

ACT 250

S.B. NO. 1592

A Bill for an Act Relating to the Senior Medicare Patrol Program.

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

SECTION 1. In accordance with section 9 of article VII of the Hawaii State Constitution and sections 37-91 and 37-93, Hawaii Revised Statutes, the legislature has determined that the appropriations contained in H.B. No. 300, H.D. 1, S.D. 1, C.D. 1,¹ and this Act will cause the state general fund expenditure

ceiling for fiscal year 2023-2024 to be exceeded by \$1,063,953,655 or 11.0 per cent. This current declaration takes into account general fund appropriations authorized for fiscal year 2023-2024 in H.B. No. 300, H.D. 1, S.D. 1, C.D. 1,¹ and this Act only. The reasons for exceeding the general fund expenditure ceiling are that:

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

SECTION 2. The legislature finds that the safety and welfare of the islands' kupuna is a priority. Scams and fraudulent activities targeting kupuna are unacceptable and diminish kupuna's assets, dignity, and legacy.

The legislature further finds that medicare loses over \$70,000,000,000 annually to fraudulent claims. Hawaii's population ranks first in the nation in terms of longevity, with an average life expectancy of 81.3 years. As the baby boomer generation continues to age, the number of people eligible for medicare will continue to grow.

The legislature further finds that the State's senior medicare patrol program, established in 1997, has a documented history of advocating for, educating, and protecting Hawaii's most vulnerable population. The program was established with two temporary full-time positions and continues to provide services with only two full-time staff positions, despite significant increases in reports of fraudulent activity. In addition, the State's senior medicare patrol program does not limit its assistance to fighting health care fraud and abuse. The executive office on aging recognizes that other types of fraud and abuse that deceive kupuna into providing personal information and money, including gift card and charity schemes; romance, caregiver, and imposter scams; and ransomware, have the potential to harm kupuna. To address increasing reports of fraud, medical billing errors, and abuse, more full-time staff positions are needed to expand the State's senior medicare patrol program and its delivery of services. The additional staff will allow the program to work closely with other private and government service providers to build a wider "help net" and assist kupuna statewide.

The purpose of this Act is to appropriate funds for the establishment of three additional positions within the State's senior medicare patrol program to meet the rising demand for assistance resulting from increasing reports of fraud, medical billing errors, and abuse.

SECTION 3. There is appropriated out of the general revenues of the State of Hawaii the sum of \$186,288 or so much thereof as may be necessary for fiscal year 2023-2024 and the sum of \$192,408 or so much thereof as may be necessary for fiscal year 2024-2025 for the establishment of one full-time equivalent (1.0 FTE) program specialist III position, one full-time equivalent (1.0 FTE) program specialist IV position, and one full-time equivalent (1.0 FTE) program specialist V position within the executive office on aging for the State's senior medicare patrol program.

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

SECTION 4. This Act shall take effect on July 1, 2023.

(Approved July 7, 2023.)

Note

1. Act 164.