

**ACT 126**

S.B. NO. 1025

A Bill for an Act Relating to the Kupuna Caregivers Program.

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

SECTION 1. The legislature finds that in 2017, 17.8 per cent of Hawaii's population was sixty-five years or older, and with projections of an increase to 19.4 per cent by 2020 and 23 per cent by 2030, caring for Hawaii's kupuna is a high priority of the legislature.

The legislature finds that currently there are 154,000 unpaid family caregivers in Hawaii who are taking care of their parents, spouse, or other relatives who need extra care. Family caregivers play a crucial role in the State's health care system by providing long-term care to the elderly, all unpaid. However, it

is imperative to ensure that the caregivers take care of themselves and have the necessary support and services to sustain their own health as well as the health of the family member for whom they are caring.

To address this issue, the kupuna caregivers program was established on July 6, 2017, and aims to provide working caregivers with additional resources to cover a variety of support services such as adult day care, assisted transportation, homemaker services, and many more important services to qualified kupuna. The program ensures that caregivers continue earning their own retirement benefits, which helps businesses retain experienced workers and provides peace of mind that loved kupuna are well cared for while caregivers remain in the workforce. This program allows caregivers who are juggling their own employment with their caregiving responsibilities to simultaneously take care of their kupuna and themselves.

Since the establishment of the kupuna caregivers program, the executive office on aging has reportedly received hundreds of calls from Hawaii residents wishing to receive the benefits of the program. While the creation of the program was an important first step, the legislature believes that the program requires additional third year funding to have the impact it needs. With the high volume of residents showing interest in the program, the current funding needs to be increased in order to better serve the people of Hawaii.

The purpose of this Act is to:

- (1) Require the executive office on aging to include in its annual report to the legislature a section detailing outcomes of the kupuna caregivers program;
- (2) Require the executive office on aging to develop and implement a plan to maximize the number of caregivers served by the program;
- (3) Include additional services to be provided by the kupuna caregivers program; and
- (4) Appropriate funds for the implementation of the kupuna caregivers program.

SECTION 2. Section 349-5, Hawaii Revised Statutes, is amended by amending subsection (b) to read as follows:

“(b) The planning and administrative services division shall engage in the following activities, including but not limited to:

- (1) Preparation and submission of programs and budgets;
- (2) Preparation of an annual evaluation report on elder programs for the governor and legislature[;], which shall include a section detailing outcomes of the kupuna caregivers program, including but not limited to:
  - (A) Evaluation metrics;
  - (B) A cost breakdown and de-identified, aggregated analysis of individuals served, by county and type of service received;
  - (C) Identification of the number of service providers contracted by county and the types of services provided;
  - (D) Consolidated data of the existing waiting list broken down by county; and
  - (E) Recommendations to support the implementation and execution of the program to maximize the number of caregivers served by the program;
- (3) Preparation of studies and analysis;
- (4) Maintenance of personnel records;

- (5) Management of contracts and agreements entered into by the executive office on aging with public and private vendors, consultants, and suppliers;
- (6) Monitoring the purchase of service agreements with public and private agencies and rendering technical assistance to elder program service providers; and
- (7) Establishment and maintenance of reimbursement systems for services provided by agreement with federal, state, and county agencies, as well as private groups.”

SECTION 3. Section 349-18, Hawaii Revised Statutes, is amended by amending subsections (b) and (c) to read as follows:

“(b) The program shall be coordinated and administered by the executive office on aging and implemented through the area agency on aging. The executive office on aging shall develop and implement a plan to maximize the number of caregivers served by the program.

(c) The kupuna caregivers program shall award an allocation of funds, subject to the availability of funding and up to a maximum of [~~\$70~~] \$210 per [~~day,~~] week, to cover costs for [~~the following~~] services that would otherwise be performed by the qualified caregiver for the care recipient[~~;~~], including but not limited to:

- (1) Care coordination or case management;
- [~~(1)~~] (2) Adult day care;
- [~~(2)~~] (3) Assisted transportation;
- [~~(3)~~] (4) Chores;
- [~~(4)~~] (5) Home-delivered meals;
- [~~(5)~~] (6) Homemaker services;
- [~~(6)~~] (7) Personal care;
- [~~(7)~~] (8) Respite care; or
- [~~(8)~~] (9) Transportation;

provided that the allocated funds shall be issued directly to the service provider upon request and receipt of an invoice for services rendered.”

SECTION 4. The executive office on aging shall submit a copy of the kupuna caregivers program plan, as required by section 349-18(b), Hawaii Revised Statutes, to the legislature no later than twenty days prior to the convening of the regular session of 2020. In addition to the plan, the executive office on aging may adopt administrative rules to implement and administer the kupuna caregivers program.

SECTION 5. There is appropriated out of the general revenues of the State of Hawaii the sum of \$1,500,000 or so much thereof as may be necessary for fiscal year 2019-2020 for proper implementation of the kupuna caregivers program.

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

SECTION 6. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

SECTION 7. This Act shall take effect on July 1, 2019.

(Approved June 25, 2019.)