

HB 398, HD1

Measure Title: RELATING TO HUMAN SERVICES.

Report Title: Sudden Infant Death Syndrome; Sudden Unexpected Infant Death;
Safe Sleep Policy

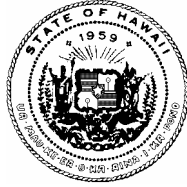
Description: Requires child care facilities, family child care homes, group child care centers, group child care homes, and infant and toddler child care centers that care for children less than one year of age to develop, maintain, and implement safe sleep policies as adopted by the Department of Human Services, to prevent sudden unexpected infant deaths and sudden infant death syndrome. (HB398 HD1)

Companion:

Package: Keiki

Current Referral: HMS/HTH, CPN

Introducer(s): MIZUNO, BROWER, CARROLL, HANOHANO, ING



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

March 15, 2013

MEMORANDUM

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

The Honorable Josh Green, Chair
Senate Committee on Health

FROM: Patricia McManaman, Director

SUBJECT: **H.B. 398, HD. 1 - RELATING TO HUMAN SERVICES**

Hearing: Friday, March 15, 2013; 2:05 p.m.
Conference Room 229, State Capitol

PURPOSE: The purpose of H.B. 398, H.D. 1, is to require child care facilities, family child care homes, group child care centers, group child care homes, and infant and toddler child care centers that care for children less than one year of age to develop, maintain, and implement safe sleep policies as adopted by the Department of Human Services, to prevent sudden unexpected infant deaths and sudden infant death syndrome.

DEPARTMENT'S POSITION: The Department of Human Services (DHS) supports the intent of this bill which seeks to prevent the tragic deaths associated with sudden unexpected infant deaths and sudden infant death syndrome.

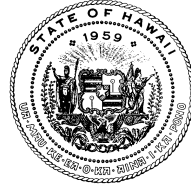
The DHS prefers this bill, H.B. 398, H.D. 1, over S.B. 400, S.D. 1. The DHS believes that H.B. 398, H.D. 1, would allow for the DHS to accommodate any changes to

best practice and standards of care if these were in rules as opposed to S.D. 400, S.D. 1, which would legislate specific program requirements for regulated child care providers. This is critical as the body of knowledge related to sleep related deaths continues to grow as researchers continue to seek answers to sudden unexplained infant deaths.

We respectfully request for your consideration for further amending language as proposed below:

§346- Safe sleep policy. All child care facilities, which include family child care homes, group child care centers, and group child care homes, as those terms are defined in section 346-151, and infant and toddler child care centers, that are registered or licensed by the department to provide care for children one year of age or younger shall implement and maintain a written safe sleep policy in accordance with any rules that may be adopted by the department. The purpose of the safe sleep policy shall be to maintain a safe sleep environment that prevents the occurrence of sudden infant death syndrome and sudden unexpected infant deaths in children one year of age or younger.

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



STATE OF HAWAII
DEPARTMENT OF HEALTH
P.O. Box 3378
HONOLULU, HAWAII 96801-3378

In reply, please refer to:
File:

Senate Committees on Human Services and Health

H.B. 398, H.D. 1, Relating to Human Services

Testimony of Loretta J. Fuddy, A.C.S.W., M.P.H.
Director of Health

March 15, 2013

1 **Department's Position:** The Department of Health appreciates the intent of this bill and defers to the
2 Department of Human Services (DHS) for implementation.

3 **Fiscal Implications:** None to the Department of Health.

4 **Purpose and Justification:** This bill would require child care facilities, that care for children one year
5 of age or younger, to implement safe sleep policies. Sudden unexpected infant deaths (SUID) and
6 sudden infant death syndrome (SIDS) are preventable through safe sleep practices. One in five infant
7 deaths related to an unsafe sleep environment occurred while an infant was being cared for by someone
8 other than a parent. Research has shown that many child care providers are unaware of the association
9 between unsafe sleep environments and SUIDS/SIDS and were misinformed about risks and benefits of
10 safe sleep practices. Training on safe sleep practice is needed because over two-thirds of U.S. infants
11 receive care from non-parental childcare providers. It is important that we continue efforts to promote
12 safe sleep education and keep infants free from preventable injury and premature death. We respectfully
13 defer to the DHS who regulates child care providers.

14 Thank you for the opportunity to testify.

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www.childandfamilyservice.org



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JoAnn Freed
Early Childhood Consultant

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AFFILIATIONS

Alliance for Children & Families
Kauai United Way
Maui United Way
Hawaii Island United Way



From: Phoebe Mā'ele
Child & Family Service
91-1841 Fort Weaver Road
Ewa Beach, HI 96706
(808) 492-0469
pmaele@cfs-hawaii.org

To: Representative Mele Carroll, Chair
Representative Bertrand Kobayashi, Vice Chair
House Committee on Human Services
March 14, 2013 – 9:30am
House Conference Room 329

RE: SB 400 SD 1 - RELATING TO HUMAN SERVICES

Dear Chair Carroll, Vice Chair Kobayashi and members of the committee:

My name is Phoebe Mā'ele, a committee member of Safe Sleep Hawai'i and a staff member of Child & Family Service in the Parent Line and Homereach Program funded by the Department of Health. Parent Line/Homereach is a statewide program open to all of Hawaii's residents. I am contacting you to express my enthusiastic support for **SB 400 SD 1, Relating to Human Services.**

Suffocation has been the leading cause of fatal injuries among healthy Hawai'i keiki under the age of 1 and is entirely preventable. The American Academy of Pediatrics recommends all infants under the age of 1 to be placed in a safe sleeping environment which consists of sleeping on their backs. Sadly, there is no formal policy in place to ensure that our young keiki are in a safe sleeping environment. Hawai'i remains as one of only seven other states in the country that does not regulate infant sleep positions in child care centers or family child care homes.

Passing this measure will help prevent fatal injuries for our keiki in the future. **SB 400 SD 1** will ensure all child care facilities (including family child care homes, group child care centers, group child care homes, and infant toddler centers) develop, maintain, and implement safe sleep policies and prevent the occurrence of infant death due to unsafe sleeping environments/positions.

It is for these reasons that the Safe Sleep Hawai'i committee strongly recommends the passage of **SB 400 SD 1** to safeguard the future of our most valuable resource, our keiki. Thank-you for your time and the opportunity to express my support for **SB 400 SD 1.**

Aloha,

Phoebe Mā'ele

Our Mission: Strengthening Families and Fostering the Healthy Development of Children

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Ewa Beach, Hawaii 96706
Phone 808.681.3500
Fax 808.681.5280
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Jonathan Steiner
Earl Stoner
David Striph
Scott Topping
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Colleen Wong
Mark Yamakawa

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JoAnn Freed
Early Childhood Consultant

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AFFILIATIONS

Alliance for Children & Families
Kauai United Way
Maui United Way
Hawaii Island United Way



From: Michelle Rho
Child & Family Service
91-1841 Fort Weaver Road.
Ewa Beach, HI 96706
(808) 681-1417
mrho@cfs-hawaii.org

To: Senator Chun Oakland, Chair
Senator Josh Green, Vice Chair
Senate Committee on Human Services
Senator Josh Green, Chair
Senator Rosalyn H. Baker, Vice Chair
Senate Committee on Health
March 15, 2013 – 2:05pm
Conference Room 229

**RE: IN STRONG SUPPORT OF HB 398 HD 1
RELATING TO HUMAN SERVICES**

Dear Chair Chun Oakland, Chair Green, Vice Chair Baker and members of the committees,

My name is Michelle Rho, a committee member of Safe Sleep Hawaii, and a staff member of Child & Family Service in the Parent Line and HomeReach Program funded by the Department of Health. Parent Line and HomeReach is a statewide program open to all of Hawaii's residents. Thank you for this opportunity to provide my testimony in strong support of HB 398 HD 1, Relating to Human Services.

Suffocation has been the leading cause of fatal injuries among healthy Hawaii keikis under the age of 1. The American Academy of Pediatrics recommends all infants under the age of 1 to sleep on their backs, in a safe sleeping environment. Although sleep related deaths are preventable, there is no formal policy that is in place to ensure that our young keikis are in a safe sleeping environment, positioned on their backs. **Hawaii is ONE of SEVEN states in the United States that does not regulate sleep positions in child care centers or family child care homes.**

By passing this measure, it will help prevent the occurrence of infants dying due to unsafe sleeping environments/positions. We strongly recommend you pass this measure. Thank you for your time and for the opportunity to express my support for HB 398 HD 1.

Aloha,

Michelle Rho

Our Mission: Strengthening Families and Fostering the Healthy Development of Children



Supporting Hawaii's Child Care Needs

Oahu Main Office

560 North Nimitz Highway
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Tel: (808) 839-1988
Fax: (808) 839-1799
Patch@PatchHawaii.org
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Member of:

Child Care Aware of America

National Association for Family
Child Care

Aloha United Way
Kauai United Way
Hawaii Island United Way

Better Business Bureau of Hawaii
Accredited Charity

From: Brenda Watanabe
305 Wailuku Drive, Rm 4
Hilo, HI 96720
808-961-3169
bwatanabe@patch-hi.org

To: Representative Mele Carroll, Chair
Representative Bertrand Kobayashi, Vice Chair
House Committee on Human Services
March 14, 2013 – 9:30am
House Conference Room 329

**RE: IN STRONG SUPPORT OF SB 400 SD1
RELATING TO HUMAN SERVICES**

Dear Chair Carroll, Vice Chair Kobayashi and members of the committee,

My name is Brenda Watanabe and I am a committee member of Safe Sleep Hawaii. Thank you for this opportunity to provide my testimony in **strong support of SB 400 SD 1**, Relating to Human Services.

Suffocation has been the leading cause of fatal injuries among healthy keiki under the age of 1. The American Academy of Pediatrics recommends all infants under the age of 1 to sleep on their backs, in a safe sleeping environment. Hawaii is one of seven states in the United States that does not regulate sleep positions in child care centers or family child care homes. By passing this measure, it will help ensure all Hawaii's infants in child care facilities to sleep in a safe environment and prevent the occurrence of infants dying due to unsafe sleeping environments/positions. We strongly recommend you pass this measure. Thank you for your time.

Aloha,

Brenda Watanabe
Professional Development Manager
PATCH

From: [Nightingale Case Management](#)
To: [HMS Testimony](#)
Subject: HB398
Date: Wednesday, March 13, 2013 4:58:30 PM

I respectfully request that the committee make the following amendment to the bill: please add an amendment as a part 2 - to include a task force to assist in the transition of the community based human services now under the DHS , which are being transferred to the DOH effective July 1, 2014. Task force members are to include representatives from the Adult Residential Care Home community (4); Community Care Foster Family Homes (4) ; Foster Family Case Management Agencies (2); DHS (1) DOH(1) , members shall serve without compensation. Effective upon approval, task force to make recommendations to the legislature and DOH on the transition no later than 20 days prior to the convening of the 2014 Legislature. The task force shall cease to exist on June 30, 2014.

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To: [HMS Testimony](#)
Cc: omengt@yahoo.com
Subject: *Submitted testimony for HB398 on Mar 15, 2013 14:05PM*
Date: Thursday, March 14, 2013 12:29:19 PM

HB398

Submitted on: 3/14/2013

Testimony for HMS/HTH on Mar 15, 2013 14:05PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
emily topenio	Individual	Support	No

Comments:

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

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To: [HMS Testimony](#)
Cc: glennsakai@yahoo.com
Subject: Submitted testimony for HB398 on Mar 15, 2013 14:05PM
Date: Wednesday, March 13, 2013 9:16:02 AM

HB398

Submitted on: 3/13/2013

Testimony for HMS/HTH on Mar 15, 2013 14:05PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Glenn Sakai	Individual	Support	No

Comments: There is absolutely no question as to the importance of this bill being passed for the safety and welfare of our keiki. Just one lost of a child due to Sudden Infant Death Syndrome would be a travesty, a lost that would place an unbearable burden and sense of lost to the family. Thank you for allowing me to testify in strong support for this bill to ensure the safety of our keiki.

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Cc: jasmineramos808@yahoo.com
Subject: Submitted testimony for HB398 on Mar 15, 2013 14:05PM
Date: Wednesday, March 13, 2013 2:13:37 PM

HB398

Submitted on: 3/13/2013

Testimony for HMS/HTH on Mar 15, 2013 14:05PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Jasmine Ramos	Individual	Support	No

Comments: I support HB398 to require child care facilities for infants that care for children less than one year of age to develop, maintain, and implement safe sleep policies as adopted by the department of human services. This policy is to prevent sudden infant deaths or SIDS.

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Cc: joannachongkee@yahoo.com
Subject: Submitted testimony for HB398 on Mar 15, 2013 14:05PM
Date: Wednesday, March 13, 2013 8:50:15 AM
Attachments: [image.jpg](#)

HB398

Submitted on: 3/13/2013

Testimony for HMS/HTH on Mar 15, 2013 14:05PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Joanna Chong Kee	Individual	Support	No

Comments: In loving memory of my son, I strongly support HB 398!

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My name is Rota Hainrick. I am a 26 year old mother of 3 children ages 8, 7, and my youngest 10 months. Up until my last child I've heard about putting babies to sleep on their back but never knew the reasons as to why, or knowing the importance of it. After I learned that babies under the age of 1, if put to sleep on their stomach, have a higher probability of suffocating. I realize how important it is for me as a parent to know this and for anybody that cares for a child under the age of 1 to provide a safe sleeping environment. I strongly support this bill.

Thank you,

Rota Hainrick

From: mailinglist@capitol.hawaii.gov
To: [HMS Testimony](#)
Cc: hsapla@aol.com
Subject: Submitted testimony for HB398 on Mar 15, 2013 14:05PM
Date: Thursday, March 14, 2013 2:47:30 PM

HB398

Submitted on: 3/14/2013

Testimony for HMS/HTH on Mar 15, 2013 14:05PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Cresencio Sapla	Individual	Support	No

Comments: Comments: I, Cresencio Sapla Big Island Adult Foster Home Operators strongly support HB398 with amendments Proposed Amendments (HB398 HD1): Add an amendment as a part 2 – to include a task force to assist in the transition of community based human services under DHS, which are being transferred to DOH effective July 1, 2014: Task force to include members of the Adult Residential care Home Community (4), Community Care foster Family Homes (4), Adult foster Care Homes (2), one rep. from DHS, one rep. from DOH, members shall serve without compensation. Effective upon approval, task force to make recommendations to the legislature and DOH on the transition no later than 20 days prior to the convening of the 2014 Legislature. The task force shall cease to exist on June 30, 2014. Thank you for giving me the opportunity to testify in support of HB398

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HB398

Submitted on: 3/14/2013

Testimony for HMS/HTH on Mar 15, 2013 14:05PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Edna Salom	Individual	Support	No

Comments: Comments: I, Edna Salom, the Big Island Adult Foster Home Operator strongly support HB398 with the amendments Proposed Amendments (HB398 HD1): Add an amendment as a part 2 – to include a task force to assist in the transition of community based human services under DHS, which are being transferred to DOH effective July 1, 2014: Task force to include members of the Adult Residential care Home Community (4), Community Care foster Family Homes (4), Adult foster Care Homes (2), one rep. from DHS, one rep. from DOH, members shall serve without compensation. Effective upon approval, task force to make recommendations to the legislature and DOH on the transition no later than 20 days prior to the convening of the 2014 Legislature. The task force shall cease to exist on June 30, 2014. Thank you for giving me the opportunity to testify in support of HB398

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Date: Thursday, March 14, 2013 2:22:25 PM

HB398

Submitted on: 3/14/2013

Testimony for HMS/HTH on Mar 15, 2013 14:05PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Helen Sapla	Big Island Adult Foster Home Operators	Support	No

Comments: We, the Big Island Adult Foster Home Operators strongly support HB398 with the amendments Proposed Amendments (HB398 HD1): Add an amendment as a part 2 – to include a task force to assist in the transition of community based human services under DHS, which are being transferred to DOH effective July 1, 2014: Task force to include members of the Adult Residential care Home Community (4), Community Care foster Family Homes (4), Adult foster Care Homes (2), one rep. from DHS, one rep. from DOH, members shall serve without compensation. Effective upon approval, task force to make recommendations to the legislature and DOH on the transition no later than 20 days prior to the convening of the 2014 Legislature. The task force shall cease to exist on June 30, 2014. Thank you for giving us the opportunity to testify in support of HB398

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Date: Thursday, March 14, 2013 12:20:19 PM

HB398

Submitted on: 3/14/2013

Testimony for HMS/HTH on Mar 15, 2013 14:05PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Jaine B Lacuesta	Individual	Support	No

Comments: Support with Amendments "Please add an amendment as a part 2 – to include a task force to assist in the transition of community based human services under DHS, which are being transferred to DOH effective July 1, 2014: Task force to include members of the Adult Residential care Home Community (4), Community Care foster Family Homes (4), Adult foster Care Homes (2), one rep. from DHS, one rep. from DOH, members shall serve without compensation. Effective upon approval, task force to make recommendations to the legislature and DOH on the transition no later than 20 days prior to the convening of the 2014 Legislature. The task force shall cease to exist on June 30, 2014."

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Date: Thursday, March 14, 2013 3:01:00 PM

HB398

Submitted on: 3/14/2013

Testimony for HMS/HTH on Mar 15, 2013 14:05PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Octavia Sumoba	Individual	Support	No

Comments: Comments: I, Octavia Sumoba a family member of an Adult foster Home Operator strongly support HB398 with amendments Proposed Amendments (HB398 HD1): Add an amendment as a part 2 – to include a task force to assist in the transition of community based human services under DHS, which are being transferred to DOH effective July 1, 2014: Task force to include members of the Adult Residential care Home Community (4), Community Care foster Family Homes (4), Adult foster Care Homes (2), one rep. from DHS, one rep. from DOH, members shall serve without compensation. Effective upon approval, task force to make recommendations to the legislature and DOH on the transition no later than 20 days prior to the convening of the 2014 Legislature. The task force shall cease to exist on June 30, 2014. Thank you for giving me the opportunity to testify in support of HB398

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Date: Thursday, March 14, 2013 2:51:58 PM

HB398

Submitted on: 3/14/2013

Testimony for HMS/HTH on Mar 15, 2013 14:05PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Paul Lacuesta	Individual	Support	No

Comments: SUPPORT WITH AMENDMENTS "Please add an amendment as a part 2 – to include a task force to assist in the transition of community based human services under DHS, which are being transferred to DOH effective July 1, 2014: Task force to include members of the Adult Residential care Home Community (4), Community Care foster Family Homes (4), Adult foster Care Homes (2), one rep. from DHS, one rep. from DOH, members shall serve without compensation. Effective upon approval, task force to make recommendations to the legislature and DOH on the transition no later than 20 days prior to the convening of the 2014 Legislature. The task force shall cease to exist on June 30, 2014."

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Date: Thursday, March 14, 2013 12:21:13 PM

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Submitted on: 3/14/2013

Testimony for HMS/HTH on Mar 15, 2013 14:05PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Peter Cerezo	Individual	Support	No

Comments: Support with Amendments "Please add an amendment as a part 2 – to include a task force to assist in the transition of community based human services under DHS, which are being transferred to DOH effective July 1, 2014: Task force to include members of the Adult Residential care Home Community (4), Community Care foster Family Homes (4), Adult foster Care Homes (2), one rep. from DHS, one rep. from DOH, members shall serve without compensation. Effective upon approval, task force to make recommendations to the legislature and DOH on the transition no later than 20 days prior to the convening of the 2014 Legislature. The task force shall cease to exist on June 30, 2014."

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Subject: Submitted testimony for HB398 on Mar 15, 2013 14:05PM
Date: Thursday, March 14, 2013 2:45:33 PM

HB398

Submitted on: 3/14/2013

Testimony for HMS/HTH on Mar 15, 2013 14:05PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Romeo Salom	Individual	Support	No

Comments: Comments: I, Romeo Salom Big Island Adult Foster Home Operators strongly support HB398 with amendments Proposed Amendments (HB398 HD1): Add an amendment as a part 2 – to include a task force to assist in the transition of community based human services under DHS, which are being transferred to DOH effective July 1, 2014: Task force to include members of the Adult Residential care Home Community (4), Community Care foster Family Homes (4), Adult foster Care Homes (2), one rep. from DHS, one rep. from DOH, members shall serve without compensation. Effective upon approval, task force to make recommendations to the legislature and DOH on the transition no later than 20 days prior to the convening of the 2014 Legislature. The task force shall cease to exist on June 30, 2014. Thank you for giving me the opportunity to testify in support of HB398

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

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Date: Thursday, March 14, 2013 2:50:37 PM

HB398

Submitted on: 3/14/2013

Testimony for HMS/HTH on Mar 15, 2013 14:05PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Ruperto Sumoba	Individual	Support	No

Comments: Comments: I, Romeo Salom Big Island Adult Foster Home Operators strongly support HB398 with amendments Proposed Amendments (HB398 HD1): Add an amendment as a part 2 – to include a task force to assist in the transition of community based human services under DHS, which are being transferred to DOH effective July 1, 2014: Task force to include members of the Adult Residential care Home Community (4), Community Care foster Family Homes (4), Adult foster Care Homes (2), one rep. from DHS, one rep. from DOH, members shall serve without compensation. Effective upon approval, task force to make recommendations to the legislature and DOH on the transition no later than 20 days prior to the convening of the 2014 Legislature. The task force shall cease to exist on June 30, 2014. Thank you for giving me the opportunity to testify in support of HB398

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