

JAN 23 2009

A BILL FOR AN ACT

RELATING TO HEALTH.

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



1 requiring that their inspection reports be made available on
2 their respective websites, free of charge.

3 SECTION 2. Chapter 321, Hawaii Revised Statutes, is
4 amended by adding a new section to part I to be appropriately
5 designated and to read as follows:

6 "§321- Inspections; public notice. (a) The department
7 of health shall post on its website electronic copies of reports
8 for all inspections it performs for the following state-licensed
9 care facilities:

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

18 (b) Each report shall be posted on the department of
19 health's website within days of the conclusion of each
20 inspection and shall include but not be limited to the following
21 information:

- 22 (1) The date of the inspection;



- 1 (2) A description of violations of relevant state laws or
- 2 rules;
- 3 (3) Plans of correction and the status of corrective
- 4 actions in response to any violations; and
- 5 (4) Other information regarding the quality and conditions
- 6 of the facilities as the department of health deems
- 7 appropriate in informing the public of their care
- 8 options."

9 SECTION 3. Chapter 346, Hawaii Revised Statutes, is
10 amended by adding a new section to part XIV to be appropriately
11 designated and to read as follows:

12 **"§346- Inspections; public notice.** (a) The department
13 of human services shall post on its website electronic copies of
14 reports for all inspections it performs on adult day care
15 centers and community care foster family homes as defined in
16 section 346-331.

17 (b) Each report shall be posted on the department of human
18 services' website within days of the conclusion of each
19 inspection and shall include but not be limited to the following
20 information:

- 21 (1) The date of the inspection;



- 1 (2) A description of violations of relevant state laws or
- 2 rules;
- 3 (3) Plans of correction and the status of corrective
- 4 actions in response to any violations; and
- 5 (4) Other information regarding the quality and conditions
- 6 of the facilities as the department of human services
- 7 deems appropriate in informing the public of their
- 8 care options."

9 SECTION 4. There is appropriated out of the general
10 revenues of the State of Hawaii the sum of \$ or so
11 much thereof as may be necessary for fiscal year 2010-2011 for
12 purposes set forth in section 2 of this Act.

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

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

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

21 SECTION 6. New statutory material is underscored.



S.B. NO. 818

1 SECTION 7. This Act shall take effect on July 1, 2011;
2 provided that sections 4 and 5 shall take effect on July 1,
3 2010.
4

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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 respective websites reports of all inspections of care facilities. Appropriates funds to the department of health and to the department of human services to prepare to post inspection reports online.

