

A Bill for an Act Relating to Public Assistance.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. Section 346-29, Hawaii Revised Statutes, is amended to read as follows:

“Sec. 346-29 Applications for public assistance; manner, form, conditions. Applications for public assistance under this chapter shall be made to the department of social services and housing by the applicant, or by someone acting in his behalf, in the manner, place, and form prescribed by the department.

No applicant shall be entitled to public assistance under this chapter who has sufficient income or other resources to provide a subsistence compatible to decency and health, or who is an inmate of any institution established primarily for tuberculosis or mental illness, or for detention or forcible confinement or correction; or who is an inmate of any public institution of a non-curative character, but an inmate of such an institution mentioned in this section may apply for assistance to begin after his discharge from the institution. In determining the needs of an applicant or recipient for public assistance, the department:

- (1) Shall disregard such amounts of earned income and resources as required or authorized by the Social Security Act or other federal acts, to receive federal matching funds and such additional amounts as these acts permit, now or in the future, to be disregarded.
- (2) Shall consider only such net income as is actually available for current use on a regular basis, and only current available resources will be considered.”

SECTION 2. Section 346-37, Hawaii Revised Statutes, is amended to read as follows:

“Sec. 346-37 No state claim for assistance. The cost of any goods or services furnished by the State or by any political subdivision of the State to a recipient under this chapter shall not constitute a lien against real or personal property of the recipient and no lien shall be taken thereof except pursuant

to the judgment of a court on account of medical assistance incorrectly paid on behalf of such recipient. The amount of public assistance paid to a recipient under this chapter shall not constitute a claim against the recipient or his estate except when it has been determined legally that a third party liability exists.”

SECTION 3. Material to be repealed is bracketed. New material is underscored. In printing this Act, the revisor of statutes need not include the brackets, the bracketed material, or the underscoring.*

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

(Approved May 11, 1972.)

*Edited accordingly.