

# HAWAII COALITION OF CAREGIVERS

P.O. Box 2441, Honolulu, Hawai'i 96804

March 17, 2008

**LATE**

## MEMBERS 2007-08

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Founder and President  
*The Primary Care  
Providers*

**Myriam Tabaniag**  
President  
*Alliance of Residential Care  
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*United Group of Home  
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Administrators - Big Island  
Chapter*

**Mila Medallon**  
Advisor

**Bryan P. Andaya**  
Advisor

Testimony **Requesting Amendments to HB1475** – HSP – Mar. 18, 2008, 1:15 p.m., Rm. 016

Chair Oakland, Vice Chair Ihara, and Members of the Committee:

The Hawaii Coalition of Caregivers (HCCG) **requests amendments to HB1475** raising the personal care allowance for individuals living in various home and community based care homes. Without these amendments, HCCG opposes HB1475.

HCCG does not oppose having an allowance for its residents for their own personal needs, but unintended consequences of HB1475 should be addressed. The language of subsection (d) of this bill would create an unworkable system for both the caregivers and the state agency with regulatory oversight.

By enumerating specific items to be provided caregivers, the language of the bill would add yet another source of potential disagreement between the parties. Caregivers already provide necessities and other items listed in the bill for their residents, including toilet paper, hand soap, paper towels, bed sheets, blankets, towels, etc. The type of personal items to be provided (toiletries, linens, etc.) need not be legislated.

By enumerating some items and not others, the language could be interpreted to mean that a caregiver's obligation is limited only to the items listed and not to any other items on the list. The system would be bogged down if it is forced to deal with this level of minutiae.

Residents already receive the personal needs allowance amount proposed by this bill, \$50 per month. This bill would simply add increased and unnecessary regulation over a situation no one except the residents can control. Certainly, HCCG would oppose any obligation to track the expenditure of the personal needs allowance.

Therefore, if the legislature is inclined to pass this bill, HCCG respectfully requests that the following language be deleted:

Section 2, subsection (a): "The needs allowance . . . to pay for clothing . . . bus fare, personal postage costs, haircuts, and other costs of day-to-day living."

Section 2, subsection (d): "The operators of adult residential care homes . . . shall pay for generic toiletries (including toilet paper, hand soap . . . ), linens . . ."

Very truly yours,

The Hawaii Coalition of Caregivers (HCCG)

By: \_\_\_\_\_  
Bryan P. Andaya

LINDA LINGLE  
GOVERNOR



LILLIAN B. KOLLER, ESQ.  
DIRECTOR

HENRY OLIVA  
DEPUTY DIRECTOR

STATE OF HAWAII  
DEPARTMENT OF HUMAN SERVICES  
P. O. Box 339  
Honolulu, Hawaii 96809

March 18, 2008

**LATE**

MEMORANDUM

TO: Honorable Suzanne Chun Oakland, Chair  
Senate Committee on Human Services and Public Housing

FROM: Lillian B. Koller, Director

SUBJECT: H.B. 1475, H.D. 2 RELATING TO SOCIAL SERVICES

Hearing: Tuesday, March 18, 2008, 1:15 p.m.  
Conference Room 016, State Capitol

**PURPOSE:** The purpose of H.B. 1475, H.D. 2 is to establish a needs allowance for persons residing in community care homes and other long-term care facilities.

**DEPARTMENT'S POSITION:** Last year, the Department of Human Services strongly supported S.B. 1182, that was enacted as Act 96 SLH 2007, that increased the personal needs allowance from \$30 to \$50.

As of July 1, 2007, as required by Act 96 and codified as section 346D-4.5, Hawaii Revised Statutes, the Department implemented the increased personal needs allowances of **\$50** per month, per individual. The Department supported and endorsed the personal needs allowance rate increase which has enabled these clients to purchase items to aid in improving their quality of life.

AN EQUAL OPPORTUNITY AGENCY

The Department does have concerns with provisions in the proposed subsections (d) and (f). Proposed subsection (d) prescribes what adult residential care home, developmental disabilities domiciliary home, community care foster family home and adult foster care home operators are to pay for with the PNA. We are concerned that having such a prescriptive list of items that operators shall be required to pay for to provide to their clients may have unintended consequences.

The day-to-day needs of clients are so diverse and unique that it would not be prudent to prescribe nor itemize, in statute, what operators should provide. This lack of flexibility will affect what operators can and do currently provide for their clients, based on their clients' individual needs. This bill's prescriptive list may result in the operators not providing or not being able to provide what their clients really need.

Further, Federal rules regarding State Supplemental Payments (SSP), where the needs allowance comes from for most recipients, also does not specify what it is to be used for.

Proposed subsection (f) requires the DHS to perform an annual review and report to the Legislature on an annual basis, on the adequacy of the PNA, with suggestions for corrections or improvements to the monthly needs allowance, including any proposed legislation.

The Department does not currently have the budgetary resources nor the staffing to effectively conduct a comprehensive needs assessment and cost benefit analysis on a yearly basis. If

the Legislature feels that a periodic review of the personal needs allowance (PNA) rate is warranted, we recommend that the Department or the Legislative Reference Bureau conduct a study every three years to determine if our State's PNA is comparable to that of other States. The Legislature could then use this comparison information to consider the adequacy of the current PNA.

The Department strongly supported the increase to \$50 for the PNA last year in S.B. 1182/Act 96 and feels this bill is not necessary since the Department has already implemented the increase in the PNA to \$50, that was enacted in Act 96 last year.

Thank you for this opportunity to testify.

LINDA LINGLE  
GOVERNOR



CHAD K. TANIGUCHI  
EXECUTIVE DIRECTOR

**STATE OF HAWAII**  
DEPARTMENT OF HUMAN SERVICES  
HAWAII PUBLIC HOUSING AUTHORITY  
1002 NORTH SCHOOL STREET  
POST OFFICE BOX 17907  
Honolulu, Hawaii 96817

**LATE**

Statement of  
**Chad K. Taniguchi**  
Hawaii Public Housing Authority  
Before the

**SENATE COMMITTEE ON HUMAN SERVICES & PUBLIC HOUSING**

March 18, 2008, 1:15 p.m.  
Room 016, Hawaii State Capitol

In consideration of  
**H.B. 3140**

**MAKING AN EMERGENCY APPROPRIATION TO THE HAWAII PUBLIC HOUSING  
AUTHORITY**

The Hawaii Public Housing Authority (HPHA) strongly supports this administration-sponsored bill seeking an emergency appropriation of \$10,000,000 for HPHA to address a critical operating budget shortfall for the 2007-2008 fiscal year.

Contributing factors to HPHA's current fiscal challenges include a lack of managerial level accounting staff from July 2006 till June 2007 and the lack of a general ledger for 18 months. This has severely impacted management of operations and has made the financial stabilization of HPHA a major undertaking.

Consequently, for the past several months HPHA staff has been working diligently with a private CPA firm and the Department of Accounting and General Services to compile, analyze, and verify the data that will provide the details of HPHA's operating budget shortfall. At this time, that work continues and HPHA will not be able to provide details until the coming weeks. On March 17, 2008, HPHA received a copy of draft 2007 audit, which will be sent to HUD by March 31, 2008.

The HPHA respectfully requests that the Committee pass out this measure so that it may be referred to the Senate Committee on Ways and Means, upon which time the HPHA will have finished compiling the necessary data and be able to specify its needs and how the requested emergency appropriation will be used. Also note that the Committee has heard the companion bill to this measure, S.B. 3062, and passed the bill out without amendments.

For most of its past HPHA has been a self-supporting agency. With operating expenses for federally assisted and state public housing in recent years of \$35 million to \$38 million per year largely based on rents and budgets, HPHA has barely managed. HPHA needs a hand from the State at this time. HPHA is working on reachable performance expectations by which our Board and the Legislature can measure progress. Your continued support and scrutiny of our efforts and achievements are sincerely invited. Thank you for the opportunity to provide testimony in strong support of this bill.



**STATE OF HAWAII**  
STATE COUNCIL  
ON DEVELOPMENTAL DISABILITIES  
919 ALA MOANA BOULEVARD, ROOM 113  
HONOLULU, HAWAII 96814  
TELEPHONE: (808) 586-8100 FAX: (808) 586-7543  
March 18, 2008

The Honorable Suzanne Chun Oakland, Chair  
Senate Committee on Human Services and Public Housing  
Twenty-Fourth Legislature  
State Capitol  
State of Hawaii  
Honolulu, Hawaii 96813

Dear Senator Chun Oakland and Members of the Committee:

**SUBJECT: HB 1475 HD2 – RELATING TO SOCIAL SERVICES**

The position and views expressed in this testimony do not represent nor reflect the position and views of the Departments of Health and Human Services.

The State Council on Developmental Disabilities **STRONGLY SUPPORTS HB 1475 HD2**. The purpose of the bill is to establish a personal allowance for individuals residing in care homes, nursing homes, and other long-term care facilities. The provisions in the bill would allow eligible individuals to receive \$50.00 per month for personal allowance. The increase in the amount from the present \$30.00 per month is long overdue and justified based on high cost of living here in Hawaii. With the present \$30.00 per month, that amounts to about \$1.00 per day for miscellaneous needs.

Thank you for the opportunity to present testimony in strong support of HB 1475 HD2.

Sincerely,

  
Waynette K.Y. Cabral  
Executive Administrator

Senator Suzanne Chun Oakland, Chair  
Senator Les Ihara, Jr., Vice-chair  
Committee on Human Services and Public Housing  
Hawaii Centers for Independent Living

Tuesday, March 18, 2008, 1:15 PM

**Supporting HB 1475, HD2, Relating to Social Services**

Hawaii Centers for Independent Living is a non-profit organization operated by and for people with disabilities to ensure their rights to live independently and fully integrated in the community of their choice, outside of institutional care settings. As a non-profit, statewide resource, HCIL serves people of any age with any type of disability. HCIL was founded on the historical constitutional beliefs of civil rights and the empowerment of people with disabilities to have equal access, opportunities, and choices in life, no matter how severe their disability.

We support HB1475, HD2, Relating to Social Services.

Presently, residents of care homes must make do with a meager personal allowance of just thirty dollars a month. This amount has not changed in many years. Meanwhile, inflation continues to eat away at the purchasing power of the dollar. Thus, in real terms, care home residents are getting less and less every year. Hawaii Center for Independent Living believes that people with disabilities should be leading self-determined lives. We fail to see how that is possible on thirty dollars a month. At that point, even bus fare becomes a major expense. This modest increase in the personal allowance is long overdue.

We urge the committee to pass HB1475, HD2. Thank you for this opportunity to testify.

## testimony

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**From:** Joel Fischer [jfischer@hawaii.edu]  
**Sent:** Monday, March 17, 2008 12:24 PM  
**To:** testimony  
**Cc:** Sen. Suzanne Chun Oakland; Sen. Les Ihara, Jr.  
**Subject:** HB1475; HSPH; 3/18; 1:15; Rm 016

**Importance:** High

**Attachments:** Card for Joel Fischer <jfischer@hawaii.edu>



jfischer.vcf (343 B)

HB1475, Relating to Social Services  
HSPH; Chair, Sen Chun-Oakland

PLEASE PASS THIS BILL!

Thank you very much for introducing and hearing this bill. I am happy to know that our senators agree that we are producing numerous problems for some of our most vulnerable citizens by not allowing them sufficient money for minimal personal expenses. This is a great humanitarian effort, and I would deeply appreciate your support in passing this bill.

Thank you.

Aloha,  
joel

Dr. Joel Fischer, ACSW  
President, 19-3, Democratic Party

Professor  
University of Hawai'i, School of Social Work Henke Hall Honolulu, HI 96822

"There comes a time when one must take a position that is neither safe, nor politic, nor popular, but one must take it because one's conscience tells one that it is right."  
Dr. Martin Luther King, Jr.

"Never, never, never quit."  
Winston Churchill