
A BILL FOR AN ACT

RELATING TO CARE FACILITIES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that the department of
2 health and the department of human services are responsible for
3 licensing, certifying, and monitoring several types of care
4 facilities. Although the departments perform inspections to
5 ensure a standard of quality of these facilities using state
6 moneys, the public currently cannot easily access the
7 information contained in the inspection reports. The
8 legislature finds that the public would benefit from greater
9 access to information on the quality and conditions of care
10 facilities in Hawaii.

11 The purpose of this Act is to require the department of
12 health and the department of human services to make available to
13 the public information collected from the departments'
14 inspections of care facilities and to appropriate funds to the
15 department of health and to the department of human services for
16 technical and administrative support in anticipation of
17 requiring that their inspection reports be made publicly
18 available on their respective websites, free of charge.



1 SECTION 2. (a) The department of health shall post on its
2 website electronic copies of reports for all inspections it
3 performs for the following state-licensed care facilities:

- 4 (1) Adult day health centers;
- 5 (2) Developmental disabilities domiciliary homes as
6 defined in section 321-15.9;
- 7 (3) Developmentally disabled adult foster homes;
- 8 (4) Long-term care facilities as defined in section 349-
9 21(f); and
- 10 (5) Special treatment facilities as defined in section
11 334-1.

12 (b) Each report shall be posted on the department of
13 health's website within days of the conclusion of each
14 inspection and shall include but not be limited to the following
15 information:

- 16 (1) The date of the inspection;
- 17 (2) A description of violations of relevant state laws or
18 rules;
- 19 (3) Plans of correction and the status of corrective
20 actions in response to any violations;
- 21 (4) Other information regarding the quality and conditions
22 of the facilities as the department of health deems



1 appropriate in informing the public of their care
2 options.

3 SECTION 3. (a) The department of human services shall
4 post on its website electronic copies of reports for all
5 inspections it performs on adult day care centers and community
6 care foster family homes as defined in section 346-331.

7 (b) Each report shall be posted on the department of human
8 services' website within days of the conclusion of each
9 inspection and shall include but not be limited to the following
10 information:

- 11 (1) The date of the inspection;
- 12 (2) A description of violations of relevant state laws or
13 rules;
- 14 (3) Plans of correction and the status of corrective
15 actions in response to any violations; and
- 16 (4) Other information regarding the quality and conditions
17 of the facilities as the department of human services
18 deems appropriate in informing the public of their
19 care options.

20 SECTION 4. There is appropriated out of the general
21 revenues of the State of Hawaii the sum of \$ or so much



1 thereof as may be necessary for fiscal year 2010-2011 for the
2 purposes set forth in section 2 of this Act.

3 The sum appropriated shall be expended by the department of
4 health for the purposes of this Act.

5 SECTION 5. There is appropriated out of the general
6 revenues of the State of Hawaii the sum of \$ or so much
7 thereof as may be necessary for fiscal year 2010-2011 for the
8 purposes set forth in section 3 of this Act.

9 The sum appropriated shall be expended by the department of
10 human services for the purposes of this Act.

11 SECTION 6. The department of health shall report to the
12 legislature no later than twenty days prior to the convening of
13 the regular session of 2012 on the status of its efforts to post
14 inspection reports on its website pursuant to section 2 of this
15 Act. The report shall include information on the costs incurred
16 and feasibility of implementing section 2 of this Act.

17 SECTION 7. The department of human services shall report
18 to the legislature no later than twenty days prior to the
19 convening of the regular session of 2012 on the status of its
20 efforts to post inspection reports on its website pursuant to
21 section 3 of this Act. The report shall include information on

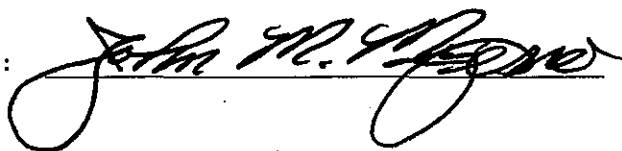


1 the costs incurred and feasibility of implementing section 3 of
2 this Act.

3 SECTION 8. This Act shall take effect on July 1, 2011, and
4 shall be repealed on June 30, 2013; provided that sections 4 and
5 5 shall take effect on July 1, 2010.

6

INTRODUCED BY:



JAN 22 2010



Report Title:

Kupuna Caucus; DOH; DHS; Care Facilities; Inspections; Public Notice; Appropriations

Description:

Requires the department of health and the department of human services to post on their websites reports of all inspections of care facilities and appropriates funds for this purpose. Requires the department of health and the department of human services to report to the legislature on the status of its efforts to post the inspection reports on their websites.

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