

STAND. COM. REP. NO. 2080

Honolulu, Hawaii

FEB 09 2012

RE: S.B. No. 2712

Honorable Shan S. Tsutsui
President of the Senate
Twenty-Sixth State Legislature
Regular Session of 2012
State of Hawaii

Sir:

Your Committee on Human Services, to which was referred S.B. No. 2712 entitled:

"A BILL FOR AN ACT RELATING TO MEDICAID,"

begs leave to report as follows:

The purpose and intent of this measure is to amend the definition of the term "medical institution" as it is currently defined in section 346-12, Hawaii Revised Statutes, to mean an institution created for the practice of medicine and for caring for patients on a long-term basis.

Your Committee received testimony in support of this measure from the Department of Human Services, the Department of the Attorney General, the Consumer Family & Youth Alliance, and one individual.

Your Committee finds that if a Medicaid recipient enters a "medical institution", the Department of Human Services is allowed to place a lien upon the real property of the recipient to potentially recover the payments made for the recipient's care. However, under the existing definition of "medical institution", a recipient could argue that the facility in which the recipient resides in is not a medical institution, in order to prevent the Department of Human Services from putting a lien on the recipient's real property. Your Committee finds that this measure will clarify which institutions are subject to section 346-29.5, Hawaii Revised Statutes, thereby allowing the Department of Human Services to determine whether a lien may be properly placed on a Medicaid recipient's real property.

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As affirmed by the record of votes of the members of your Committee on Human Services that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2712 and recommends that it pass Second Reading and be placed on the calendar for Third Reading.

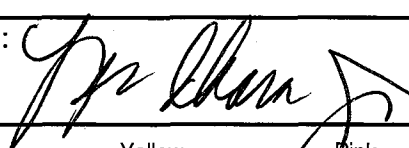
Respectfully submitted on
behalf of the members of the
Committee on Human Services,

Suzanne Chun Oakland
SUZANNE CHUN OAKLAND, Chair



The Senate
 Twenty-Sixth Legislature
 State of Hawai'i

Record of Votes
Committee on Human Services
HMS

Bill / Resolution No.:* SB 2712	Committee Referral: HMS	Date: 2-2-12		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input checked="" type="checkbox"/> Pass, unamended 2312 <input type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
CHUN OAKLAND, Suzanne (C)	✓			
IHARA, Jr., Les (VC)	✓			
GREEN, M.D., Josh	✓			
SLOM, Sam				✓
TOTAL	3	0	0	1
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes