

TESTIMONY TO THE TWENTY-FOURTH STATE LEGISLATURE, 2008 SESSION

To: House Committee on Human Services and Housing
House Committee on Health

From: Gary L. Smith, President
Hawaii Disability Rights Center

Re: House Bill 2062
Relating to Long Term Care

Hearing: Wednesday, January 23, 2008 9:00 AM
Conference Room 329, State Capitol

Members of the Committee on Human Services and Housing:
Members of the committee on Health:

Thank you for the opportunity to provide testimony supporting House Bill 2062, Relating to Long Term Care.

I am Gary L. Smith, President of the Hawaii Disability Rights Center, formerly known as the Protection and Advocacy Agency of Hawaii (P&A). As you may know, we are the agency mandated by federal law and designated by Executive Order to protect and advocate for the human, civil and legal rights of Hawaii's estimated 180,000 people with disabilities.

We support this bill because it offers excellent potential to secure the placement of individuals in community settings. The legislature has seen many examples in the past year or two of the long waitlist for community housing experienced by patients in acute facilities. In addition, a briefing was recently provided by the Healthcare Association on the problems of placing "challenging" patients into community settings. One of the barriers identified has been the low cost of Medicaid reimbursement for these individuals. At the same time, Medicaid payments are made to facilities far in excess of what might otherwise be paid to these home and community based settings. Providing flexibility to the Department and the ability to transfer these Medicaid funds to pay more for the care of such individuals should greatly help to facilitate their community placements.

Thank you for the opportunity to provide testimony in support of this bill.

LINDA LINGLE
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DEPARTMENT OF HUMAN SERVICES
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LATE
Testimony

January 23, 2008

MEMORANDUM

TO: Honorable Josh Green, M.D., Chair
House Committee on Health

Honorable Maile S. L. Shimabukuro, Chair
House Committee on Human Services and Housing

FROM: Lillian B. Koller, Director

SUBJECT: H.B. 2062, RELATING TO LONG-TERM CARE

Hearing: Wednesday, January 23, 2008, 9:00 a.m.
Conference Room 329, State Capitol

PURPOSE: The purpose of H.B. 2062 is to allow eligible persons who receive Medicaid funds for care at nursing home facilities to remain at home and receive home and community-based long-term care.

DEPARTMENT'S POSITION: The Department of Human Services (DHS) appreciates the intent of this bill to allow individuals in Medicaid institutionalized settings to receive home and community-based long-term services. However, this bill is not necessary. This proposed bill would duplicate the current 1915(c) Medicaid Waiver services and current "Going Home" program.

The 1915(c) Medicaid Waiver programs provide comprehensive home and community-based long-term services for acute or chronically ill or disabled clients who are certified as requiring acute, skilled nursing, or intermediate facility level of care.

Since July 2003, the "Going Home" program has enabled over 834 "waitlisted" individuals requiring intermediate and skilled nursing care to relocate from acute hospital settings statewide to alternative residential care in Community Care Foster Family Homes (CCFFHs), Expanded Adult Residential Care Homes (E-ARCHs), or their own home, with care in home-like settings rather than institutions.

An increase in CCFFH beds has expanded the availability of home and community-based services. Since September 2005, statewide, there has been a 35% increase in CCFFHs. On the Neighbor Islands, where we have focused unprecedented recruitment efforts, the increase was 64%.

Additionally, the Department was recently awarded Federal funding from the Centers for Medicare and Medicaid Services to implement the "Going Home Plus" project. This project will expand the "Going Home" program by further assisting individuals in securing housing as well as providing other supports. This program will begin the transfer process for participants in August 2008. Currently, a broad-based group of community stakeholders is meeting as part of "Going Home Plus" to determine if there are further barriers that need to be resolved ensuring

availability of home and community-based long-term care services to all Medicaid participants who want them.

In regards to the proposed language in section 346- (b), each 1915(c) Medicaid Waiver has specific Federal requirements regarding cost neutrality, that is different for each specific 1915(c) Medicaid Waiver. Therefore, the proposed language is inadequate.

In conclusion, although the Department appreciates the intent of this bill to allow individuals in Medicaid institutionalized settings to receive home and community-based long-term care services, this bill is not necessary. As stated, this proposed amendment would duplicate the current 1915(c) Medicaid Waiver Programs and the "Going Home" program.

Thank you for this opportunity to testify.

The Twenty-Fourth Legislature
Regular Session of 2008

HOUSE OF REPRESENTATIVES

Committee on Health

Rep. Josh Green, M.D., Chair

Rep. John Mizuno, Vice Chair

Committee on Human Services & Housing

Rep. Maile S.L. Shimabukuro, Chair

Rep. Karl Rhoads, Vice Chair

LATE
Testimony

State Capitol, Conference Room 329
Wednesday, January 23, 2008; 9:00 a.m.

**STATEMENT OF THE ILWU LOCAL 142 ON H.B. 2062
RELATING TO LONG-TERM CARE**

The ILWU Local 142 supports H.B. 2062, which allows persons eligible to receive Medicaid for care at nursing home facilities to remain at home and receive up to the equivalent cost for home- or community-based care.

It's already been widely established that most persons needing long-term care would prefer to live at home. However, the cost is high for paid caregivers (at least \$22 an hour), and family caregivers often have to make a financial sacrifice to stay at home and provide the care.

H.B. 2062 offers a novel way to use federal and state Medicaid funds to allow a long-term care recipient to remain at home in a community setting. If the federal government will not allow this use of federal Medicaid funds, the State can apply what it would have paid to match Medicaid dollars for this purpose.

The ILWU urges passage of H.B. 2062. Thank you for considering our testimony.