

A BILL FOR AN ACT

RELATING TO A COMPREHENSIVE FAMILY CAREGIVER ASSSITANCE PROGRAM.

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

PART I. INTRODUCTION

SECTION 1. The Silver Legislature finds that significant changes in Medicare and Medicaid health insurance programs nationally and locally will impose greater responsibilities upon individuals and families to be well-informed and astute about long-term care planning, financing, and the options available to assist them.

Additionally, Hawaii is facing a growing healthcare worker shortage, while at the same time health and long-term care needs continue to rise. As a result of cost-containment policies and practices, people with healthcare needs are being discharged from hospitals and other care facilities with complex healthcare requirements while facing reduced home- and community-based care options. This puts the responsibility on families, who are inadequately prepared and trained, to provide such care.

Furthermore, the caregiving tradition in Hawaii is, over time, challenged by the changes in Hawaii demographics: birth rates, marriages, single-occupant households, high costs of living, and family members working outside the home or moving away from Hawaii.

By 2020, more than one in four individuals will be sixty years old or older. The need for personal care due to physical, sensory, cognitive, and self-care disabilities increases with age. As Hawaii's population ages, many more families will be providing

1 higher levels of long-term care to frail and disabled older adults
2 at home.

3 Finally, Hawaii's long-term care system is on a collision
4 course with the day-to-day reality of families coping with caring
5 for loved ones with chronic conditions. Without attention to this
6 situation, the \$875 million in unpaid supportive services provided
7 by Hawaii's family caregivers may well be jeopardized when these
8 caregivers suffer from the costs that impede their ability to give
9 care. As this pattern plays itself out, the quality of care
10 provided to the frail elderly and individuals with disabling or
11 chronic conditions will diminish, and the costs to Hawaii's long-
12 term care system will skyrocket.

13 The purpose of this Act is to provide assistance to family
14 caregivers who provide at-home care for their elderly relatives.

15 PART II. HAWAII FAMILY CAREGIVER GRANT PROGRAM

16 SECTION 2. There is established a Hawaii Family Caregiver Grant
17 Program to provide annual grants of up to \$1,000 to family
18 caregivers who provide unreimbursed care to a relative. The
19 following general requirements shall apply:

- 20 (1) Both the caregiver and the relative receiving care must be
21 related by blood, marriage, or adoption.
- 22 (2) Both the caregiver and the relative receiving care must
23 reside in Hawaii.
- 24 (3) A licensed physician must certify that the criteria for
25 assistance are met.
- 26 (4) Applications must contain an original signature from the
27 caregiver and the physician who provides certification.

28 The following caregiver requirements shall apply:

- 29 (1) Provide unreimbursed (unpaid) care for a relative who has a
30 mental or physical impairment.
- 31 (2) Have an annual Hawaii adjusted gross income of not more than
32 \$50,000.

- 1 (3) Provide care to the relative for at least six months of the
2 previous calendar year.

3 The following relative receiving care requirements shall apply:

- 4 (1) Require assistance with two or more of the following: eating,
5 dressing, bathing, toileting, transferring, bowel continence,
6 and bladder continence.
7 (2) Require assistance for at least six months out of the
8 previous calendar year.
9 (3) Not be receiving Medicaid-reimbursed long-term care services,
10 except on a periodic or temporary basis.

11 PART III. COORDINATION OF STATEWIDE FAMILY CAREGIVER SUPPORT
12 SERVICES AND POLICIES

13 SECTION 3. The Executive Office on Aging (EOA) shall
14 coordinate public and private sector organizations and family
15 caregivers to establish:

- 16 (1) A one-stop, single entry access point into the long-term care
17 system and family caregiver support;
18 (2) New partnerships to address the needs of family caregivers;
19 (3) Greater coordination and support for grandparents and other
20 relatives who are raising children.

21 PART IV. RESPITE SERVICES

22 SECTION 4. The Departments of Health (DOH) and Human Services
23 (DHS) shall develop respite services for family caregivers so that
24 families can receive time off from their 24-hour service to have
25 regular breaks from their caregiving duties. Respite services shall
26 be based on the DOH's Developmental Disabilities Division respite
27 program.

28 PART V. TRAINING AND EDUCATION

29 SECTION 5. There is established a training and education
30 program to:

- 31 (1) Increase the quality and quantity of long-term care workers;
32 (2) Improve the support and training of family caregivers in
33 areas such as lifting, transporting, CPR, bathing, learning

1 to deal with loves ones with dementia, psychological skills
2 and emotional support, and communication skills;

3 (3) Promote active aging to enhance the lives of seniors; and

4 (4) Develop certification standards for nurses aides.

5 PART VI. FAMILY CAREGIVER TAX CREDIT

6 SECTION 6. There is established a refundable \$1,000 Family
7 Caregiver Tax Credit for families who care for a family member at
8 home, who is categorized as needing help in two of the activities of
9 daily living, following procedure for granting tax credits for low
10 income people.

11 PART VII. CASH AND COUNSELING

12 SECTION 7. The Departments of Health (DOH) and Human Services
13 (DHS) shall develop a Cash and Counseling system of providing
14 financial assistance to family caregivers that combines elements of
15 financial support with direct services to help consumer make
16 informed choices about long-term care.

17 PART VIII. CONCLUSION

18 SECTION 8. There is appropriated out of the General Revenues
19 \$4 million for the purposes of this Act.

20 SECTION 9. This Act shall take effect on July 1, 2006.