

STAND. COM. REP. NO.

994

Honolulu, Hawaii

March 2, 2007

RE: H.B. No. 71
H.D. 2

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

Sir:

Your Committee on Consumer Protection & Commerce, to which was referred H.B. No. 71, H.D. 1, entitled:

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

begs 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 providing for 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 testified in support of this bill. The Department of Health (DOH) and Department of Human Services (DHS) supported the intent of this measure. The Healthcare Association of Hawaii and Hawaii Coalition of Care home Administrators supported this bill with amendments. The Hawaii Long Term Care Association submitted comments.

Your Committee has amended this measure by:

- (1) Amending the preamble to clarify that the purpose of this bill is to provide for, rather than require, the certification of nurse aides who work in state-licensed or state-certified health care settings;

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- (2) Providing definitions for "abuse" and "neglect", as those terms are used in the provisions requiring DOH and DHS to adopt rules for investigations of misconduct by certified nurse aides;
 - (3) Providing a definition for "state-licensed or state-certified health care settings;"
 - (4) Amending recertification requirements for:
 - (A) Medicare or Medicaid nurse aides, by including in-service training; and
 - (B) Nurse aides working in state-licensed or state-certified health settings, by requiring a DOH-approved competency evaluation, rather than a recertification examination, and employment in a state-licensed or state-certified health care setting;
- and
- (5) Making technical, nonsubstantive amendments for clarity and style.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 71, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 71, H.D. 2.

Respectfully submitted on
behalf of the members of the
Committee on Consumer
Protection & Commerce,

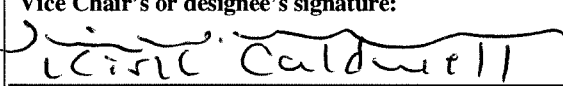


ROBERT N. HERKES, Chair



State of Hawaii
House of Representatives
The Twenty-fourth Legislature

Record of Votes of the Committee on Consumer Protection & Commerce

Bill/Resolution No.: HB 71, HD 1		Date: February 28, 2007		
Committee Referral: HLT/HSB, CPC		<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.		
The recommendation is to:		<input checked="" type="checkbox"/> Pass, with amendments		
<input type="checkbox"/> Pass, unamended		<input type="checkbox"/> Pass, with amendments, for recommittal for further consideration		
<input type="checkbox"/> Hold				
CPC Members	Ayes	Ayes (WR)	Nays	Excused
1. HERKES, Robert N. (C)	✓			
2. McKELVEY, Angus L.K. (VC)				✓
3. CALDWELL, Kirk	✓			
4. EVANS, Cindy	✓			
5. GREEN, Josh, M.D.				✓
6. ITO, Ken	✓			
7. LUKE, Sylvia	✓			
8. MORITA, Hermina M.	✓			
9. SONSON, Alex M.	✓			
10. SOUKI, Joseph M.	✓			
11. TSUJI, Clift	✓			
12. YAMANE, Ryan I.	✓			
13. YAMASHITA, Kyle T.	✓			
14. MARUMOTO, Barbara C.	✓			
15. THIELEN, Cynthia				✓
TOTAL	12			3
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) – HMSO Duplicate (Pink) – Clerk's Office				