

Honolulu, Hawaii

APR 05 2013

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

Honorable Donna Mercado Kim
President of the Senate
Twenty-Seventh State Legislature
Regular Session of 2013
State of Hawaii

Madam:

Your Committee on Ways and Means, to which was referred H.B. No. 120, H.D. 2, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO HEALTH,"

begs leave to report as follows:

The purpose and intent of this measure is to ensure a standard of quality for care facilities.

More specifically, this measure:

- (1) Requires the Department of Health to make information regarding inspections of certain care facilities available to the public on the Department's website;
- (2) Establishes a working group within the Department of Health to develop a new inspection form to be posted online;
- (3) Requires the working group to report its findings and recommendations to the Legislature no later than twenty days prior to the convening of the Regular Session of 2014: and
- (4) Makes an appropriation of an unspecified amount for each year of the fiscal biennium 2013-2015, to fund computer equipment, website and database development, and staff support, including one full-time equivalent position.



Your Committee received written comments in support of this measure from the State Council on Developmental Disabilities, the State Long Term Care Ombudsman, Executive Office on Aging, the Policy Advisory Board for Elder Affairs, Hawaii Family Caregiver Coalition, the Hawaii Alliance for Retired Americans, the ILWU Local 142, and five individuals.

Your Committee received written comments in opposition to this measure from United Group of Home Operators, the Alliance of Residential Care Administrators, and twenty-four individuals.

Your Committee received written comments on this measure from the Department of Health, Healthcare Association of Hawaii, and one individual.

Your Committee finds that this measure will provide the public with greater access to information regarding the quality of care provided by, and the conditions of, care facilities and allow for more informed decision-making for those seeking such care.

Your Committee notes the clarifying information provided by the Department of Health that indicates inspections are not considered concluded until all plans of correction have been submitted by the facility and accepted by the Department of Health. The department also indicated that depending upon the number or severity of deficiencies, this process may take several weeks following the actual on-site inspection.

Your Committee has amended this measure by:

- (1) Adding language to require that a written report of all corrective actions taken by care facilities be submitted to the Department of Health and added to the online inspection report at a later time, as determined by the Department;
- (2) Amending the language establishing the working group on licensed care facilities to distinguish between the mandatory members who shall serve in the working group from the members requested to participate, and clarifying that the Director of Commerce and Consumer Affairs, Chief Information Officer of the Office of Information Management and Technology, Director of the Executive Office on Aging, and Long-Term Care Ombudsman,



or their respective designees, are to serve as members of the working group;

- (3) Appointing the Director of Health as the chairperson of the working group and deleting the provision to require the working group to choose the chairperson;
- (4) Changing the dissolution date of the working group to June 30, 2014, to facilitate cooperation, input, or information that may be needed from the working group during the 2014 Regular Session;
- (5) Replacing the term "task force" with "working group," for consistency; and
- (6) Changing the full-time equivalent position to an unspecified number.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 120, H.D. 2, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 120, H.D. 2, S.D. 2.

Respectfully submitted on
behalf of the members of the
Committee on Ways and Means,



DAVID Y. IGE, Chair



The Senate
 Twenty-Seventh Legislature
 State of Hawai'i

Record of Votes
Committee on Ways and Means
WAM

Bill / Resolution No.:*	Committee Referral:	Date:		
#B126, HD2, SD1	HMS/HTH, WAM	3-27-13		
<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 type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
IGE, David Y. (C)	✓			
KIDANI, Michelle N. (VC)	✓			
CHUN OAKLAND, Suzanne	✓			
DELA CRUZ, Donovan M.	✓			
ENGLISH, J. Kalani				✓
ESPERO, Will	✓			
KAHELE, Gilbert	✓			
KEITH-AGARAN, Gilbert S.C.	✓			
KOUCHI, Ronald D.	✓			
RUDERMAN, Russell E.	✓			
THIELEN, Laura H.	✓			
TOKUDA, Jill N.	✓			
SLOM, Sam			✓	
TOTAL	11	0	1	1
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <i>Michelle N. Kidani</i>				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes