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

10 The purpose of this Act is to require the department of
11 health to make available to the public, free of charge,
12 information collected from the department's inspections in
13 certain care facilities and establish a working group to develop
14 a new inspection form to be posted online with information that
15 is fair to the care home operators and useful to the public.

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



1 "§321- Inspections; public notice. (a) Beginning with
2 inspections occurring on January 1, 2015, the department of
3 health shall post on its website electronic copies of reports
4 for all inspections it performs of the following state-licensed
5 care facilities:

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

16 (b) Each report shall be posted on the department of
17 health's website within five working days of the conclusion of
18 each inspection and shall include the following information:

- 19 (1) The date of the inspection;
- 20 (2) A description of violations of relevant state laws or
21 rules, if applicable;

- 1 (3) Plans of correction and the status of corrective
- 2 actions in response to any violations, if applicable;
- 3 and
- 4 (4) Other information regarding the quality and conditions
- 5 of the facilities the department of health deems
- 6 appropriate.
- 7 (c) Each report posted on the department of health's
- 8 website that reports a violation committed by a state-licensed
- 9 care facility as described in subsection (a) shall be removed
- 10 from the website after three years from the date the report was
- 11 posted."

12 SECTION 3. (a) There is established under the department

13 of health for administrative purposes a working group to develop

14 a new inspection form to be posted online with information that

15 is fair to the care home operators and useful to the public.

16 This inspection form shall prevent vague and frivolous citations

17 from misleading consumers, while still maintaining the necessary

18 objectivity and clarity in presenting relevant information to

19 consumers. Members of the task force shall serve without

20 compensation and without reimbursement for expenses.

21 (b) The director of health shall invite representatives

22 from the following to serve as members of the working group:

- 1 (1) Major care giver provider groups;
- 2 (2) Advocacy groups;
- 3 (3) The department of health;
- 4 (4) The department of commerce and consumer affairs;
- 5 (5) The office of information management and technology;
- 6 (6) The executive office on aging; and
- 7 (7) The long-term care ombudsman.

8 The members of the working group shall designate a chair from
9 among its members.

10 (c) The working group shall report its findings and
11 recommendations to the legislature no later than twenty days
12 prior to the convening of the regular session of 2014.

13 (d) The working group shall dissolve after filing its
14 report pursuant to this Act.

15 SECTION 4. 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 2013-2014 and
18 the same sum or so much thereof as may be necessary for fiscal
19 year 2014-2015 to fund computer equipment, website and database
20 development, and staff support, including one full-time
21 equivalent position (1.0 FTE).



1 The sums appropriated shall be expended by the department
2 of health for the purposes of this Act.

3 SECTION 5. New statutory material is underscored.

4 SECTION 6. This Act shall take effect on July 1, 2050.



Report Title:

Care Facility Violations; Posting on Websites; DOH; Working Group; Appropriation

Description:

Requires the department of health to post on its website reports of all inspections at state-licensed care facilities occurring on or after 1/1/15; provided that any report that includes a violation be removed from the website after three years. Establishes a working group to develop a new inspection form to be posted online with information that is fair to the care home operators and useful to the public. Appropriates funds for equipment, website and database development, and staff support. Effective July 1, 2050. (SD1)

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

