

STAND. COM. REP. NO.

1080

Honolulu, Hawaii

MAR 20 2007

RE: H.B. No. 71
H.D. 2
S.D. 1

Honorable Colleen Hanabusa
President of the Senate
Twenty-Fourth State Legislature
Regular Session of 2007
State of Hawaii

Madam:

Your Committees on Human Services and Public Housing and Health, to which was referred H.B. No. 71, H.D. 2, entitled:

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

beg leave to report as follows:

The purpose of this measure is to establish certification procedures for nurse aides employed in state-licensed or state-certified health care settings and Medicare or Medicaid facilities.

The Policy Advisory Board for Elder Affairs, the Hawaii Coalition of Care Home Administrators, the Hawaii Long Term Care Association, and the Healthcare Association of Hawaii submitted testimony in support of this measure. The Department of Health and the Department of Human Services submitted testimony in support of the intent of this measure. The Department of Commerce and Consumer Affairs submitted comments.

Your Committees find that certifying nurse aides who work in nursing facilities participating in Medicare and Medicaid programs and in other state-licensed and state-certified health care settings will enable the Department of Commerce and Consumer Affairs, the Department of Human Services, and the Department of Health to monitor and evaluate the quality and competency of the nurse aides practicing in the State.



According to the testimony, the Department of Commerce and Consumer Affairs, the Department of Health, the Department of Human Services, the Hawaii Coalition of Care Home Administrators, the Healthcare Association of Hawaii, and the Hawaii Long Term Care Association met with the Office of the Attorney General and the consensus of the parties is to focus on the substance of S.B. No. 713, S.D. 2, and incorporate some additional amendments thereto.

Upon further consideration, your Committees have amended this measure by:

- (1) Replacing all of its provisions with the provisions of S.B. No. 713, S.D. 2;
- (2) Changing the term "recertification examination" to "recertification process";
- (3) Including an annual performance review as a maintenance requirement;
- (4) Changing the phrase "state-licensed or state-certified facilities" to "state-licensed or state-certified health care settings";
- (5) Clarifying that the Director's role is with regard to the disciplining of certified nurse aides under section 457A-3(b), Hawaii Revised Statutes;
- (6) Changing the effective date from July 1, 2050, to upon approval; and
- (7) Making technical, nonsubstantive changes for the purposes of clarity and style.

As affirmed by the records of votes of the members of your Committees on Human Services and Public Housing and Health that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 71, H.D. 2, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 71, H.D. 2, S.D. 1, and be referred to the Committee on Commerce, Consumer Protection, and Affordable Housing.



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

David Y. Ige

DAVID Y. IGE, Chair

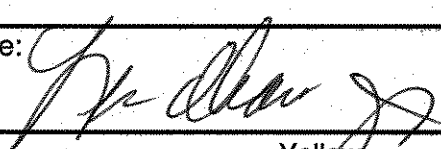
Suzanne Chun Oakland

SUZANNE CHUN OAKLAND, Chair



The Senate
Twenty-Fourth Legislature
State of Hawaii

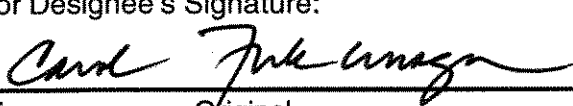
Record of Votes
Committee on Human Services and Public Housing
HSP

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|--|--|----------------------|----------|----------|
| Bill / Resolution No.:* HB 71 HD2 | Committee Referral: HSP/HTH, CPH | Date: 3-14-07 | | |
| <input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____ | | | | |
| The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313 | | | | |
| Members | Aye | Aye (WR) | Nay | Excused |
| CHUN OAKLAND, Suzanne (C) | ✓ | | | |
| IHARA, Jr., Les (VC) | ✓ | | | |
| HOOSER, Gary L. | ✓ | | | |
| SAKAMOTO, Norman | ✓ | | | |
| HEMMINGS, Fred | ✓ | | | |
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| TOTAL | 5 | 0 | 0 | 0 |
| Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted | | | | |
| Chair's or Designee's Signature:  | | | | |
| Distribution: Original Yellow Pink File with Committee Report Clerk's Office Drafting Agency | | | | |

*Only one measure per Record of Votes

The Senate
Twenty-Fourth Legislature
State of Hawaii

Record of Votes
Committee on Health
HTH

| | | |
|--|---------------------|----------|
| Bill / Resolution No.:* | Committee Referral: | Date: |
| HB 71 HD2 | HSP/HTH, CPH | 3-14-07 |
| <input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____ | | |
| The Recommendation is: | | |
| <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313 | | |
| Members | Aye | Aye (WR) |
| Nay | Excused | |
| IGE, David Y. (C) | ✓ | |
| FUKUNAGA, Carol (VC) | ✓ | |
| BAKER, Rosalyn H. | ✓ | |
| MENOR, Ron | | ✓ |
| WHALEN, Paul | ✓ | |
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| TOTAL | 4 | 1 |
| Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted | | |
| Chair's or Designee's Signature: | | |
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| Distribution: Original Yellow Pink | | |
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