
A BILL FOR AN ACT

RELATING TO LONG TERM CARE.

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

1 PART I. FINDINGS AND PURPOSE

2 SECTION 1. The legislature finds that virtually all of
3 Hawaii's elders want to age-in-place at home rather than in a
4 care home or institution, and that many elders will require more
5 intensive services and caregiving at the end of their lives.

6 Over the years, a number of initiatives have been undertaken to
7 begin the needed transformation of the services and programs
8 that support seniors and persons with disabilities in Hawaii,
9 such as Quest-Ex, the expansion of Kupuna Care, the Aging and
10 Disability Resource Center, and the Going Home Program.

11 However, the State of Hawaii has not taken a comprehensive look
12 at needed systems reforms, nor developed a solid plan about how
13 to prepare for the future service needs of these rapidly
14 expanding, vulnerable populations.

15 The legislature further finds that the costs of
16 institutional care have escalated beyond the financial means of
17 most elders. The State's portion of medicaid expenditures has



1 increased steadily over the years and is projected to increase
2 significantly as baby boomers begin to retire. As Hawaii's
3 population ages, the number of frail and disabled individuals
4 will also increase, 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 a need to plan for the future to make quality long term care
8 services as accessible, efficient, and effective as possible.

9 The legislature further 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 elders to
12 age-in-place and prevent the State from becoming fiscally liable
13 for unsustainable costs under medicaid.

14 The purpose of this Act is to establish long term care
15 policy goals and guiding principles, and establish a long term
16 care commission to identify needed reforms of the long term care
17 system, research program changes and resources necessary to meet
18 the State's long term care public policy goals, and explore an
19 array of funding options that may help support the provision of
20 long term care services in the future.

21 PART II. LONG TERM CARE POLICY GOALS
22 AND GUIDING PRINCIPLES



1 SECTION 2. To make possible the array of services that are
2 necessary to meet the long term care needs of Hawaii's elders
3 and persons with disabilities, the following shall be the long
4 term care policy goals of the State of Hawaii:

- 5 (1) Encourage the planning of and provision for a
6 continuum of care, up to and including the end of
7 life;
- 8 (2) Coordinating referral, case management, and service
9 delivery through co-location and other means;
- 10 (3) Strengthening family caregiver support systems to
11 encourage aging-in-place;
- 12 (4) Stimulating workforce development and training
13 programs to expand the number and capabilities of long
14 term care service providers;
- 15 (5) Developing financial mechanisms to help Hawaii's
16 families meet the cost of long term care;
- 17 (6) Increasing public resources to expand home and
18 community-based care options;
- 19 (7) Fostering public understanding of caregiving issues;
20 and



1 (8) Encouraging research and education on aging, long term
2 care, and related subjects through the University of
3 Hawaii system.

4 SECTION 3. The development of a long term care system in
5 Hawaii shall also be guided by the following principles:

- 6 (1) Consumers should have as much choice as possible in
7 the selection and use of services;
- 8 (2) Services should be accessible and foster the level of
9 self sufficiency desired by the consumer;
- 10 (3) Programs and services serving all seniors and disabled
11 populations should be accountable, cost effective, and
12 provide quality care;
- 13 (4) All services should be organized and administered in a
14 way that fosters efficient use of limited state
15 resources;
- 16 (5) Consumers should have access to information to help
17 them make timely and appropriate decisions when
18 needed;
- 19 (6) Health, long term care, and social services should be
20 connected through the use of preadmission screening,
21 standardized assessments, care planning, coordination,
22 and case management; and

1 (7) Technology should be used to improve accountability,
2 efficiency, quality of care, and to help keep people
3 in their homes.

4 PART III. LONG TERM CARE COMMISSION

5 SECTION 4. (a) There is established a long term care
6 commission within the University of Hawaii college of social
7 sciences public policy center for administrative purposes. The
8 commission shall:

- 9 (1) Identify problems with current long term care
10 capacity, programs, and services;
- 11 (2) Develop a five-year comprehensive long term care plan
12 to accomplish long term care policy goals that, when
13 implemented, will ensure the availability of a full
14 continuum of institutional and community-based
15 services, including benchmarks to evaluate
16 accomplishments for each year;
- 17 (3) Research public and private financing options and
18 develop recommendations about financial resources,
19 including a mix of public and private financing,
20 necessary to achieve needed state long term care
21 reforms and state public policy goals;



1 (4) Monitor federal legislation for changes that may
2 impact the program and adjust the long term care plan
3 accordingly; and

4 (5) Collaborate with interested stakeholders, including
5 community coalitions or organizations concerned with
6 educating the public regarding long term care.

7 (b) The long term care commission shall consist of:

8 (1) Five members appointed by the governor;

9 (2) Five members appointed by the president of the senate;

10 (3) Five members appointed by the speaker of the house of
11 representatives; and

12 (4) Five non-voting, ex-officio members, who are the
13 directors of the following departments, or their
14 designees, and who shall collaborate with and support
15 the work of the commission, as requested:

16 (A) Department of commerce and consumer affairs;

17 (B) Department of health;

18 (C) Department of human services;

19 (D) Department of labor and industrial relations; and

20 (E) Department of taxation.

21 (c) Members shall have a background in business,

22 economics, finance, management, health care, long term care,



1 social services, or public policy development, or be an advocate
2 for or consumer of long term care services. Members of the
3 commission shall be appointed as soon as practicable, but by no
4 later than September 30, 2008. Any vacancies occurring in the
5 membership of the commission shall be filled for the remainder
6 of the unexpired term in the same manner as the original
7 appointments.

8 (d) A simple majority of voting members shall constitute a
9 quorum, whose affirmative vote shall be necessary for all
10 actions.

11 (e) The members shall serve without compensation, but
12 shall be allowed necessary expenses incurred in the performance
13 of commission duties.

14 (f) The University of Hawaii college of social sciences
15 public policy center shall convene the first commission meeting
16 as soon as practicable, but by no later than November 1, 2008.
17 At this first meeting, the commission shall elect from among its
18 members a chairperson, who shall convene commission meetings,
19 and a vice chairperson, and shall adopt rules for the conduct of
20 its work.

21 (g) The long term care commission shall:



- 1 (1) Submit an interim report to the legislature no later
2 than February 28, 2010, describing the progress made
3 in the development of the five-year plan and
4 preliminary proposed system reforms; and
- 5 (2) Submit a final report to the legislature no later than
6 September 30, 2010, which shall include the final
7 five-year plan, how the reforms will be prioritized
8 and phased in, and a description and final
9 recommendations regarding the financing of long term
10 care services, including support for caregivers.
- 11 (h) The long term care commission may:
- 12 (1) Conduct or initiate studies as it deems necessary; and
- 13 (2) Hire staff and contract with third parties to conduct
14 studies, including an actuarial study, as it deems
15 necessary for the purpose of evaluating various
16 options about systems reforms and about how to help
17 State residents pay for needed long term care and
18 supportive services in the future. Any contract
19 executed pursuant to this subsection shall be exempt
20 from chapter 103D, Hawaii Revised Statutes; provided
21 that any such contract is approved by the commission
22 in an open meeting.



1 (i) The University of Hawaii college of social sciences
2 public policy center shall provide administrative and policy
3 support to facilitate the work of the long term care commission.

4 (j) The term of the long term care commission shall expire
5 on November 30, 2010.

6 SECTION 5. There is appropriated out of the general
7 revenues of the State of Hawaii the sum of \$100,000 or so much
8 thereof as may be necessary for fiscal year 2008-2009 for the
9 long term care commission.

10 The sum appropriated shall be expended by the University of
11 Hawaii for the purposes of this Act.

12 SECTION 6. This Act shall take effect on July 1, 2008.

APPROVED this day of , 2008

GOVERNOR OF THE STATE OF HAWAII

