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# A BILL FOR AN ACT

RELATING TO LONG-TERM CARE.

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

1           SECTION 1. The legislature finds that the State is  
2 fortunate to have the highest life expectancy in the United  
3 States with a record of 80.7 years. The number of kupuna living  
4 to be over eighty, ninety, and even one hundred continues to  
5 grow. As people age, they are more likely to experience  
6 differing abilities, with 27.8 per cent of older adults living  
7 with a disability. This likelihood of living with a disability  
8 increases to 39.5 per cent for the middle-old (ages seventy-five  
9 through eighty-four) and 70.9 per cent for the oldest-old (aged  
10 eighty-five years or older). According to the Centers for  
11 Disease Control and Prevention, the ten leading causes of death  
12 in the State are heart disease, cancer, stroke, accidents,  
13 Alzheimer's disease, chronic lower respiratory disease,  
14 coronavirus disease 2019, diabetes, influenza or pneumonia, and  
15 kidney disease. Moreover, three out of ten deaths in the State  
16 are due to cardiovascular disease, which is largely preventable.  
17 In addition, there are approximately twenty-nine thousand



1 persons aged sixty-five and older living with Alzheimer's  
2 disease in the State who are cared for by fifty-one thousand  
3 family caregivers. According to the Centers for Disease Control  
4 and Prevention, one in nine adults forty-five years or older in  
5 the State report experiencing subjective cognitive decline, as  
6 they notice memory problems that have been getting worse, and  
7 within this group, seventy-four per cent have at least one  
8 chronic condition. By 2025, the number of people living with  
9 Alzheimer's disease in the State is expected to increase to  
10 thirty-five thousand, a more than twenty per cent increase from  
11 2020.

12 The legislature further finds that virtually all of the  
13 State's seniors prefer to age in place at home, with the option  
14 of receiving community-based services, rather than in a care  
15 home or institution, and that many seniors will require more  
16 intensive services and caregiving at the end of their lives.  
17 Therefore, long-term care of the State's aging population is a  
18 matter of statewide concern.

19 The legislature also finds that the costs of institutional  
20 care have escalated beyond the financial means of most seniors.  
21 The State's portion of medicaid expenditures has increased



1 steadily over the years and is projected to increase  
2 significantly as baby boomers enter retirement. As the State's  
3 population ages, the number of frail and disabled individuals  
4 has increased, placing a precipitous demand on the need for  
5 long-term care services, as well as significant cost pressures  
6 on the state budget. The legislature therefore finds that there  
7 is an urgent need to make quality long-term care services as  
8 accessible, efficient, and effective as possible.

9 The legislature additionally finds that it is necessary to  
10 explore public and private sector approaches to support payment  
11 for long-term care services, which can assist seniors age in  
12 place and prevent the State from becoming fiscally liable for  
13 unsustainable costs under medicaid.

14 Act 224, Session Laws of Hawaii 2008, established a  
15 long-term care commission within the public policy center of the  
16 university of Hawaii college of social sciences to identify  
17 needed reforms of the long-term care system. The commission  
18 produced a report entitled "Long-Term Care Reform in Hawaii:  
19 Report of the Hawaii Long-Term Care Commission, Final Report",  
20 dated January 18, 2012. Several bills were introduced during  
21 the regular session of 2012 to adopt the commission's



1 recommendations. However, only one bill was adopted, the kupuna  
2 care program, which had been a demonstration project since July  
3 1999, and was codified in statute within the executive office on  
4 aging pursuant to Act 238, Session Laws of Hawaii 2012.

5 The purpose of this Act is to establish and appropriate  
6 funds for:

- 7 (1) A long-term care plan that incorporates certain  
8 essential components of long-term care services; and
- 9 (2) Long-term care planner positions within the executive  
10 office on aging to oversee the development and  
11 implementation of the long-term care plan.

12 SECTION 2. (a) The executive office on aging shall  
13 coordinate with the state health planning and development agency  
14 in the development of a long-term care plan as part of an  
15 overall health care system plan.

16 (b) The executive office on aging, in coordination with  
17 the state health planning and development agency, shall  
18 establish a comprehensive long-term care plan to:

- 19 (1) Identify essential components to ensure the  
20 availability of a full continuum of long-term care  
21 services, including homes, skilled nursing



- 1 institutions, and other institutional and
- 2 community-based services;
- 3 (2) Identify needed reforms to establish a sustainable
- 4 long-term care system;
- 5 (3) Research programmatic changes and resources necessary
- 6 to meet the State's long-term care public policy
- 7 goals; and
- 8 (4) Explore funding options to support the provision of
- 9 long-term care services, including the recruitment,
- 10 training, and retention of a skilled workforce.
- 11 (c) The executive office on aging shall submit a report of
- 12 its findings and recommendations, including any proposed
- 13 legislation, to the legislature no later than twenty days prior
- 14 to the convening of the regular session of 2025.

15 SECTION 3. In accordance with section 9 of article VII of  
 16 the Hawaii State Constitution and sections 37-91 and 37-93,  
 17 Hawaii Revised Statutes, the legislature has determined that the  
 18 appropriations contained in Act 164, Regular Session of 2023,  
 19 and this Act will cause the state general fund expenditure  
 20 ceiling for fiscal year 2024-2025 to be exceeded by  
 21 \$ or per cent. This current declaration takes



1 into account general fund appropriations authorized for fiscal  
2 year 2024-2025 in Act 164, Regular Session of 2023, and this Act  
3 only. The reasons for exceeding the general fund expenditure  
4 ceiling are that:

- 5 (1) The appropriation made in this Act is necessary to
- 6 serve the public interest; and
- 7 (2) The appropriation made in this Act meets the needs
- 8 addressed by this Act.

9 SECTION 4. There is appropriated out of the general  
10 revenues of the State of Hawaii the sum of \$ or so  
11 much thereof as may be necessary for fiscal year 2024-2025 for  
12 the executive office on aging, in coordination with the state  
13 health planning and development agency, to establish the  
14 comprehensive long-term care plan pursuant to section 2 of this  
15 Act.

16 The sum appropriated shall be expended by the executive  
17 office on aging for the purposes of this Act.

18 SECTION 5. There is appropriated out of the general  
19 revenues of the State of Hawaii the sum of \$ or so  
20 much thereof as may be necessary for fiscal year 2024-2025 to  
21 establish and fund full-time equivalent ( FTE)



1 long-term care planner positions within the executive office on  
2 aging to oversee the development and implementation of the  
3 comprehensive long-term care plan identified in section 2 of  
4 this Act.

5 The sum appropriated shall be expended by the executive  
6 office on aging for the purposes of this Act.

7 SECTION 6. This Act shall take effect on July 1, 3000.



**Report Title:**

EOA; SHPDA; Long-Term Care Plan; Report; Position;  
Appropriation; General Fund Expenditure Ceiling Exceeded

**Description:**

Requires the Executive Office on Aging, in coordination with the State Health Planning and Development Agency, to create a comprehensive long-term care plan to accomplish long-term care policy goals that, when implemented, ensure the availability of a full continuum of institutional and community-based services. Establishes long-term care planner positions within the EOA to oversee the development and implementation of the long-term care plan. Requires the EOA to submit a report to the Legislature. Appropriates funds. Declares that the appropriations exceed the general fund expenditure ceiling for 2024-2025. Effective 7/1/3000. (SD1)

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