

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

January 31, 2008

LATE

MEMORANDUM

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

FROM: Lillian B. Koller, Director

SUBJECT: S.B. 2102, RELATING TO RELATING TO CARE HOMES

Hearing: Thursday, January 31, 2008, 1:30 a.m.
Conference Room 016, State Capitol

PURPOSE: The purpose of S.B. 2102, is to increase State Supplemental Payments (SSP) for Adult Residential Care Homes (ARCH) Type I and II, licensed developmental disabilities domiciliary homes, community care foster family homes, and certified adult foster homes by 7% from \$641.90 to \$686.83 (\$44.93 per month, per client) for Type I and from \$749.90 to \$802.39 (\$52.49 per month, per client) for level II.

DEPARTMENT'S POSITION: The Department of Human Services (DHS) appreciates the intent of this bill. For the purposes of this public hearing we are submitting information to assist you in your decision making.

The cost of this increase is \$1,304,818.80 for FY 09.

On occasions when the SSP has been raised in the past, the increase was in a dollar amount, not a percentage amount. The effect of the percentage increase is to further increase the disparity for the payments between Type I and Type II ARCHs who serve the same clients but have differing operating requirements. The Department has no opinion on this methodology but wanted to highlight the fact that this is different from past practice.

The State of Hawaii has a Maintenance of Effort (MOE) Agreement with the Social Security Administration which specifies that in each calendar year, DHS shall be required to make at least the same or greater amount of total monetary payments in the form of SSP to populations residing in designated living arrangements. Anytime there is an increase in the SSP rate, the increase automatically raises the MOE requirement by that increased amount the following year and thereafter, unless the number of recipients drops precipitously. While SSP rates reflect the maximum allowable payment to individuals, the department's MOE requirement with the Social Security Administration pertains to the total payment amount distributed to all SSP recipients.

If the Legislature determines that a SSP increase is warranted, the Department respectfully asks that the implementation of the proposed rate increase shall not adversely impact nor replace the priorities in the Executive Supplemental Budget.

Thank you for this opportunity to testify

LATE

**TESTIMONY
from the
Hawaii State Council on Developmental Disabilities**

Testifier's Name: Waynette Cabral

Position Title: Executive Administrator

Organization: Hawaii State Council on Developmental Disabilities

Day, Date, and Time of Hearing: Thursday, January 31, 2008, 1:30 pm

Measure Number: SB 2102 – RELATING TO CARE HOMES

Name of Committee(s): Senate Human Services and Public Housing (HSP)

Number of copies the Committee is requesting: 1 copy to Committee Clerk

Room Number: 226



LATE

STATE OF HAWAII
STATE COUNCIL
ON DEVELOPMENTAL DISABILITIES
919 ALA MOANA BOULEVARD, ROOM 113
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TELEPHONE: (808) 586-8100 FAX: (808) 586-7543
January 31, 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: SB 2102 - RELATING TO CARE HOMES

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

The State Council on Developmental Disabilities (DD) **SUPPORTS SB 2102**. The purpose of the bill is to appropriate funds to increase payments for level of care for Adult Residential Care Homes (ARCH) types I and II, and licensed developmental disabilities domiciliary homes, community care foster family homes, and certified adult foster homes by 7% from \$641.90 to \$686.83 for level I and from \$749.90 to \$802.39 for level II beginning July 1, 2008.

We recognize the value of care and services that providers of the above licensed and certified homes provide persons with DD. ARCHs, DD domiciliary homes, community care foster family homes and certified adult foster homes are part of an array of residential options currently available for individuals with DD. They are an important resource in providing various residential settings to enable people with DD to live in the community. Any increase in the level of care rate of payment whether by percentage or a flat rate would help providers address the current cost of living in Hawaii.

The Council appreciates the Legislature's interest in this area. Thank you for the opportunity to submit testimony in support of SB 2102.

Sincerely,

Waynette K. Y. Cabral
Executive Administrator

HAWAII COALITION OF CAREGIVERS

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

January 24, 2008

MEMBERS 2007-08

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Primary Care Providers

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Ince of Residential Care
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Her Pascual
President
Lead Group of Home
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Li Akee
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Hawaii Foster Home
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Sam Guerrero
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Ince of Residential Care
Administrators - Big Island
Chapter

Li Medallon
President

Sam P. Andaya
President

Testimony in Support of SB 2102 - HSP Hearing - Jan. 31, 2008, 1:30 p.m., Room 016

Ladies and Gentlemen of the Hawai'i State Legislature:

The Hawaii Coalition of Caregivers (HCCG) emphatically supports HB2136 relating to the increase of reimbursement rates for domiciliary care provided in licensed developmental disabilities domiciliary homes, community care foster family homes, and certified adult foster homes, and adult residential care homes.

HCCG's testimony in strong support can be summarized in one sentence: Level I caregivers provide 24/7 care 365 days a year for a flat-rate of \$1,200 per month, which calculates to approximately \$42 per day or \$1.67 per hour. The plight of caregivers covered by this bill can be characterized as downright deplorable.

The skyrocketing costs of providing care to the elderly and disabled make it nearly impossible to operate. Caregivers must pay their mortgage for their homes, most of which is used by the residents. Caregivers must also pay for electricity, water, and sewer costs that residents use; for property taxes, general excise taxes, and income taxes; for food, and kitchen, bathroom, and laundry supplies consumed by residents; for their cars and gasoline used to bring their residents to the doctor; for the insurance they are required to carry; for any entertainment they are expected to provide their residents. How do you stretch \$1.67 for all of these costs and still make a living?

This dire situation forces caregivers to live by their wits having to fend for their own health insurance, retirement savings, and other fringe benefits employees sometimes take for granted. Many cannot afford to purchase medical insurance for their family, which now averages \$1,000 per month. Ironically, the residents who they care for have medical insurance provided free of cost courtesy of the government. Forget about a retirement program.

Caregivers have little or no privacy and must make financial sacrifices to even leave their own homes. 24-hour care literally means 24-hour care. To even leave their homes, caregivers must use part of the \$1.67 per hour they earn to pay substitutes who earn an average of \$10 per hour. Caregivers have no vacation, no sick leave, funeral leave, jury leave or any other fringe benefits. And we wonder why almost all caregivers are immigrants and/or elderly. And we wonder why no student in our schools today are saying, "I want to grow up being a care home operator."

Notwithstanding the lack of financial incentives, caregivers tirelessly provide personalized virtual one-on-one hands-on care to their residents. On a daily basis, caregivers cook for their residents menus that are mandated by the State; they clean the house so that they can meet stringent standards of cleanliness; they bathe their residents; they help residents use the bathroom; they dress their residents; they take their residents to medical appointments; they ensure that residents take their medicine; they do the laundry soiled by their residents; and after all this, they entertain their residents and help their residents preserve their dignity giving them the feeling that they still belong in the community. All this for \$1.67 per hour. What a bargain!

Sadly, even after caregivers take their residents in and treat them as members of their own family, residents sometimes become combative and verbally abuse their caregivers. Some of them hit or spit at their caregivers. At the same time, the State hovers over the caregivers looking for any sign of abuse or neglect. When a resident loses weight, the State accuses caregivers of not feeding their residents. When a resident gains weight, the State screams improper nutrition. It's come to a point that when a caregiver makes a typographical error noting "mcg" where it should be "mg", the caregiver is cited and put on probation by the State – this is a true story. Where is the appreciation? Where is the support?

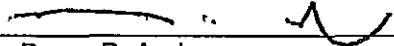
Little do people realize that caregivers comprise an integral part of Hawaii's health care system. In hospital terminology, HCCG's members have a total of about 4,000 "beds". What happens if these beds vanished because caregivers could no longer operate making \$1.67 per hour? Where would these residents go? What would the State do? Should the State send them to nursing homes that charge an average of \$7,000 per month per resident as opposed to \$1,200 in a care home? Who would pay for this?

A 7% raise would bring Type I hourly rates to \$1.78 per hour as opposed to \$1.67, far short of minimum wage, which is now \$7.25 per hour. Nevertheless, 7% would go a long way to encouraging caregivers to continue to provide a service without which the State cannot go without. It would be the first step in ensuring this industry survives.

Some may say, caregivers got a \$100/month raise a few years ago. Prior to 2006, however, caregivers did not receive a raise for about 10 years. Others may cite to the shrinking state budget. Sometimes, however, we must make difficult choices by looking at the necessity and value of the service caregivers provide relative to other competing interests. HCCG urges lawmakers to make the policy decision that will show that the caregiving industry that lawmakers values their service and that they care about providing home and community based care to the elderly and disabled. Hospitals and nursing homes do not have the capacity. We will all grow old at some point. Where will we go?

Very truly yours,

The Hawaii Coalition of Caregivers (HCCG)

By: 
Bryan P. Andaya

Attachment: Petition w/198 signatures in support of HB2136

SB2102

About HCCG

HCCG consists primarily of four organizations working in collaboration towards the common mission of uniting the home and community based care giving industry to improve the quality of care provided to elderly and developmentally disabled clients in various home and community based programs, as well as to improve the state of the industry. HCCG members include: The Alliance of Residential Care Administrators (ARCA), the Preferred Care Providers (TPCP), the United Group of Home Administrators (UGHO), and the Adult Foster Home Association of Hawaii (AFHA). Together, members of the four organizations have a membership of almost 1,500 and comprise about 90% of the home and community-based care givers in the State of Hawaii.

PETITION URGING THE HAWAII STATE LEGISLATURE TO PASS HB 2136 RELATING TO INCREASED REIMBURSEMENT FOR CAREGIVERS (Page 1 - January 23, 2008)

We, the undersigned caregivers, emphatically urge the 2008 Hawaii State Legislature to enact HB 2136 providing for a 7% raise in Medicaid Waiver reimbursements to caregivers providing services under various home and community based programs. Caregivers provide personalized care to recipients who are eligible for Federal Supplementary Security Income or public assistance, most of whom are either elderly or developmentally disabled. Placement of these recipients in home and community based providers as opposed to acute-care hospitals and nursing facilities results in the following benefits: (1) allows recipients to be integrated into the mainstream community instead of being institutionalized; (2) alleviates the shortage of bed spaces needed for more acute care patients; (3) saves government millions of dollars by allowing relatively low reimbursement rates as compared to reimbursement rates for hospitals and institutions.

PRINT NAME	SIGNATURE	PHONE/ADDRESS
1. MARIA EYRATA	<i>[Signature]</i>	98-1465, Hoomahii Sp PC 758-4484-456-7797
2. A. J. BASSETT	<i>[Signature]</i>	1159 ALEWA DR 864 HON HI 96817 9891
3. M. J. BASSETT	<i>[Signature]</i>	1159 ALEWA DR 864 HON. HI 96817 9882
4. N. Bayard	<i>[Signature]</i>	94 Lulauai St Wahawa, HI 96786
5. R. DAMIL	<i>[Signature]</i>	94-1011 Akihiko St Waipahu HI 96797
6. KRISTY MALBOG	<i>[Signature]</i>	94-338 Apowale St Waipahu, HI 96797
7. Editha M. Pascual	<i>[Signature]</i>	94-1149 Hoomakoa St. Waipahu, HI 96797
8. Anita Padua	<i>[Signature]</i>	94-1007 Kihama St. Waipahu HI 96797
9. Melani Lucas	<i>[Signature]</i>	94-272 Puuipoa St Waipahu HI 96797
10. Nettie B. Visaya	<i>[Signature]</i>	94-780 Kupuhi St Waipahu HI 96797
11. Alma A. Pilar	<i>[Signature]</i>	94-105 Kihama St. Waipahu, Hawaii 96797
12. LINA CALDERON	<i>[Signature]</i>	1172 Paakama St. Pearl City HI 96782
13. Juanita Fajardo	<i>[Signature]</i>	1902 Palani St. Pearl City HI 96782
14. Lourdes Burmanglag	<i>[Signature]</i>	2423 - Al Rose Street, Honolulu, HI 96819
15. Anita Y. Iustre	<i>[Signature]</i>	1007 Uluhale St Wahawa, HI 96786
16. Fe Garcia	<i>[Signature]</i>	99-508 Heaone St. Aiea HI 96701 - 486-3872
17. CYNTHIA GARCIA	<i>[Signature]</i>	99-568 HUAKANI ST. AIEA HI 96701 (486-3872)

PETITION URGING THE HAWAII STATE LEGISLATURE TO PASS HB 2136 RELATING TO INCREASED REIMBURSEMENT FOR CAREGIVERS (Page 2 - January 23, 2008)

- 40. MILA TOLEHIIHO I ~~AMABEL FEBREO~~ I
- 41. JOCELYN TORIBIO I I
- 42. JANET A. LAM I I
- 43. MAMM ANN BAN I I
- 44. MILDRED DACCOS I I
- 45. Edwative C. Sales I I
- 46. ALNET Sches I I
- 47. EUGINE GANIR I I
- 48. Willy Durz I I
- 49. ~~James R. Mangano~~ I I
- 50. Editha Sagat I I
- 51. ROCELW TRPAT I I
- 52. Marilou Peralta I I
- 53. ~~Blanca~~ I I
- 54. REMEDIOS BISQUERRA I I
- 55. MARICELA SAGUENO I I
- 56. Prisca C. Ben I I
- 57. Jovita Joy I I
- 58. Maria Mangalala I I
- 59. Crisanta Torres I I
- 60. Peter H. Nonales I I
- 61. Lilia Nonales I I
- 62. ~~Josep D. Aliquini~~ I I
- 63. Aemesio Julian 94-983 Luthihooku St
Wahiawa Hs. 96797

PETITION URGING THE HAWAII STATE LEGISLATURE TO PASS HB 2136 RELATING TO INCREASED REIMBURSEMENT FOR CAREGIVERS (Page 4 - January 23, 2008)

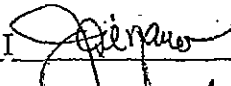


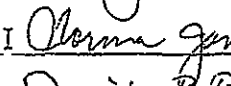
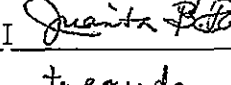
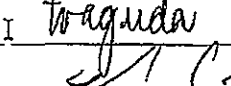

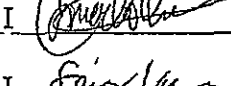
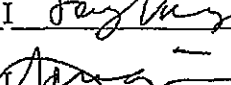

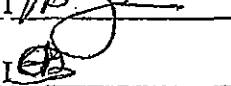
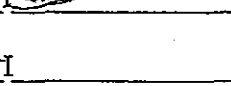
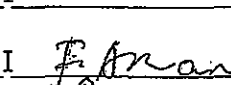
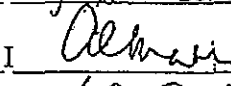
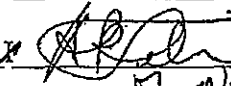
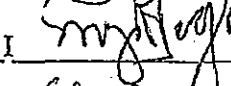

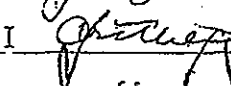
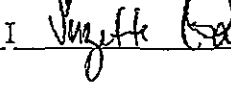
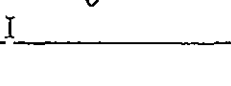
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|------|-----------------------|---|---|
| 86. | Rose Spraying | I | I |
| 87. | Ruth Spraying | I | I |
| 88. | Bonnie Ell | I | I |
| 89. | John S. Canaya | I | I |
| 90. | Ruth | I | I |
| 91. | Ruth Batangan | I | I |
| 92. | Violeta Sta. Maria | I | I |
| 93. | Flaviana Tiquis | I | I |
| 94. | Nestor Gagarin | I | I |
| 95. | Gracia Gagarin | I | I |
| 96. | Lina Esta | I | I |
| 97. | MAR N ESTA | I | I |
| 98. | Jose Quoch | I | I |
| 99. | Carl Bob | I | I |
| 100. | Milagros Calico | I | I |
| 101. | Estela Pasion | I | I |
| 102. | Melanie Biador | I | I |
| 103. | Teresita B. de Guzman | I | I |
| 104. | Aurelia A. Jacob | I | I |
| 105. | Elice A. Amere | I | I |
| 106. | CATALINO AGOTO | I | I |
| 107. | Charles L. Quila | I | I |
| 108. | Cosie Quiarbare | I | I |

PETITION URGING THE HAWAII STATE LEGISLATURE TO PASS HB 2136 RELATING TO INCREASED REIMBURSEMENT FOR CAREGIVERS (Page 1 - January 23, 2008)

We, the undersigned caregivers, emphatically urge the 2008 Hawaii State Legislature to enact HB 2136 providing for a 7% raise in Medicaid Waiver reimbursements to caregivers providing services under various home and community based programs. Caregivers provide personalized care to recipients who are eligible for Federal Supplementary Security Income or public assistance, most of whom are either elderly or developmentally disabled. Placement of these recipients in home and community based providers as opposed to acute-care hospitals and nursing facilities results in the following benefits: (1) allows recipients to be integrated into the mainstream community instead of being institutionalized; (2) alleviates the shortage of bed spaces needed for more acute care patients; (3) saves government millions of dollars by allowing relatively low reimbursement rates as compared to reimbursement rates for hospitals and institutions.

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6. RAQUEL JULIAN	<i>Raquel Julian</i>	94-983 LUMIHOAHU STREET WAIPAHU HI. 96797 I 674-9833
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13. Dolores Nalos	<i>Dolores Nalos</i>	1214 Lanihalei St. Wahiaawa 621-0728 I 678-1214
14. ELISA BOLIBOL	<i>Elisa Bolibol</i>	94-309 KAHUAINA ST WAIPAHU HI 96797 (678-3475) I 678-3099
15. Mariotel dela Cuesta	<i>Mariotel dela Cuesta</i>	94-315 KAHUAINA ST WAIPAHU, HI 96797 (677-0392) I 678-3155
16. DRLEIDA M. LINTAG	<i>Drleida M. Lintag</i>	94-1017 HANA ST. WAIPAHU, HI 96797 (678-2535) I 678-1017
17. CONSOLACION FELIX	<i>Felix</i>	4304 Peleka Dr. Hon. HI 96818 422-2719 I 678-4304

PETITION URGING THE HAWAII STATE LEGISLATURE TO PASS HB 2136 RELATING TO INCREASED REIMBURSEMENT FOR CAREGIVERS (Page 1 - January 23, 2008)

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| 18. | Joelyn D Alinsunarin | I |  | I | 11437 Maluanui St. Pearl City HI 96782
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| 19. | Michele Aedel | I |  | I | 94 1445 Hiapo St. Waipahu 96791
676-7381 |
| 20. | JOSEPHINE L. QUIAMBAO | I |  | I | 87-926 Waipahu St. Waianae 96792
457-6879 |
| 21. | Norma James | I |  | I | 1361 KAM IV Rd. Apt C. Hon. HI 96819
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| 22. | JUANITA B. RAMOS | I |  | I | 1318 Hone In. Hon. HI 96817
341-9609 |
| 23. | Tessie Valdez-Aguda | I |  | I | 95-244 Aumea Loop Mt. Lam. HI 96784 |
| 24. | Noel G. Gibson | I |  | I | 94-599 KONA PL Wai. HI
677-6533 |
| 25. | Conrado S. Alinsunarin | I |  | I | 11437 Maluanui St. P.C. HI 96782 456-7251 |
| 26. | Levy VARGAS | I |  | I | 94-2296 Kauhakua St. Waipahu HI. 96797 |
| 27. | Anita Domingo | I |  | I | 98-029 LII IPO ST, Aiea |
| 28. | Martene Sajood | I |  | I | 94-092 Lani St. Waipahu, HI 96797 |
| 29. | Prisca L. Bui | I |  | I | 1339 Hoonalu St. P.C. HI 96782 |
| 30. | Graciele Jim | I |  | I | 94-1227 Kahuana St |
| 31. | F. A. Manera | I |  | I | 94-1062 Sunnukule St. Waipahu |
| 32. | Clarida Manera | I |  | I | 94-440 Hamua St. Waipahu |
| 33. | Alfred Williams | I |  | I | 94-274 Waijaha St. Waipahu
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| 34. | Milwin D. Dizon | I |  | I | 94-847 Kahuana St. Waipahu HI
947-7971 |
| 35. | Ely Raymondito | I |  | I | 108 Olokani Pl. Wai'anae 96781 |
| 36. | Ann Battulayan | I |  | I | 94-1040 Kahuana St. |
| 37. | Suzette Gaviola | I |  | I | 94-599 Kahuana Loop Waipahu |
| 38. | | I | | I | |
| 39. | | I | | I | |

PETITION URGING THE HAWAII STATE LEGISLATURE TO PASS HB 2136 RELATING TO INCREASED REIMBURSEMENT FOR CAREGIVERS (Page 1 - January 23, 2008)

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2. Josefina Macaraog	I <i>Josefina Macaraog</i>	808-456-5626 I 2398 KUHUNA ST. P.C. HI. 96782
3. Leonarda Leiwalu	I <i>Leonarda Leiwalu</i>	94-354 KAHUAPAA PLACE WAIPAHU HI 96797 I 94-5109 KAUOLO PLACE
4. Jane Tolentino	I <i>Jane Tolentino</i>	I EWA BEACH HI. 96706
5. Wilma Fernandez	I <i>Wilma Fernandez</i>	611-1347 I 94-644 HUAKAI ST. WAIPAHU 96
6. EMERITA P. ESPINOSA	I <i>Emerita P. Espinosa</i>	94-1309 KAHUANA ST
7. RADIOLYN PASCHA	I <i>Radiolyn Pascha</i>	91-1009 POHAHAWAI PL. EWA BEACH
8. Lani Pascha	I <i>Lani Pascha</i>	I 94-319 KIKIHI PL WAIPAHU
9. SYLVIA D. SADAHA	I <i>Sylvia D. Sadaha</i>	I 94-1122 KAHUANA ST. W. PH. HI. 96
10. Fay De Jesus	I <i>Fay De Jesus</i>	689-0326 I 91-801 KEHUA ST. EWA BEACH, HI 96
11. Nida B. Aguinada	I <i>Nida B. Aguinada</i>	94-780 KUPUKI ST. WAIPAHU 967
12. Louriza C. Fiesta	I <i>Louriza C. Fiesta</i>	689-6892 I 91-804 APOKE PL. EWA BEACH, HI 96
13. Aiga Vaifale	I <i>Aiga Vaifale</i>	680-9334 I 91-1061 HULUHULU ST. EWA BEACH 96
14. AVELINDA YADAO	I <i>Avelinda Yadao</i>	488-0377 I 94-112 PUKAHU ST. AIEA HI 967
15. CAROL Quiambao	I <i>Carol Quiambao</i>	I 91-809 APOKE PL. EWA BEACH HI 967
16. CAROLITA Resurreccion	I <i>Carolita Resurreccion</i>	I 2828 ANAHEA ST. P.C. HI. 96782
17. Adelaida Galero	I <i>Adelaida Galero</i>	I 94-969 KUHUNA ST WAIPAHU

PETITION URGING THE HAWAII STATE LEGISLATURE TO PASS HB 2136 RELATING TO INCREASED REIMBURSEMENT FOR CAREGIVERS (Page 2 - January 23, 2008)

- 40. BEATRIZ T. RIVERA I Sandra T. Kohen I 94-859 Kuakahi St. Waipahu 67187
- 41. Julieta C. Cambe I Julieta C Cambe I 94-482 Alapine St. Waipahu HI 9679
- 42. REMILY CORINGO I ~~Corringo~~ I 1635 OAHUA ST. HON. HI 968
- 43. MARY ANN WESTBROOKS I Frances Brooks I 91-1069 HANAWA ST. EWA BEACH
- 44. EDUARDA SALVATERRA I Eduarda I 91-839 Hanakahi St. Ewa Beach HI
- 45. ROSALINDA OLIVAS I Rosalinda Oliv I 7411 Kiamanu St. Hn HI 9688
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