public interest; and

5 (2) The appropriation made in this Act meets the needs  
6 addressed by this Act.

7 SECTION 4. This Act shall take effect on July 1, 2024.

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INTRODUCED BY: *Lisa Motes*  
JAN 22 2024



# H.B. NO. 2215

**Report Title:**

Medicaid; Home and Community-Based Services; Department of Human Services; Appropriation; Expenditure Ceiling

**Description:**

Appropriates funds to increase the funding of certain medicaid home and community-based services, including case management services for home and community-based case management agencies and residential services offered in community care foster family homes and expanded adult residential care homes. Requires the Department of Human Services to obtain matching funds.

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

