

STAND. COM. REP. NO.

954

Honolulu, Hawaii

MAR 02 2007

RE: S.B. No. 713
S.D. 2

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

Madam:

Your Committee on Commerce, Consumer Protection, and Affordable Housing, to which was referred S.B. No. 713, S.D. 1, entitled:

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

begs leave to report as follows:

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

Your Committee received written comments in support of this measure from the Department of Commerce and Consumer Affairs, the Hawaii Coalition of Care Home Administrators, the Healthcare Association of Hawaii, and the Hawaii Long Term Care Association. The Department of Health submitted written comments on this measure.

Your Committee finds that certifying and recertifying nurse aides who work in nursing facilities participating in Medicare and Medicaid programs and in other state licensed and 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.

After full discussion on this measure, your Committee has amended this measure to:

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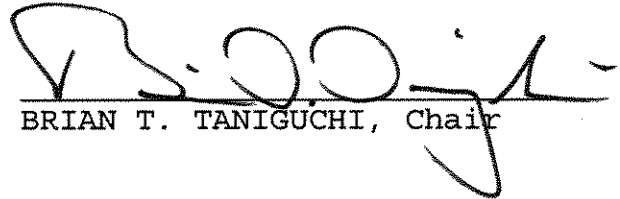
- (1) Remove the requirement that all practicing nurse aides be certified and add language for the certification and recertification of nurse aides who work in nursing facilities that participate in Medicare and Medicaid programs and in other state licensed and certified health care settings;
- (2) Replace the definition of "findings" with a definition of "substantiated findings" in accordance with federal law;
- (3) Add a definition of "state licensed or state certified health care setting";
- (4) Prohibit any person from representing in any way that the person is a certified nurse aide without having first obtained certification;
- (5) Clarify that the maintenance requirements for recertification for Medicare or Medicaid facilities includes in-service training in a Medicare or Medicaid facility;
- (6) Clarify that the maintenance requirements for recertification for state licensed or state certified facilities includes a competency evaluation and employment in a state licensed or state certified health care setting;
- (7) Make other clarifying amendments; and
- (8) Change the effective date to promote further discussion.

As affirmed by the record of votes of the members of your Committee on Commerce, Consumer Protection, and Affordable Housing that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 713, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 713, S.D. 2.



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Respectfully submitted on
behalf of the members of the
Committee on Commerce, Consumer
Protection, and Affordable
Housing,



BRIAN T. TANIGUCHI, Chair



The Senate
 Twenty-Fourth Legislature
 State of Hawaii

Record of Votes
Committee on Commerce, Consumer Protection and Affordable Housing
CPH

Bill / Resolution No.:*	Committee Referral:	Date:		
SB 713 SDI	HSP/HTH, CPH	2/27/7		
<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
TANIGUCHI, Brian T. (C)	✓			
IGE, David Y. (VC)				✓
ESPERO, Will	✓			
IHARA, Jr., Les	✓			
SAKAMOTO, Norman				✓
SLOM, Sam	✓			
TOTAL	4			2
Recommendation:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
<i>Will Espero</i>				
Distribution:				
Original	Yellow	Pink		
File with Committee Report	Clerk's Office	Drafting Agency		

*Only one measure per Record of Votes