

SB 2322

Measure Title: RELATING TO HEALTH CARE.

Report Title: Long-term Care Commission; Department of Health; Residential Care Facility Reform Task Force; Kupuna Caucus

Description: Establishes the residential care facility reform task force until 6/30/2013 to determine the feasibility of a single agency overseeing all aspects of residential care facilities in the State. Report to the legislature.

Companion:

Package: Kupuna

Current Referral: HMS/HTH, WAM

Introducer(s): CHUN OAKLAND, Ihara

NEIL ABERCROMBIE
GOVERNOR OF HAWAII

LORETTA FUDDY, ACSW, MPH
DIRECTOR OF HEALTH



STATE OF HAWAII
EXECUTIVE OFFICE ON AGING
NO. 1 CAPITOL DISTRICT
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Committee on Human Services

Committee on Health

SB2322, RELATING TO HEALTH CARE.

**Testimony of Wes Lum
Director, Executive Office on Aging
Attached Agency to Department of Health**

Monday, February 6, 2012; Conference Room 016

3:00 p.m.

1 **EOA's Position:** The Executive Office on Aging (EOA) supports the intent of this measure but
2 prefers the passage of SB2126.

3 **Purpose and Justification:** Hawaii has a very complex system of community-based residential
4 care settings and nursing homes:

5 ▪ Adult residential care homes, assisted living facilities, adult foster homes, and
6 developmental disabilities domiciliary homes are licensed by the Department of Health
7 (DOH).

8 ▪ Expanded care adult residential care homes are licensed by the Department of Health, but
9 the Department of Human Services (DHS) oversees placement and case management
10 services to Medicaid-eligible clients in these settings. Medicaid pays for services in all of
11 these settings.

12 ▪ Community care foster family homes are certified by DHS.

- 1 ▪ Although responsibility for licensing and certification for residential care facilities is
2 divided between DOH and DHS, DHS is responsible for paying for services used by
3 Medicaid-eligible persons in extended care adult residential care homes, community care
4 foster family homes, assisted living facilities, and developmental disabilities domiciliary
5 homes.

6 DOH and DHS have already been in discussion to consolidate the authority, duties,
7 responsibilities, and jurisdiction of these two departments, as they relate to various health care
8 services, by transferring to DOH's Office of Health Care Assurance the programs of DHS relating
9 to home and community-based case management, community care foster family homes, an adult
10 day care. Therefore, we ask you to hold this measure and pass SB2126. Thank you for the
11 opportunity to testify.

NEIL ABERCROMBIE
GOVERNOR



PATRICIA McMANAMAN
DIRECTOR

STATE OF HAWAII
DEPARTMENT OF HUMAN SERVICES
P. O. Box 339
Honolulu, Hawaii 96809-0339

February 6, 2012

MEMORANDUM

TO: The Honorable Suzanne Chun Oakland, Chair
Senate Committee on Human Services

The Honorable Josh Green, M.D., Chair
Senate Committee on Health

FROM: Patricia McManaman, Director

SUBJECT: **S.B. 2322 RELATING TO HEALTH CARE**

Hearing: Monday, February 6, 2012; 3:00 p.m.
Conference Room 229, State Capitol

PURPOSE: The purpose of S.B. 2322 is to establish a residential care facility reform task force to determine the feasibility of a single agency overseeing all aspects of residential care facilities.

DEPARTMENT'S POSITION: The Department of Human Services (DHS) appreciates the intent of this bill but prefers S.B. 2126. DHS strongly supports S.B. 2126, Relating to Health Care, as the vehicle to effect the transfer of the licensing functions from DHS to DOH.

DHS and the Department of Health (DOH) have been in discussion regarding the transfer of licensure and certification authority for adult day care centers, community care foster family homes (CCFFH), and case management agencies (CMA) from DHS to DOH. The two departments are in agreement that the consolidation of these

functions within one department will improve efficiency and capacity in the health care settings.

Thank you for the opportunity to provide comments on this bill.



STATE OF HAWAII
STATE COUNCIL
ON DEVELOPMENTAL DISABILITIES
919 ALA MOANA BOULEVARD, ROOM 113
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February 6, 2012

The Honorable Suzanne Chun Oakland, Chair
The Honorable Les Ihara, Jr., Vice Chair
Senate Committee on Human Services
and
The Honorable Josh Green, M.D., Chair
The Honorable Clarence K. Nishihara, Vice Chair
Twenty-Sixth Legislature
State Capitol
State of Hawaii
Honolulu, Hawaii 96813

Dear Senators Chun Oakland and Ihara, Green and Nishihara, and Members of the Committees:

SUBJECT: SB 2322 – RELATING TO HEALTH CARE


The State Council on Developmental Disabilities (DD) **SUPPORTS SB 2322**. The purpose of the bill is to establish a Residential Care Facility Reform Task Force to determine the feasibility of a single agency overseeing all aspects of residential care facilities.

In addition to licensing adult residential care homes, assisted living facilities, and nursing homes, DOH also licenses Developmental Disabilities (DD) Domiciliary Homes and certifies Adult Foster Homes for individuals with DD. The work of the Task Force would be significant in identifying and addressing specific strategies to streamline the 1) responsibilities of the Department of Human Services (DHS) and DOH; 2) inspections processes; and 3) management of residential care facilities.

Thank you for the opportunity to submit testimony in **support of SB 2322**.

Sincerely,


Liz Ann Salvador
Chair


Wyanette K. Y. Cabral, MSW
Executive Administrator

TO : COMMITTEE ON HUMAN SERVICES
Senator Suzanne Chun Oakland, Chair
Senator Les Ihara, Vice Chair

COMMITTEE ON HEALTH
Senator Josh Green, M.D., Chair
Senator Clarence K. Nishihara, Vice-Chair

FROM: Eldon L. Wegner, Ph.D.
POLICY ADVISORY BOARD FOR ELDER AFFAIRS (PABEA)

HEARING: 3:00 pm Monday, February 6, 2012
Conference Room 229, Hawaii State Capitol

SUBJECT: SB 2322 Relating to Health Care

POSITION: The Policy Advisory Board for Elder Affairs, **supports** SB 2322 which establishes the residential care facility reform task force until 6/30/2013 to determine the feasibility of a single agency overseeing all aspects of residential care facilities in the State. Report to the legislature.

RATIONALE:

The Policy Board for Elder Affairs has a statutory obligation to advocate on behalf of the senior citizens of Hawaii. While we advise the Executive Office on Aging, we do not speak on behalf of the Executive Office of Aging.

The Long-Term Commission, which reported its recommendations to the Legislature on January 18, 2012, noted serious problems in regulation and monitoring the quality of care in residential facilities, such as care homes, nursing homes, assisted living facilities and foster family homes. The fragmentation of responsibility for licensing, inspections, case management, and so forth contributes to the persistence of these problems. Therefore, the commission strongly recommended that responsibility for residential care facilities be consolidated into a single agency.

SB 2322 would create a taskforce to determine the feasibility of consolidating oversight of these facilities into a single agency. We support the bill because we believe that the many issues of uneven quality of care among these facilities have persisted and this step is a positive effort to try to resolve the problems.

Thank you for allowing me to testify on this bill.

From: mailinglist@capitol.hawaii.gov
Sent: Sunday, February 05, 2012 1:02 PM
To: HMS Testimony
Cc: Tlenzer@hawaii.rr.com
Subject: Testimony for SB2322 on 2/6/2012 3:00:00 PM

Categories: Purple Category

Testimony for HMS/HTH 2/6/2012 3:00:00 PM SB2322

Conference room: 229
Testifier position: Support
Testifier will be present: No
Submitted by: Anthony Lenzer
Organization: Policy Advisory Board for Elder Affairs
E-mail: Tlenzer@hawaii.rr.com
Submitted on: 2/5/2012

Comments:

I am testifying on behalf of PABEA, the Policy Advisory Board for Elder Affairs. PABEA is tasked with advising the Executive Office on Aging (EOA), and also serves as an advocate for Hawaii's older adults.

PABEA supports this bill, which establishes a residential care facility task force to determine the feasibility of a single agency overseeing all aspects of residential care facilities in Hawaii. Such consolidation of oversight responsibilities would help move Hawaii in the direction of creating an actual long-term care "system" in the state. We concur with the reasoning of the Long Term Care Commission regarding the need for consolidation of these responsibilities. While supporting the establishment of such a task force, PABEA also believes that it is currently clear that the Department of Health should play this role, and that the relevant responsibilities of the Department of Human Services should be transferred to the Department of Health, as provided for in such bills as SB 2126. Should the Legislature find that such a transfer is not feasible at this time, creation of a task force as called for in this bill would be an appropriate step.

Thank you for the opportunity to testify on this measure.



To: Committee on Human Services
Senator Suzanne Chun Oakland, Chair

Committee on Health
Senator Josh Green, M.D., Chair

Date: February 6, 2012, Conference Room 229, 3:00 p.m.

Re: **SB2322 – RELATING HEALTH CARE**

Chair Chun Oakland, Chair Green and Committee Members:

My name is Barbara Kim Stanton, State Director of AARP Hawaii. AARP is a membership organization of people 50 and older with nearly 150,000 members in Hawaii. We are committed to championing access to affordable, quality health care for all generations, providing the tools needed to save for retirement, and serving as a reliable information source on issues critical to Americans age 50+.

AARP offers **comments** on SB2322 which establishes the residential care facility reform task force to determine the feasibility of a single agency overseeing all aspect of residential care facilities in Hawaii.

In lieu of a separate residential care facility reform task force, as the bill vehicle, AARP **prefers** SB2306 that establishes a task force to coordinate and consolidate state long-term care (LTC) programs and services. One of the primary problems of health and LTC is that the programs and system are fragmented. Coordination and planning would be enhanced by incorporating the responsibilities of the residential care facility task force into the LTC task force which has a more holistic overview.

The LTC task force as established by SB2306 should review all aspects of residential care facilities, as the Hawaii LTC Commission cites evidence of poor quality of care in certain residential care facilities in Hawaii. The Task Force should recommend actions to:

- Improve the quality of care in residential care facilities;
- Consolidate and reorganize responsibilities for regulation, oversight, and monitoring of care facilities;
- Set licensing standards that address quality-of-care issues including requirements for an adequate number of well-trained workers and a range of services to meet consumers' needs, safety, and sanitation; and
- Ensure that the State information outlets provide clear and consistent information about available residential care options.

Thank you for the opportunity to testify.

From: mailinglist@capitol.hawaii.gov
Sent: Saturday, February 04, 2012 4:55 PM
To: HMS Testimony
Cc: Brenda.Kosky@gmail.com
Subject: Testimony for SB2322 on 2/6/2012 3:00:00 PM

Categories: Purple Category

Testimony for HMS/HTH 2/6/2012 3:00:00 PM SB2322

Conference room: 229
Testifier position: Support
Testifier will be present: No
Submitted by: Brenda Kosky
Organization: Individual
E-mail: Brenda.Kosky@gmail.com
Submitted on: 2/4/2012

Comments:
Yes there is need of some reform.

From: mailinglist@capitol.hawaii.gov
Sent: Saturday, February 04, 2012 9:45 AM
To: HMS Testimony
Cc: robertscottwall@yahoo.com
Subject: Testimony for SB2322 on 2/6/2012 3:00:00 PM

Categories: Purple Category

Testimony for HMS/HTH 2/6/2012 3:00:00 PM SB2322

Conference room: 229
Testifier position: Support
Testifier will be present: Yes
Submitted by: Scott Wall
Organization: Individual
E-mail: robertscottwall@yahoo.com
Submitted on: 2/4/2012

Comments:
Clearer, more concise, and less complicated is almost always better.