

Honolulu, Hawaii

MAY 01 2009

, 2009

RE: S.B. No. 415  
S.D. 2  
H.D. 1  
C.D. 1

Honorable Colleen Hanabusa  
President of the Senate  
Twenty-Fifth State Legislature  
Regular Session of 2009  
State of Hawaii

Honorable Calvin K.Y. Say  
Speaker, House of Representatives  
Twenty-Fifth State Legislature  
Regular Session of 2009  
State of Hawaii

Madam and Sir:

Your Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House of Representatives in S.B. No. 415, S.D. 2, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO HOME CARE AGENCIES,"

having met, and after full and free discussion, has agreed to recommend and does recommend to the respective Houses the final passage of this bill in an amended form.

The purpose of this measure is to protect consumers who purchase home care services by requiring home care agencies to be licensed by the Department of Health.

Specifically, this measure:

- (1) Requires home care agencies to be licensed by the Department of Health beginning July 1, 2010, and requires the Department of Health to adopt rules for licensure;
- (2) Defines "home care agency" and "home care services";



- (3) Exempts service provider agencies under contract with the City and County of Honolulu Elderly Affairs Division from the licensing requirement; and
- (4) Authorizes the Department of Health to conduct criminal history record checks.

Your Committee on Conference finds that home care agencies provide valuable home care services, such as personal care, homemaker assistance, and respite care, to an increasing segment of Hawaii's residents. The rising demand for home care services makes it necessary to license agencies that provide these services to ensure that minimum standards of quality, safety, and responsibility are met. Accordingly, your Committee on Conference finds that requiring the licensure of home care agencies in the State will help ensure the health, safety, and welfare of consumers.

Your Committee on Conference has amended this measure by:

- (1) Requiring the Department of Health to report to the Legislature, no later than twenty days prior to the convening of the Regular Session of 2010, any recommended proposals to ensure the prevention of financial exploitation of home care agency clients and to improve the home care licensing program;
- (2) Inserting an effective date of July 1, 2009; and
- (3) Making technical, nonsubstantive changes for the purposes of consistency, clarity, and style.

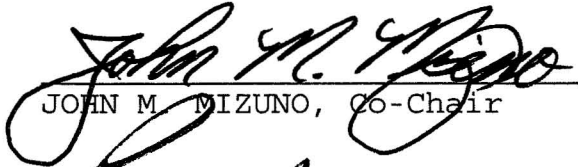
As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 415, S.D. 2, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 415, S.D. 2, H.D. 1, C.D. 1.




Respectfully submitted on behalf  
of the managers:

ON THE PART OF THE HOUSE

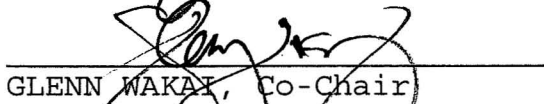
ON THE PART OF THE SENATE

  
JOHN M. MIZUNO, Co-Chair

  
DAVID Y. ISE, Chair

  
RYAN I. YAMANE, Co-Chair

  
ROSALYN H. BAKER, Co-Chair

  
GLENN WAKAY, Co-Chair

  
SHAN S. TSUTSUI, Co-Chair

  
TOM BROWER, Co-Chair



Record of Votes of a Conference Committee

Bill / Concurrent Resolution No.: <b>SB 415, SD 2, HD 1</b>	Date/Time: <b>4/29/2009</b>
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The recommendation of the House and Senate managers is to pass with amendments (CD).

The Committee is reconsidering its previous decision.

The recommendation of the Senate Manager(s) is to AGREE to the House amendments made to the Senate Measure

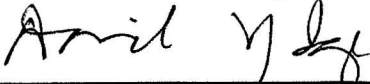
The recommendation of the House Manager(s) is to AGREE to the Senate amendments made to the House Measure.

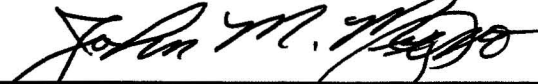
Senate Managers	A	WR	N	E	House Managers	A	WR	N	E
IGE, David Y., Chr.	✓				MIZUNO, John M., Co-Chr.	✓			
BAKER, Rosalyn H., Co-Chr.	✓				YAMANE, Ryan I., Co-Chr.				✓
TSUTSUI, Shan S., Co-Chr.	✓				WAKAI, Glenn, Co-Chr.	✓			
HEMMINGS, Fred	✓				BROWER, Tom, Co-Chr.	✓			
					FINNEGAN, Lynn	✓			
<b>TOTAL</b>	<b>4</b>				<b>TOTAL</b>	<b>4</b>			<b>1</b>

A = Aye      WR = Aye with Reservations      N = Nay      E = Excused

Senate Recommendation is:  
 Adopted       Not Adopted

House Recommendation is:  
 Adopted       Not Adopted

Senate Lead Chair's or Designee's Signature:  


House Lead Chair's or Designee's Signature:  


Distribution:      **Original**      **Yellow**      **Pink**      **Goldenrod**  
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