

STAND. COM. REP. NO.

512

Honolulu, Hawaii

February 15, 2013

RE: H.B. No. 120
H.D. 2

Honorable Joseph M. Souki
Speaker, House of Representatives
Twenty-Seventh State Legislature
Regular Session of 2013
State of Hawaii

Sir:

Your Committee on Consumer Protection & Commerce, to which was referred H.B. No. 120, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO HEALTH,"

begs leave to report as follows:

The purpose of this measure is to enhance public access to information about the quality of care of state-licensed and certain other care facilities by requiring the Department of Health and the Department of Human Services to post on their respective websites electronic copies of reports for all inspections they perform of facilities in which violations are discovered.

The State Council on Developmental Disabilities, Office of the Long Term Care Ombudsman, Policy Advisory Board for Elder Affairs, ILWU Local 142, Kokua Council, and numerous individuals testified in support of this measure. The Department of Health testified in support of the intent of this measure. The United Group of Home Operators, Caregivers Association, and numerous individuals testified in opposition of this measure. The Department of Human Services and Healthcare Association of Hawaii provided comments on this measure.

Your Committee has amended this measure by:

HB120 HD2 HSCR CPC HMS 2013-2145



- (1) Allowing and not requiring the Department of Health and the Department of Human services to post information concerning major patient care violations on their respective websites;
- (2) Specifying that the major patient care violation order must be final before the Department of Health and the Department of Human Services may post information concerning the major patient care violation;
- (3) Deleting language that would have included the posting of other information regarding the quality and conditions of the facilities as the Department of Health or Department of Human Services deems appropriate;
- (4) Defining "major patient care violation"; and
- (5) Making technical, nonsubstantive amendments for the purpose of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 120, H.D. 1, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as H.B. No. 120, H.D. 2.

Respectfully submitted on
behalf of the members of the
Committee on Consumer
Protection & Commerce,



ANGUS L.K. MCKELVEY, Chair



