
HOUSE CONCURRENT RESOLUTION

REQUESTING THE AUDITOR TO ANALYZE A PROPOSED MEASURE TO REGULATE
HOME CARE AGENCIES BY THE DEPARTMENT OF HEALTH.

1 WHEREAS, home care is a component of the health care
2 continuum that is quickly expanding largely due to the rising
3 demand by disabled elderly individuals for care in their own
4 homes when possible, rather than in institutional settings; and
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6 WHEREAS, home care agencies provide a broad range of
7 services, both professional and nonprofessional, such as
8 private-duty nursing services, rehabilitation therapy services,
9 social services, personal care services, and companion services;
10 and
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12 WHEREAS, a home care worker is often the only other person
13 in the home of a client, who may be mentally or physically
14 impaired; and
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16 WHEREAS, at present, home care agencies are not regulated
17 or licensed in the State; and
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19 WHEREAS, it is essential to ensure that home care workers
20 are adequately trained and ethically responsible; and
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22 WHEREAS, section 26H-6, Hawaii Revised Statutes, requires
23 that new regulatory measures being considered for enactment
24 that, if enacted, would subject unregulated professions and
25 vocations to licensing or other regulatory controls, shall be
26 referred to the Auditor for analysis; and
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28 WHEREAS, referral shall be by concurrent resolution that
29 identifies a specific legislative bill to be analyzed; and
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31 WHEREAS, House Bill No. 704, H.D. 1, S.D. 1 (2009)
32 proposing that the Department of Health regulate home care

1 agencies through licensure has been introduced during the
2 Regular Session of 2009; now, therefore,

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4 BE IT RESOLVED by the House of Representatives of the
5 Twenty-fifth Legislature of the State of Hawaii, Regular Session
6 of 2009, the Senate concurring, that the Auditor, pursuant to
7 section 26H-6, Hawaii Revised Statutes, is requested to perform
8 an analysis of the proposed regulation of home care agencies by
9 the Department of Health, as proposed in House Bill No. 704,
10 H.D. 1, S.D. 1 (2009); and

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12 BE IT FURTHER RESOLVED that the Auditor is requested to set
13 forth the probable effects of the proposed regulatory measure
14 and assess whether its enactment is consistent with the policies
15 set forth in the sunrise review evaluation law; and

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17 BE IT FURTHER RESOLVED that the Auditor is requested to
18 include in the analysis an assessment of alternative forms of
19 regulation; and

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21 BE IT FURTHER RESOLVED that the Auditor is requested to
22 submit any findings and recommendations to the Legislature no
23 later than twenty days prior to the convening of the Regular
24 Session of 2010; and

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26 BE IT FURTHER RESOLVED that certified copies of this
27 Concurrent Resolution be transmitted to the Auditor and the
28 Director of Health.