



GOV. MSG. NO. 929

EXECUTIVE CHAMBERS

HONOLULU

July 9, 2008

LINDA LINGLE
GOVERNOR

The Honorable Colleen Hanabusa, President
and Members of the Senate
Twenty-Fourth State Legislature
State Capitol, Room 409
Honolulu, Hawaii 96813

Dear Madam President and Members of the Senate:

Re: House Bill No. 2062 HD1 SD2 CD1

On July 8, 2008, House Bill No. 2062, entitled "A Bill for an Act Relating to Long-Term Care" became law without my signature, pursuant to Section 16 of Article III of the State Constitution.

The purpose of this bill is to require the Department of Human Services to apply to the federal Centers for Medicare and Medicaid Services to allow persons who are eligible to receive Medicaid funds for care at nursing home facilities to remain at home and receive home and community-based long-term care.

The Lingle-Aiona Administration strongly supports the goals of this legislation because the Department of Human Services has already applied and received approval to implement the programs and services envisioned by this bill. Since 2003, the Department has operated the "Going Home" program which has enabled more than 800 individuals to relocate from acute hospital settings to alternative residential care in Community Care Foster Family Homes, Expanded Adult Residential Care Homes, or their own home. The Department was recently awarded federal funding to implement the "Going Home Plus" project which will help clients who are living in nursing facilities find housing and other support services. The expanded "Going Home" program will begin in August 2008.

In addition, on February 1, 2008 the Department of Human Services received approval from the federal Centers for Medicare and Medicaid Services to extend and expand services under QUEST Expanded Access (QExA). Starting November 1, 2008 the Quest Expanded Access program will provide expanded home and community-based services for Medicaid clients.

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Although this legislation is technically not necessary, the bill reaffirms the importance of the "Going Home" program and provides the Department of Human Services the opportunity to seek formal federal reconfirmation from the federal Department of Health and Human Services.

For the foregoing reasons, I allowed House Bill No. 2062 to become law as Act 241, effective July 8, 2008, without my signature.

Sincerely,



LINDA LINGLE

A BILL FOR AN ACT

RELATING TO LONG-TERM CARE.

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

1 SECTION 1. The legislature has made it a priority to find
2 solutions to Hawaii's predicted long-term care crisis based on
3 the state's rapidly aging population. Many families in Hawaii
4 choose to care for elderly or disabled family members in their
5 homes rather than in a facility. However, in-home care does not
6 allow the same financing options through Medicaid as licensed
7 nursing facilities. Additionally, the medical needs of the
8 person being cared for may change, thereby requiring a different
9 type of care.

10 It is the legislature's intent to promote independence and
11 choice by allowing individuals, who are eligible under Medicaid
12 to receive nursing facility care, to receive the full spectrum
13 of service options available, including:

- 14 (1) Admittance to a nursing facility;
- 15 (2) The option to remain in the individual's community and
16 receive home- and community-based long-term care,
17 support, and services; and



1 (3) The option to relocate from a nursing facility back to
2 the individual's community and to receive home- and
3 community-based long-term care, support, and services.

4 SECTION 2. The department of human services shall apply to
5 the federal Centers for Medicare and Medicaid Services to allow
6 persons who are eligible to receive medicaid funds for care at
7 nursing home facilities to remain at home and receive home- and
8 community-based long-term care; provided that the cost for the
9 home- and community-based services shall not exceed the total
10 expenditures that would have been incurred if the person
11 received facility-based long-term care, services, or support.

12 SECTION 3. This Act shall take effect on July 1, 2008.

APPROVED this day of , 2008

GOVERNOR OF THE STATE OF HAWAII

