

STAND. COM. REP. NO. 453

Honolulu, Hawaii
Feb 19, 2009

RE: H.B. No. 725
H.D. 1

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

Sir:

Your Committees on Health and Human Services, to which was referred H.B. No. 725 entitled:

"A BILL FOR AN ACT RELATING TO HEALTH CARE,"

beg leave to report as follows:

The purpose of this bill is to ensure proper care for the elderly and disabled by requiring all health care facilities and health care providers to notify the state-designated protection and advocacy entity or agency prior to transferring any individual out-of-state to a treatment, rehabilitation, or long-term care facility.

The Policy Advisory Board for Elder Affairs, Kupuna Caucus of the Democratic Party of Hawaii, and Hawaii Centers for Independent Living supported this bill. The State Council on Developmental Disabilities, Disability and Communication Access Board, and Hawaii Disability Rights Center (HDRC) supported the intent of this measure. The Department of Health and Healthcare Association of Hawaii opposed this bill. The Queen's Medical Center submitted comments.

Your Committees find that the rights of our elderly and disabled must be upheld to ensure their health and safety, and it notes the testimony of the state-designated protection and advocacy entity, HDRC, that encourages further consideration be given to whether a regulatory department within the state that has licensing jurisdiction over various health care facilities may be

HB725 HD1 HSCR HLT-HUS HMS 2009-1918.doc



the more appropriate agency to receive the type of notice required by this bill. Therefore, your Committees have amended this bill by:

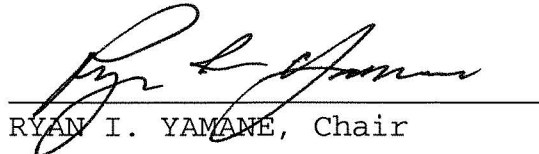
- (1) Providing that health care facilities and providers notify the state-designated protection and advocacy entity or agency or other appropriate agency prior to making an out-of-state transfer;
- (2) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (3) Making technical, nonsubstantive changes for clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Health and Human Services that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 725, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 725, H.D. 1, and be referred to the Committee on Judiciary.

Respectfully submitted on
behalf of the members of the
Committees on Health and Human
Services,



JOHN M. MIZUNO, Chair



RYAN I. YAMANE, Chair



