

JOSH GREEN, M.D.
GOVERNOR
KE KIA'ĀINA



GOV. MSG. NO. 1151

EXECUTIVE CHAMBERS
KE KE'ENA O KE KIA'ĀINA

May 15, 2025

The Honorable Ronald D. Kouchi
President of the Senate,
and Members of the Senate
Thirty-Third State Legislature
State Capitol, Room 409
Honolulu, Hawai'i 96813

The Honorable Nadine Nakamura
Speaker, and Members of the
House of Representatives
Thirty-Third State Legislature
State Capitol, Room 431
Honolulu, Hawai'i 96813

Aloha President Kouchi, Speaker Nakamura, and Members of the Legislature:

This is to inform you that on May 15, 2025, the following bill was signed into law:

S.B. NO. 1438, S.D. 1,
H.D. 1

RELATING TO HOME CARE AGENCIES.
ACT 051

Mahalo,

A handwritten signature in black ink that reads "Josh Green M.D.".

Josh Green, M.D.
Governor, State of Hawai'i

on MAY 15 2025

THE SENATE
THIRTY-THIRD LEGISLATURE, 2025
STATE OF HAWAII

ACT 051
S.B. NO. 1438
S.D. 1
H.D. 1

A BILL FOR AN ACT

RELATING TO HOME CARE AGENCIES.

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

1 SECTION 1. Section 321-14.8, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "**§321-14.8 Home care agencies; licensing.** (a) Beginning
4 July 1, 2010, each home care agency shall be licensed by the
5 department of health to ensure the health, safety, and welfare
6 of clients.

7 (b) The department of health shall adopt ~~[interim rules,~~
8 ~~which shall be exempt from chapters 91 and 201M, to effectuate~~
9 ~~the licensure of home care agencies; provided that the interim~~
10 ~~rules shall remain in effect until the sooner of October 1,~~
11 ~~2018, or the adoption of]~~ rules pursuant to chapters 91 and 201M
12 to:

13 (1) Protect the health, safety, and civil rights of
14 clients of home care agencies; and

15 (2) Provide for the licensure of home care agencies.



1 (c) A service provider agency shall be exempt from the
2 licensing requirement of this section when services are
3 provided:

4 (1) Under contract for services with the city and county
5 of Honolulu, elderly affairs division~~[+]~~ of the
6 department of community services; or

7 (2) Exclusively to participants in the medicaid home and
8 community based services waiver, pursuant to section
9 1915(c) of the Social Security Act, by an agency
10 approved by the department of human services med-QUEST
11 division.

12 (d) A home care agency shall only provide home care
13 services or related tasks, functions, and activities in
14 accordance with its license, and shall not provide services
15 authorized by chapter 457 unless those services are provided by
16 a registered nurse, a licensed practical nurse, or an advanced
17 practice registered nurse.

18 (e) Violations of this section shall be subject to the
19 penalties and remedies provided in this chapter and rules
20 adopted by the department of health.

21 ~~[-(d)]~~ (f) For the purposes of this section:



1 "Home care agency" means a public or proprietary agency, a
2 private, nonprofit organization, or a subdivision of an agency
3 or organization, engaged in providing home care services to
4 clients in the client's residence. [~~The term "home care~~
5 ~~agency"~~] "Home care agency" does not apply to an individual,
6 including an individual who is incorporated as a business, or is
7 an unpaid or stipended volunteer.

8 "Home care services" may include [~~but are not limited to~~]:

- 9 (1) Personal care, including assistance with dressing,
10 feeding, and personal hygiene to facilitate self-care;
11 (2) Homemaker assistance, including housekeeping,
12 shopping, and meal planning and preparation; and
13 (3) Respite care and assistance and support provided to
14 the family."

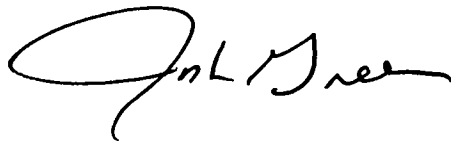
15 SECTION 2. Statutory material to be repealed is bracketed
16 and stricken. New statutory material is underscored.

17 SECTION 3. This Act shall take effect upon its approval.



S.B. NO. 1438
S.D. 1
H.D. 1

APPROVED this 15th day of May, 2025

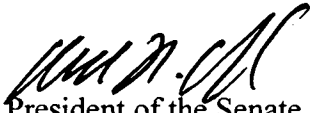
A handwritten signature in black ink, appearing to read "Jon L. Mees". The signature is fluid and cursive, with a large initial "J" and "M".

GOVERNOR OF THE STATE OF HAWAII


THE SENATE OF THE STATE OF HAWAI‘I

Date: April 16, 2025
Honolulu, Hawai‘i 96813

We hereby certify that the foregoing Bill this day passed Final Reading in the Senate
of the Thirty-Third Legislature of the State of Hawai‘i, Regular Session of 2025.



President of the Senate



Clerk of the Senate

THE HOUSE OF REPRESENTATIVES OF THE
STATE OF HAWAII

Date: April 3, 2025
Honolulu, Hawaii

We hereby certify that the above-referenced Bill on this day passed Third Reading in the House of Representatives of the Thirty-Third Legislature of the State of Hawaii, Regular Session of 2025.



Nadine K. Nakamura
Speaker
House of Representatives



Brian L. Takeshita
Chief Clerk
House of Representatives