

STAND. COM. REP. NO. 729

Honolulu, Hawaii  
Feb 16, 2007

RE: H.B. No. 71  
H.D. 1

Honorable Calvin K.Y. Say  
Speaker, House of Representatives  
Twenty-Fourth State Legislature  
Regular Session of 2007  
State of Hawaii

Sir:

Your Committees on Health and Human Services & Housing, to which was referred H.B. No. 71 entitled:

"A BILL FOR AN ACT RELATING TO NURSE AIDES,"

beg leave to report as follows:

The purpose of this bill is to better monitor and evaluate the quality and competency of care provided by nurse aides in Hawaii by requiring all practicing nurse aides working in state-licensed or state-certified health care settings to be certified in a manner similar to nurse aides working in Medicare or Medicaid programs.

The Department of Commerce and Consumer Affairs (DCCA), Department of Health (DOH), Department of Human Services (DHS), Healthcare Association of Hawaii, Hawaii Long Term Care Association, and Hawaii Coalition of Care Home Administrators supported this bill with amendments.

Your Committees have amended this bill by:

- (1) Prohibiting anyone from claiming to be a Certified Nurse Aides (CNA) unless they are certified pursuant to Chapter 457A, Hawaii Revised Statutes;
- (2) Requiring DOH to adopt rules on CNA enforcement;



- (3) Requiring DHS to adopt rules on CNA training programs and enforcement;
- (4) Defining "Medicare or Medicaid-certified nursing facilities" and substantiated findings;
- (5) Requiring the Director of DCCA to insert any substantiated findings regarding a CNA into a nurse aide registry;
- (6) Removing the responsibility of the Directors of Health and Human Services for investigating, reporting, or imposing penalties related to findings of abuse, neglect, or mistreatment which involve a CNA in a state-licensed or state-certified facility; and
- (7) Making technical, nonsubstantive changes for clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Health and Human Services & Housing that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 71, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 71, H.D. 1, and be referred to the Committee on Consumer Protection & Commerce.

Respectfully submitted on  
behalf of the members of the  
Committees on Health and Human  
Services & Housing,



MAILE SHIMABUKURO, Chair



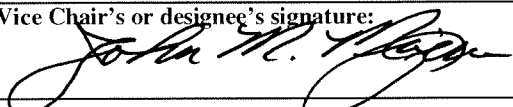
JOSHUA B. GREEN, M.D., Chair



State of Hawaii  
House of Representatives  
The Twenty-fourth Legislature

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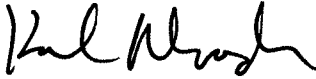
Record of Votes of the Committee on Health

Bill/Resolution No.: <b>HB 71</b>		Date: <b>2-9-07</b>		
Committee Referral: <b>HLT/HS/H, CPC</b>		<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.		
The recommendation is to:		<input type="checkbox"/> Pass, unamended <input type="checkbox"/> Hold <input checked="" type="checkbox"/> Pass, with amendments <input type="checkbox"/> Pass, with amendments, for recommitment for further consideration		
<b>HLT Members</b>	<b>Ayes</b>	<b>Ayes (WR)</b>	<b>Nays</b>	<b>Excused</b>
1. GREEN, Josh, M.D. (C)	✓			
2. MIZUNO, John (VC)	✓			
3. BELATTI, Della Au	✓			
4. BERTRAM, Joe, III	✓			
5. CABANILLA, Rida T.R.	✓			
6. RHOADS, Karl	✓			
7. SHIMABUKURO, Maile S. L.				✓
8. TAKAI, K. Mark	✓			
9. TOKIOKA, James Kunane	✓			
10. AWANA, Karen Leinani				✓
11. WARD, Gene, Ph.D.	✓			
<b>TOTAL</b>	<b>9</b>			<b>2</b>
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. committee acronym(s)				
Vice Chair's or designee's signature: 				
Distribution: Original (White) – Committee Duplicate (Yellow) – Clerk's Office				

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Record of Votes of the Committee on Human Services & Housing

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Committee Referral: <b>HLT/HSH, CPC</b>		<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.		
The recommendation is to:				
<input type="checkbox"/> Pass, unamended		<input checked="" type="checkbox"/> Pass, with amendments		
<input type="checkbox"/> Hold		<input type="checkbox"/> Pass, with amendments, for recommitment for further consideration		
HSH Members	Ayes	Ayes (WR)	Nays	Excused
1. SHIMABUKURO, Maile S. L. (C)				✓
2. RHOADS, Karl (VC)	✓			
3. BELATTI, Della Au	✓			
4. BERTRAM, Joe, III	✓			
5. CABANILLA, Rida T.R.	✓			
6. GREEN, Josh, M.D.	✓			
7. MIZUNO, John	✓			
8. TAKAI, K. Mark	✓			
9. TOKIOKA, James Kunane	✓			
10. AWANA, Karen Leinani				✓
11. WARD, Gene, Ph.D.	✓			
TOTAL				
	9			2
The recommendation is: <input checked="" type="checkbox"/> Adopted				
<input type="checkbox"/> Not Adopted				
If joint referral, _____ did not support recommendation.				
committee acronym(s)				
				
Vice Chair's or designee's signature:				
Distribution:      Original (White) – Committee              Duplicate (Yellow) – Clerk's Office				