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In reply, please refer to:  
File:

**HOUSE COMMITTEES ON HUMAN SERVICES AND HEALTH**

**SB 0415, SD2, RELATING TO HOME CARE AGENCIES**

**Testimony of Chiyome Leinaala Fukino, M.D.  
Director of Health**

**March 19, 2009  
9:30 a.m.**

1 **Department's Position:** The department appreciates the intent of this bill and respectfully defers to the  
2 Department of Human Services.

3 **Fiscal Implications:** None

4 **Purpose and Justification:** While the intent of the bill continues to have merit, the Department of  
5 Health will defer to the Department of Human Services.

6 Thank you for the opportunity to testify.



**Testimony to the House Committees on Human Services and Health**

**Thursday, March 19, 2009**

**9:30 a.m.**

**Conference Room 329, State Capitol**

**RE: SENATE BILL NO. 415 SD2 RELATING TO HOME CARE AGENCIES**

Chairs Mizuno and Yamane, Vice Chairs Brower and Nishimoto, and Members of the Committees:

My name is Jim Tollefson and I am the President and CEO of The Chamber of Commerce of Hawaii ("The Chamber"). The Chamber supports Senate Bill 415 SD2 relating to Home Care Agencies.

The Chamber is the largest business organization in Hawaii, representing more than 1,100 businesses. Approximately 80% of our members are small businesses with less than 20 employees. As the "Voice of Business" in Hawaii, the organization works on behalf of its members, which employ more than 200,000 individuals, to improve the state's economic climate and to foster positive action on issues of common concern.

This measure requires the Department of Health to license home care agencies..

Quality health care is critical to the people and economy of Hawaii. As one of the largest private industries in Hawaii, the health care industry plays an important role in our economy, particularly through attractive, well-paying jobs and through the purchase of goods and services that contribute to our state's economy. As such, the health care industry plays a crucial role in the economic development and sustainability of our state and all of Hawaii's businesses. Also, Hawaii's healthcare system provides quality care for our families and serves to attract and retain a professional workforce, new companies, and even tourists to our state.

However, the quality healthcare that Hawaii has enjoyed for years is now in jeopardy. It is on the verge of declining because healthcare providers are no longer being paid for essential services at a level sufficient to cover annually increasing costs. The health care system must be maintained and challenges must be addressed.

Therefore, The Chamber supports improvements to the quality of our health care system that will increase long term care capacity and access statewide. Implementing a license requirement of home care agencies is the first step in the right direction in ameliorating the current state and quality of health care in Hawaii.

In light of the above, The Chamber of Commerce of Hawaii supports SB 415 SD2. Thank you for the opportunity to testify.



HOUSE COMMITTEE ON HUMAN SERVICES  
Rep. John Mizuno, Chair

HOUSE COMMITTEE ON HEALTH  
Rep. Ryan Yamane, Chair

Conference Room 329  
March 19, 2009 at 9:30 a.m.

**Testimony in support of SB 415 SD 2.**

The Healthcare Association of Hawaii advocates for its member organizations that span the entire spectrum of health care, including acute care hospitals, two-thirds of the long term care beds in Hawaii, as well as home care and hospice providers. Thank you for this opportunity to testify in strong support of SB 415, which requires all home care agencies to be licensed.

The mandatory licensure of home care agencies is designed to assure the public of quality since licensing would require that home care agencies comply with appropriate standards. Without mandatory licensure, this assurance cannot be given.

Home care is a rapidly growing sector of the health care continuum. It is a cost-effective service for many individuals who are recuperating from a hospital stay and also for many who, because of a functional or cognitive disability, are unable to take care of themselves.

Elderly and disabled people increasingly prefer to remain living in their homes rather than being institutionalized. Home care reinforces and supplements care provided in the home by family members and friends, maintaining the recipient's dignity and independence.

Unfortunately, home care is often confused with other types of health care. Home health agencies are currently licensed by the Department of Health. Home health is directed by a physician and focuses on services provided by licensed professionals, such as registered nurses, physical and occupational therapists, and speech therapists.

On the other hand, the Department of Health does not license home care agencies. Home care services are consumer directed, focusing primarily on services provided by non-medical personnel, often called custodial care. Home care services include assistance with tasks of daily living such as bathing and meal preparation, laundry, light housekeeping, errands, shopping, transportation, and companionship.

Also, the similarity between the terms "home care" and "care homes" may be confusing. Since care homes are licensed, many people incorrectly believe that home care agencies are also licensed.

Without licensure, the safety of those who receive home care is at risk, especially since home care is in many cases provided to frail and elderly consumers. Unlike in an institutional setting, the home care worker is often alone with the consumer of services.

The State has an obligation to protect consumers from improper care, exploitation, and abuse. At a minimum, the competence of home care agency employees should be established, and criminal background checks should be performed.

This bill directs the Department of Health (DOH) to establish a licensure system that protects the health and safety of clients receiving services from home care agencies. Any home care agency that is not licensed would not be allowed to operate.

This bill has been needed for some time now to assure quality and to protect the many elderly and disabled people who receive home care. Any delay will only extend the potential for abuse at a time when the demand for home care is increasing.

For the foregoing reasons, the Healthcare Association strongly supports SB 415 SD 2.