



LATE

HOUSE OF REPRESENTATIVES

STATE OF HAWAII
STATE CAPITOL
HONOLULU, HAWAII 96813

TO: The Honorable Senator Suzanne Chun Oakland, Chair
The Honorable Senator Dr. Josh Green, Vice Chair

RE: HB 529 HD1 RELATING TO CARE HOMES
Date Thursday, March 14, 2013
Time: 1:20 pm
Place: State Capitol, Conference Room 016

Chair Chun Oakland, Vice Chair Green, and members of the committee:

Thank you for the opportunity to testify in support of HB 529, HD1 with suggested additional amendments. HB 529 HD1 requires all operators of adult foster homes, assisted living facilities, expanded adult residential care homes, community care foster family homes and developmental disabilities domiciliary homes to hold sufficient amounts of liability insurance.

I would like to respectfully suggest that we add language that addresses an identified need for adequate vehicle liability insurance, including bodily injury liability insurance, to the liability insurance required. All liability coverage would be verified on an annual basis as is best business practice in the private sector. There are occasions when the home operators transport their residents in their private vehicles, i.e., when the Handy Van is not available and medical transportation is needed.

Lack of vehicle liability insurance with bodily injury coverage was identified by the State contractor, Community Ties of America, who actually licenses the community care foster homes. Ohana Health Plan, one of our QExA managed care plans, states that as providers with contracts, the community foster homes are not necessarily recertified every year as a matter of policy, therefore, no annual verification process is currently in place.

These care settings provide services for our most vulnerable clients at nursing facility level of care with Medicaid as the usual payor. It is imperative that we provide the best care and protections possible for the clients and the home operators as well as protect the State from potential liability issues.

I acknowledge that the CCFFHs will be transferring to the Department of Health July 1, 2014 per Act 93, Session Laws 2012, with DOH retaining oversight of the extended care homes and assisted living facilities.

The suggested language would therefore relate to both DOH and DHS and would reflect additional language with appropriate repeal dates of applicable sections left in place:

SECTION 1.

§346: Care homes; liability; insurance; coverage. (a) added:

(1) Automobile liability insurance, including adequate bodily injury liability coverage for vehicles used to transport residents of the homes or facilities.

(a) Proof of liability insurance for both the home or facility and for vehicle used to transport home or facility residents as required by subsection (a) shall be verified by department, or its designee, on an annual basis,.

(b) This section **shall** apply to operators of assisted living facilities, community care foster family homes, and expanded adult residential care homes that:

- (1) Are operating under a contract with the department or the department of health;
- (2) Are in compliance with the liability insurance coverage requirements of that contract; and
- (3) Are in the compliance with verification requirements of subsection (a).

SECTION 3.

§ 321-11.7 Care homes; liability insurance coverage.

(a) added:

(1) Automobile liability insurance, including adequate bodily injury liability coverage for vehicles used to transport residents of the homes or facilities.

(a) Proof of liability insurance for both the home or facility and for vehicle used to transport home or facility residents as required by subsection (a) shall be verified by department, or its designee, on an annual basis,

(b) This section **shall** apply to operators of assisted living facilities, community care foster family homes, and expanded adult residential care homes that:

- (1) Are operating under a contract with the department of human services or the department of health;
- (2) Are in compliance with the liability insurance coverage requirements of that contract; and
- (3) Are in the compliance with the verification requirements of subsection (a)

SECTION 4.

§321 Care homes, liability insurance; coverage

(a) added:

(1) Automobile liability insurance, including adequate bodily injury liability coverage for vehicles used to transport residents of the homes or facilities.

(a) Proof of liability insurance for both the home or facility and for vehicle used to transport home or facility residents as required by subsection (a) shall be verified by department, or its designee, on an annual basis,.

(b) This section shall apply to operators of assisted living facilities, community care foster family homes, and expanded adult residential care homes and developmental disabilities domiciliary homes that:

(1) Are operating under a contract with the department of human services or the department of health;

(2) Are in compliance with the liability insurance coverage requirements of that contract; and

(3) Are in the compliance with the verification requirements of subsection (a).

SECTION 5 and SECTION 6 remain the same.

Thank you for this opportunity to testify and submit additional testimony aimed to address a liability deficit within Hawaii's ever growing and important community care systems.

Sincerely,



Jo Jordan, Representative
44th District
Waianae, Makaha, Makua, Maili

LATE

NEIL ABERCROMBIE
GOVERNOR OF HAWAII



LORETTA J. FUDDY, A.C.S.W., M.P.H.
DIRECTOR OF HEALTH

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

In reply, please refer to:
File:

Senate Committee on Human Services

HB 0529, HD 1, Relating to Care Homes

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

March 14, 2013

1 **Department's Position:** The department supports the intent of this bill but proposes further
2 amendments to the proposed changes to the sections of chapter 321 set forth in sections 2, 3, and 4 of the
3 bill in order to coordinate the implementation of the proposed liability insurance provisions with the
4 current law as to the residences over which the department has authority, and the additional residences
5 over which the department will have authority when chapter 321, parts XXXVIII and XXXIX take
6 effect on July 1, 2014. These two new parts, added to chapter 321 during the 2012 legislative session,
7 transfer community care foster family homes, community-based case management, and adult day centers
8 from Department of Human Services (DHS) authority to the DOH.

9 **Fiscal Implications:** DOH would incur the costs of staff time and effort to revise the administrative
10 rules to include the requirement to obtain and maintain liability insurance.

11 **Purpose and Justification:** House Draft 1 of this bill added developmental disabilities domiciliary
12 homes (DD Doms) to the other types of residential facilities licensed by DOH that will be required to
13 obtain and maintain liability insurance in coverage amounts deemed sufficient and appropriate by the
14 Department. Act 266, July 6, 2012 (Gov. Msg. No. 1369), signed into law last year, and codified as
15 section 321-11.7, Hawaii Revised Statutes (HRS), now requires liability insurance for adult foster

Promoting Lifelong Health and Wellness

1 homes, adult residential care homes, assisted living facilities, and expanded adult residential care homes.
2 In addition to these types of care homes, DD Doms are currently under the department's authority.
3 Although the intent of the amendments to the bill in House Draft 1 were to add DD Doms to the types of
4 care homes that will be required to obtain and maintain liability insurance immediately, those
5 amendments were made to the new section to be added to chapter 321 by section 4 of the bill. Section 4
6 of the bill will not take effect until July 1, 2014, the date that authority over community care foster
7 family homes, home and community-based case management agencies, and adult day centers transfers
8 from DHS to the DOH. See: chapter 321, part XXXVIII, Hawaii Revised Statutes (HRS); chapter 321,
9 part XXXIX, HRS, which were each enacted in 2012.

10 Since DD Doms are currently under the authority of the department of health, and since the
11 intent of the House amendments was to require DD Doms to obtain and maintain liability insurance, the
12 Department respectfully suggests that section 321-11.7, amended in section 3 of the bill be amended
13 further to read as follows: "(a) All operators of adult foster homes under section 321-11.2 operating
14 under the waiver program with the department of human services] and adult residential care homes,
15 assisted living facilities, community care foster family homes, developmental disabilities domiciliary
16 homes as defined in section 321-15.9, and expanded adult residential care homes as defined in section
17 321-15.1 shall obtain and maintain liability insurance with respect to their operation of the homes or
18 facilities in a coverage amount deemed sufficient and appropriate by the department." Page 2, lines 18 –
19 22; and Page 3, lines 1-4.

20 The reason the Department suggests omitting "operating under the waiver program with the
21 department of human services" from the text in section 3 of the bill is that it is inaccurate; the waiver
22 program is the federal Medicaid waiver program administered by the Department of Human Services.
23 The reason the Department suggests omitting "community care foster family homes" from the text in
24 section 3 of the bill is that community care foster homes do not transfer to the Department's authority

1 until July 1, 2014, and therefore should not be the subject of the department's rulemaking until after the
2 transfer date.

3 Section 4 of the bill proposes a new section to chapter 321, HRS governing care home liability
4 insurance that will take effect on July 1, 2014. This proposed section includes community care foster
5 family homes, as the department believes it should. As a result of the House amendments, it also
6 includes DD Doms. The department respectfully requests minor amendments to the first part of this
7 proposed new section to conform the language to the proposed amendment to section 321-11.7, HRS in
8 section 3 of the bill, and to correct the citation to the definition of community care foster homes, as
9 follows: “(a) All operators of adult foster homes under section 321-11.2, ~~[operating under the waiver~~
10 ~~program with the department of human services and]~~ adult residential care homes, assisted living
11 facilities, community care foster family homes, as defined in section ~~[321-A of Act 93, Session Laws of~~
12 ~~Hawaii 2012]~~ 321-481, expanded adult residential care homes as defined in section 321-15.1, and
13 developmental disabilities domiciliary homes as defined in section 321-15.9 shall obtain and maintain
14 liability insurance with respect to their operation of the homes or facilities in a coverage amount deemed
15 sufficient and appropriate by the department. Page 3, lines 17 -22, and page 4, lines 1-6.

16 The department's final request for an amendment to the bill concerns correction of the proposed
17 amendment to the definition of adult foster homes in section 1 of the bill. The current proposed
18 amendment at page 2, lines 2-3 reads as follows: “. . . with developmental disabilities ~~[:]~~ and intellectual
19 disabilities.” If the reference to intellectual disabilities is to be added to the definition now set forth in
20 section 321-11.2, HRS, the Department respectfully requests that the terms be amended to
21 “developmental disabilities ~~or~~ intellectual disabilities” as follows: “(a) The department of health is
22 authorized to certify adult foster homes for developmentally or intellectually disabled individuals
23 requiring such care beyond the eighteenth birthday. “Adult foster home” means a private home
24 providing care on a twenty-four hours basis for adults with developmental ~~[:]~~ [and] or intellectual

1 disabilities. To be certified, an adult foster home shall have not more than two adults with
2 developmental or intellectual disabilities at the same time, who are unrelated to the foster family. To
3 accommodate residents of a foster boarding home for children with developmental or intellectual
4 disabilities who reach the age of eighteen years, where the home is certified as a foster boarding home
5 for children under section 346-17, the director of health may waive the two adult limit for certification
6 of that home as an adult foster home, provided that: (1) the number of foster children and adults in such
7 dually certified home shall not exceed five, and (2) no new adults may be admitted into the home while
8 there are any foster children residing in the home.”

9 Thank you for the opportunity to testify.

LATE



ADULT FOSTER HOMES OF THE PACIFIC
P.O. Box 971450 Waipahu, Hawaii 96797
Caring for the Needs of the Caregivers as well as the Elderly and Disabled

March 14, 2013 ROOM 16 13:20

TO: Honorable Committee Chair of Human Services, Senator Suzanne Chun
Oakland
Vice Chair Senator Josh Green and Members of the Committee

My name is Margie Agliam former President of the Adult Foster Homes of the Pacific and representing 1000 + caregivers in the community and I was a caregiver for over 13 years.

HB529 HD1(HSCR840) Relating to Care Homes—The purpose of this measure is to requires all operators of adult foster homes, assisted living facilities, and expanded adult residential care homes and developmental disabilities domiciliary homes to obtain and maintain a sufficient amount of liability insurance.

I, strongly support this bill because as a consumer before placing our loved one or a family members make sure that home have sufficient insurance the Professional Liability Insurance with Mal-Practice This requirements are mandated by our HAR title 17. However the DHS remove it into our HAR when HMO took over since 2008 but still insurance is one of our credentialing from Ohana and United Health Care without Insurance you don't get paid and you can't admit client. The passage of this bill is for the protection of all caregivers in the community-base programs, as well as the clients, we are indirect contact with our client 24/7 giving the best quality care possible. And fully assist and monitor clients who physically and mentally disabled. We are deligated by a Registered Nurse and Case Managers in performing and providing care for diabetic clients that are insulin dependents, client with tube feeding, MS (multiple Sclerosis), Stroke, and administering medication. Malpractice by definition is improper or negligent treatment of a patient, as by a physician or a healthcare provider, resulting in injury, damage, or

loss. Per say a caregiver gave a wrong dosage of insulin and client had complications or damage in his or her organ this example will fall under malpractice.

I also request the committees to make the following amendments to the bill: Under Section 2, please change the client limit for adult foster homes from two to three adults with developmental disabilities. Please insert a sunset date for the amendment of June 30, 2015.

Include an additional section amending Section 346-334 of the Hawaii Revised Statutes, mandating that the community care foster family homes, substitute caregivers shall be eighteen years of age or older. In addition to this, please include an additional amendment to this section “ allowing the primary caregiver to be absent from the community care foster family home for no more than forty hours in a calendar week, not to exceed eight hours per day; provided that the substitute caregiver is present in the community care foster family home during the primary caregivers absence” Extend the sunset date for Section 346-334 from June 30, 2013 to June 30, 2015

Committee members I urge you to please pass this bill because it is designed to protect our business, stakeholder and property.

Thank you for giving me the opportunity to testify.

Margie Agliam

LATE

Lilia Fajotina
ARCA President
(Alliance of Residential Administrators)
P.o. Box 758
Pear City, HI 96782

DATE: Thursday, March 14, 2013
TIME: 1:20p.m.
ROOM: Conference Room 016 (State Capitol)

Re: HB529,HD1

COMMITTEE ON HUMAN SERVICES

Sen. Suzanne Chun Oakland, Chair
Sen. Josh Green, Vice Chair

My name is Lilia Fajotina, President of the Alliance of Residential Care Administrators (ARCA), and I am testifying in strong **SUPPORT** to House Bill 529,HD1

I strongly believe that every caregiver of the care home, foster home, expanded adult residential care home, assisted living facilities, adult day care facilities, and home health agencies should be carried an appropriate liability insurance. It is important that the scope of work that we do, we should have a malpractice and professional liability insurance and **NOT** a Social Services Liability Insurance.

The appropriateness of the liability insurance is imperative so that the care home/foster home operator is fully covered should any suit or damages occur as a consequence of his/her actions or the failure to act.

Please look into this matter as malpractice and professional liability insurance is very important issues.

I also request the committee make the following amendments to bill:
Under Section 2, please change the client limit for adult foster homes from two to three adults with developmental disabilities. Please insert a sunset date for this amendment of June 30, 2015.

Include an additional section amending Section 346-334 of the Hawaii Revised Statutes, mandating that for community care foster family homes, **substitute caregivers shall be eighteen years of age or older.** In addition to this, please include an additional amendment to this section "allowing the primary caregiver to be absent from the community care foster family home for no more than forty hours in calendar week, not to exceed eight hours per day; provided that the substitute caregiver is present in the community care foster family home during the primary caregiver's absence." Extend the sunset date for Section 334 from June 30, 2013 to June 30, 2015.

Thank you for the opportunity to testify in support to HB529,HD1

Lilia Fajotina
(ARCA PRESIDENT)

LATE

ADULT FOSTER HOMECARE ASSOCIATION OF HAWAII

P.O. Box 970092, Waipahu, Hawai'i 96797

March 14, 2013

Thelma Ortal
President
Adult Foster HomeCare
Association of Hawaii

RE: HB 529 HD1 – Testimony In Support and Comments – HMS 3/14/13 – Rm. 016 1:20 p.m.

Chair Chun Oakland, Vice Chair Green, and Members of the Committees:

We support **HB529 HD1** but would respectfully like to offer the following comments:

- (1) It is very important the language of the bill require professional liability coverage and NOT medical malpractice. The caregivers of the Community Care Foster Family Homes (CCFFHs) currently under the Dept. of Human Services are almost exclusively Certified Nurse Aides or Nurse Aides. We rarely have registered nurses. CNA and NAs may not qualify for medical malpractice insurance, or would need to pay much more in premiums for medical malpractice.
- (2) CCFFHs were designed based on the social model, not the medical model. From the inception and definitely in the last five (5) years, a majority of CCFFHs have carried PROFESSIONAL LIABILITY not medical malpractice coverage without any problems. DHS and their Med-Quest contractors Evercare and Ohana have accepted PROFESSIONAL LIABILITY insurance without any problems. Our organization has required our members to purchase despite any state mandate thus far. We are agreeing to this mandate on the condition that it not be made more onerous on us.
- (3) Please do not make it any harder for us. We have not gotten an increase in reimbursement for over 5 years, we cannot afford increases to our liability insurance.

Therefore, we support **HB529 on the condition** that the language in the bill requires PROFESSIONAL LIABILITY and not medical malpractice. Thank you for your consideration and support.

Very truly yours,

Thelma Ortal
President

About AFHA

The Adult Foster Home Association of Hawaii (AFHA) is the industry trade association of providers under the Community Care Foster Family Home program under the Department of Human Services, State of Hawaii. With a membership of almost 750 providers, AFHA's mission is to promote the interests of providers as well as resident clients. AFHA members provide 24-hour care to resident clients 7 days a week, 365 days a year.

LATE

From: NORMA CAMPER [norma0157@yahoo.com]
Sent: Thursday, March 14, 2013 9:58 AM
To: HMS Testimony
Subject: RE HB529 HD1- Testimony In Support and Comments - HMS 3/14/13 - Rm. 016 1:20 p.m.
.0

Chair Chun Oakland, Vice Chair Green, and Members of the Committee:

My name is Norma, the owner of Camper Foster Family, (CCFFH) and a member of AFHA Big Island chapter. I strongly support HB529 HD1 only if Professional Liability is required. If medical malpractice is required, i strongly oppose because it is too expensive and it would cost me too much. At present, I purchased a professional liability insurance with good coverage. Please do not force us to purchase a very expensive insurance.

LATE

Honorable Senator Suzanne Chun Oakland, Chair
Honorable Senator Josh Green, Vice Chair
and Members of the Human Services Committee

HB529-Relating to Care Homes - Liability Insurance
Hearing on March 14, 2013 at 1:20PM
Room 016

I Strongly Support HB529 HD1 with Amendments.

My name is Jaine Lacuesta, a Certified Nurse Aide, taking care of developmentally and intellectually disabled for 23 years now. I am a member of a foster home organization that is 600 - members strong.

I strongly believe that every caregiver working with residents should obtain and maintain malpractice and professional liability insurance with sufficient coverage.

It is very important that we have the coverage because there could be situations involving injuries or damages that generations ago would have been ignored by the injured person or his/her family and are now the basis for lawsuits. Liability has become a major risk for the Certified Nurse Aide (CNA) or Nurse Aide (NA) or anybody in the allied health care professions.

I would also like to request the committee to make the following amendment to the bill:

Under Section 2, please change the client limit for adult foster homes from two to three adults with developmental disabilities. Please insert a sunset date for this amendment of June 30, 2015.

Chair, Vice-Chair and Committee members, adding a 3rd resident to the existing 2 residents that we already have: First, will provide another resident with a loving and nurturing environment in a family setting in the community where he or she can enjoy life instead of being in an institution.

These residents have severe behavioral problems that only special trained and qualified caregivers are able to care for them. (My family members have been trained and are qualified to care for these residents.)

Secondly, this would save the State millions of dollars a year as we are only paid an average of \$2500 a month instead of \$10,000 to \$12,000 a month in institutions.

This would also give the caregiver an extra monthly income to help pay some of the expenses incurred in running and providing quality care to our developmentally and intellectually disabled residents.

Lastly, the extra bed space is badly needed by us for respite care. Sometimes, we would like to go on vacation or maybe go for a day-off or two to rest, unwind to avoid burn-out.

The community based foster family home (RACCP program) have been approved for 3 residents and carehomes have been approved for their 3rd expanded care resident.

I request the committee make the following amendments to the bill:

Under Section 2, please change the client limit for adult foster homes from two to three adults with developmental disabilities. Please insert a sunset date for this amendment of June 30, 2015.

Include an additional section amending Section 346-334 of the Hawaii Revised Statutes, mandating that for community care foster family homes, substitute caregivers shall be eighteen years of age or older. In addition to this, please include an additional amendment to this section "allowing the primary caregiver to be absent from the community care foster family home for no more than forty hours in a calendar week, not to exceed eight hours per day; provided that the substitute caregiver is present in the community care foster family home during the primary caregiver's absence." Extend the sunset date for Section 346-334 from June 30, 2013 to June 30, 2015. Thank you for allowing me to testify in support of HB529 HD1 with Amendments.

LATE

TO: Committee on Human Services

DATE: March 14, 2013, Thursday

TIME: 1:20 pm

PLACE: Conference Room 016

TESTIFIER: Wannette Gaylord

BILL: HB 529 HD 1

POSITION: IN STRONG SUPPORT

Aloha Chair Suzanne Chun Oakland, Vice Chair Green, and members of the committee, My name is Wannette Gaylord and I strongly support HB 529 HD 1 for the following reasons:

Every community based care facility should be mandated to have the appropriate insurance necessary to protect the home, the owner of the home and all employees from liability. This insurance policy should include malpractice as well as professional liability insurance with sufficient coverage. Many CNA's right out of school are not aware of the potential liability they may be facing in their work place due to inadvertent mistakes. With the proper insurance being mandated onto their employer, they can feel safe in their work environment.

I would also request an amendment under Section 2, to increase the client limit from two to three adults with development disabilities. Please insert a sunset date for this amendment of June 30, 2015.

I would also like to include an additional section amending Section 346-334 of the Hawaii Revised Statutes, mandating that for community care foster family homes, substitute caregivers shall be eighteen years of age or older. In addition to this, please include an additional amendment to this section "allowing the primary caregiver to be absent from the community care foster family home for no more than forty hours in a calendar week, not to exceed eight hours per day; provided that the substitute caregiver is present in the community care foster family home during the primary caregiver's absence. Please extend the sunset date for Section 346-334 from June 30, 2013 to June 30, 2015.

Mahalo nui loa for allowing me to testify in **support** of HB 529 HD 1.

Wannette Gaylord

LATE

To: The Honorable Sen. Suzanne Chun-Oakland, Chair
Honorable Sen. Josh Green, Vice Chair
and Members of the Human Services Committee

HB529-Relating to Care Homes
(Liability Insurance)

Hearing on March 14, 2013 at 1:20PM
Conference Room 016

I Strongly Support HB529 HD1 with Amendments.

My name is Myriam Tabaniag, a Registered Nurse and the First Vice President of the Alliance of Residential Care Administrators (ARCA), the leader and most active of the care home organizations in the State of Hawaii. I am presently managing two care homes in Kaneohe, Hawaii. My employments include 16 years of working in different hospitals in Virginia and Hawaii; and the last 12 years managing the 2 care homes in Kaneohe.

I would like to say that I would not even dare to start operation of a care home or foster care home without the proper or appropriate malpractice and professional liability insurance with sufficient coverage.

The reason is simple: Each health care provider is responsible for his or her own negligent acts, since malpractice is defined as "the negligent act of a person with specialized training and education."

As a registered nurse, I have worked side by side with many highly skilled, professionally trained Certified Nurse Aides (CNAs) and Nurse Aides (NA) both in different health care settings and care homes. I understand very well what they do and how they strive to deliver quality care to patients or residents.

Unfortunately, mistakes, oversights, accidents, slips, mix-ups, errors, omissions or irresponsible acts do happen. These incidents usually occur when least expected and some of these unfortunate events may cause harm to the resident. Injured residents, either on their own, or encouraged by family members, friends or their attorneys, wind up taking their cases to the courts. As in any legal proceedings, when a medical malpractice law suit is filed as many people as possible will be named.

I strongly advocate that each health care provider should have a **medical malpractice and professional liability insurance with sufficient coverage** for "peace of mind" and most especially, the insurance is there, in case, it is needed.

I would like to request the committee to make the following amendments to the bill:

Under Section 2, please change the client limit for adult foster homes from two to three adults with developmental disabilities. Please insert a sunset date for this amendment of June 30, 2015.

Sen. Chun-Oakland, Sen. Josh Green and members of the Human Services committee, please grant the addition of this request from the caregivers taking care of residents with "special needs". These residents are developmentally disabled and intellectually disabled.

First and foremost, these caregivers are saving the State millions of dollars a year. If these residents have to be institutionalized, the State would be paying from \$10,000-\$12,000 a month for each resident. These caregivers are only being paid an average of \$2500 a month.

Secondly, these residents are in loving and caring homes where they are nurtured and loved by these "special" caregivers. These residents are not only developmentally and intellectually disabled but also have very challenging behaviors. They bite, hit, spit at the caregivers, yelling and screaming day and night to name a few. Medical problems include autism, spastic and seizure disorders, attention deficit and hyperactivity disorder (ADHD), cerebral palsy, etc.

Because of the difficulty of these residents, these caregivers need a respite place so that they can also go on vacation or maybe a day to unwind and recharge. Opening up a bed for each home could accommodate or give them the opportunity for a respite place.

The extra resident would give the caregiver an extra income since food, gas and other expenses to maintain the quality of life for the residents are constantly increasing.

These caregivers realize that they may need an extra caregiver to help care for the 3rd resident, but most of them already have trained and qualified family members to help them.

Lastly, they are the only group that does not have the 3rd resident already. The Adult Foster Home Waiver Program (DHS) and the residential carehomes (DOH) already have their 3rd resident approved.

In addition to this, please include an additional amendment to this section "allowing the foster family primary caregiver to be absent from the community care foster family home for no more than forty hours in a calendar week, not to exceed eight hours per day; provided that the substitute caregiver is present in the community care foster family home during the primary caregiver's absence." Extend the sunset date for Section 346-334 from June 30, 2013 to June 30, 2015.

Thank you for allowing me to testify in **strong support of HB529 HD1 with Amendments.**

Myriam Tabaniag

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, March 14, 2013 8:27 AM
To: HMS Testimony
Cc: hsapla@aol.com
Subject: Submitted testimony for HB529 on Mar 14, 2013 13:20PM

HB529

Submitted on: 3/14/2013

Testimony for HMS on Mar 14, 2013 13:20PM in Conference Room 016

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

Comments: I am Helen Sapla, Big Island Adult Foster Home Operator. We strongly support HB529. Insurance protects us against future risk which is mostly accidental in nature and unexpected incident. Caregiving is a very risky profession. The patients/clients that we are dealing with on a daily basis are the aged, frail elderly and the people with disabilities. They need skilled nursing level of care. We provide the best services that we know of but, accidents happen beyond our control. What if claims are filed against us? Claim may cost us from minimal amount to millions of dollars depending upon the extent of the damage or injury. Who is responsible to answer? Of course us, caregivers. We are in direct contact with our patients everyday.. What if we are not able to satisfy the claim against us? What will happen to our business? Maybe there is a possibility to be closed and probably the home itself will be in foreclosure if there is not enough savings accumulated to satisfy the claim imposed against us. I request the committee make the following amendments to the bill: Under Section 2, please change the client limit for adult foster homes from two to three adults with developmental disabilities. Please insert a sunset date for this amendment of June 30, 2015. Include an additional section amending Section 346-334 of the Hawaii Revised Statutes, mandating that for community care foster family homes, substitute caregivers shall be eighteen years of age or older. In addition to this, please include an additional amendment to this section "allowing the primary caregiver to be absent from the community care foster family home for no more than forty hours in a calendar week, not to exceed eight hours per day; provided that the substitute caregiver is present in the community care foster family home during the primary caregiver's absence." Extend the sunset date for Section 346-334 from June 30, 2013 to June 30, 2015.

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.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov

LATE

February 19, 2013

To: The Honorable Angus McKelvey
CPC – Chair
The Honorable Derek Kawakami
CPC – Vice Chair

From: Annie Mae Tan, Foster Home Operator

Subject: H.B. 529 – RELATING TO CAREHOMES / RELATING TO LIABILITY INSURANCE
Hearing on 2/20/13 at 3:00PM Room 325

Chair, Vice Chair and Members of the Consumer Protection and Commerce Committee,
Good afternoon;

I SUPPORT THE INTENT OF H.B. 529

I agree that every caregiver of the care homes, foster homes, expanded adult residential care homes, assisted living facilities, adult day care facilities and home health agencies should be covered by a valid, appropriate and sufficient liability insurance and not just any liability insurance.

I say this, because there is a lot of confusion going on right now about the insurance that is being offered in our industry. According to my friends, who are also taking care of frail elderly, that I should buy a liability insurance that is covered by “malpractice” because of the type or scope of work that we do. I was also offered a different kind of insurance that is “not a true malpractice insurance” and bought it because it was \$180 cheaper.

To end this confusion, I ask the different Committees and Directors, Chairs and Vice-Chairs involved with this Bill to please review and evaluate these insurances that are being offered to the community-based care home industry to make sure that we are properly covered. We don't want to lose our residents and our homes for reasons that we could have prevented in the first place.

Thank you for allowing me to testify.

Annie Mae Tan
(Foster Home Operator)

LATE

To the Honorable Suzanne Chun Oakland, Chair
Honorable Josh Green, Vice Chair
and Members of the Human Services Committee

From: Isabel Kahele, RN, Case Manager (Hospital)

RE: HB529-Relating to Care Homes

Hearing on March 14, 2013 at 1:20PM
Room 016

I strongly support HB529.

I strongly believe that every small business owner especially care home operators/primary caregivers, foster home operators and all their substitutes should be adequately insured or has obtained and is currently maintaining a malpractice and professional liability insurance that is sufficient and appropriate to the scope of work that is being done in the care home or foster home healthcare facility.

The appropriateness of the liability insurance is imperative so that the care home/foster home operator is fully covered should any suit or damages occur as a consequence of his/her actions or the failure to act.

At the present time, there are many care home operators that are without malpractice and professional liability insurance. There are also, too many care home operators and foster home operators that bought inappropriate or the wrong kind of insurance. As a healthcare worker, a care home or foster home operator should be carrying a malpractice and professional liability insurance, and not a Social Services Liability insurance. The latter does not cover malpractice liability insurance which is the most needed for the scope of work that they do.

Contrary to popular belief, the care home operator or the foster home operator does not have to cause severe injury to a resident to face a serious law suit as a consequence of his/her actions or failure to act. As "little" as not following standards of care, indifference (as "little" as failing to recognize a need for help), or abandonment (as "little" as failing to call a physician or failing to return a phone call) can be reason enough to be held liable in court should any damages occur as a result.

Kindly look into this matter as malpractice is a very serious offense. Please support HB529 as I strongly do.

Thank you for allowing me to testify in strong support of HB529-Relating to care homes' liability insurance.

Isabel Kahele

LATE

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, March 13, 2013 11:39 PM
To: HMS Testimony
Cc: normajacinto@aol.com
Subject: *Submitted testimony for HB529 on Mar 14, 2013 13:20PM*

HB529

Submitted on: 3/13/2013

Testimony for HMS on Mar 14, 2013 13:20PM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
norma jacinto	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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From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, March 13, 2013 11:37 PM
To: HMS Testimony
Cc: adelaspnz@yahoo.com
Subject: *Submitted testimony for HB529 on Mar 14, 2013 13:20PM*

Categories: Red Category

HB529

Submitted on: 3/13/2013

Testimony for HMS on Mar 14, 2013 13:20PM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
adela espinosa	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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From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, March 13, 2013 11:34 PM
To: HMS Testimony
Cc: amabini610@hotmail.com
Subject: *Submitted testimony for HB529 on Mar 14, 2013 13:20PM*

Categories: Red Category

HB529

Submitted on: 3/13/2013

Testimony for HMS on Mar 14, 2013 13:20PM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
eden mabini	Individual	Support	No

Comments:

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From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, March 13, 2013 11:32 PM
To: HMS Testimony
Cc: arthurandrina@yahoo.com
Subject: *Submitted testimony for HB529 on Mar 14, 2013 13:20PM*

HB529

Submitted on: 3/13/2013

Testimony for HMS on Mar 14, 2013 13:20PM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
trina pascual	Individual	Support	No

Comments:

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From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, March 13, 2013 11:30 PM
To: HMS Testimony
Cc: rolman88@yahoo.com
Subject: *Submitted testimony for HB529 on Mar 14, 2013 13:20PM*

HB529

Submitted on: 3/13/2013

Testimony for HMS on Mar 14, 2013 13:20PM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
marina manuel	Individual	Support	No

Comments:

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LATE

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, March 13, 2013 11:29 PM
To: HMS Testimony
Cc: asagadraca@hotmail.com
Subject: *Submitted testimony for HB529 on Mar 14, 2013 13:20PM*

HB529

Submitted on: 3/13/2013

Testimony for HMS on Mar 14, 2013 13:20PM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
aurora sagadraca	Individual	Support	No

Comments:

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LATE

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, March 13, 2013 11:21 PM
To: HMS Testimony
Cc: mgrodriguez@ymail.com
Subject: *Submitted testimony for HB529 on Mar 14, 2013 13:20PM*

HB529

Submitted on: 3/13/2013

Testimony for HMS on Mar 14, 2013 13:20PM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
maria betty rodriguez	Individual	Support	No

Comments:

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LATE

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, March 13, 2013 11:19 PM
To: HMS Testimony
Cc: isteffens@hawaii.rr.com
Subject: *Submitted testimony for HB529 on Mar 14, 2013 13:20PM*

HB529

Submitted on: 3/13/2013

Testimony for HMS on Mar 14, 2013 13:20PM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
imelda steffens	Individual	Support	No

Comments:

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LATE

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, March 13, 2013 11:18 PM
To: HMS Testimony
Cc: ofelsimps@yahoo.com
Subject: *Submitted testimony for HB529 on Mar 14, 2013 13:20PM*

HB529

Submitted on: 3/13/2013

Testimony for HMS on Mar 14, 2013 13:20PM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
ofelia simpliciano	Individual	Support	No

Comments:

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LATE

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, March 13, 2013 11:16 PM
To: HMS Testimony
Cc: ercacal@gmail.com
Subject: *Submitted testimony for HB529 on Mar 14, 2013 13:20PM*

HB529

Submitted on: 3/13/2013

Testimony for HMS on Mar 14, 2013 13:20PM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
evelyn cacal	Individual	Support	No

Comments:

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LATE

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, March 13, 2013 11:14 PM
To: HMS Testimony
Cc: cabingabang@gmail.com
Subject: *Submitted testimony for HB529 on Mar 14, 2013 13:20PM*

HB529

Submitted on: 3/13/2013

Testimony for HMS on Mar 14, 2013 13:20PM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
delia cabingabang	Individual	Support	No

Comments:

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LATE

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, March 13, 2013 11:12 PM
To: HMS Testimony
Cc: auring@gmail.com
Subject: *Submitted testimony for HB529 on Mar 14, 2013 13:20PM*

HB529

Submitted on: 3/13/2013

Testimony for HMS on Mar 14, 2013 13:20PM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
aurora alejandro	Individual	Support	No

Comments:

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LATF

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, March 13, 2013 9:34 PM
To: HMS Testimony
Cc: rwamil10@yahoo.com
Subject: *Submitted testimony for HB529 on Mar 14, 2013 13:20PM*

HB529

Submitted on: 3/13/2013

Testimony for HMS on Mar 14, 2013 13:20PM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
rufelia s. tomas	CCFFH	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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LATE

From: Nightingale Case Management [nightingalecmi@hotmail.com]
Sent: Wednesday, March 13, 2013 6:30 PM
To: HMS Testimony
Subject: HB529

Gentlemen: we are in favor of and support this Bill. However, we respectfully request that the committee make the following amendments to the Bill: Under Section 2, please change the Client limit for adult foster homes from two to three adults with developmental disabilities. Please insert a sunset date for this amendment of June 30, 2015. Include an additional section amending Section 346-334 of the Hawaii Revised Statutes, mandating that for community foster family homes, substitute caregivers shall be eighteen years of age or older. In addition to this, please include an additional amendment to this section "allowing the primary caregiver to be absent from the community care foster familyhome for no more than forty hours in a calender week, not to exceed eight hours per day; provided that the substitute caregiver is present in the community care foster family during the primary caregiver's absence" Extend the sunset date for Section 346-334 from June 30 2013 to June 30, 2015.

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From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, March 13, 2013 3:46 PM
To: HMS Testimony
Cc: rdelacruz008@hawaii.rr.com
Subject: Submitted testimony for HB529 on Mar 14, 2013 13:20PM

HB529

Submitted on: 3/13/2013

Testimony for HMS on Mar 14, 2013 13:20PM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Robert de la Cruz	Big Island Adult Foster Home	Support	No

Comments: I strongly agree to have a liability insurance for our care home industry. Thank You for giving me this opportunity to testify. Respectfully, Robert de la Cruz

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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From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, March 13, 2013 3:40 PM
To: HMS Testimony
Cc: delarosaffh@msn.com
Subject: Submitted testimony for HB529 on Mar 14, 2013 13:20PM

HB529

Submitted on: 3/13/2013

Testimony for HMS on Mar 14, 2013 13:20PM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Luzonica de la Rosa	Big Island Adult Foster Home Operators	Support	No

Comments: I'm supporting this HB529 .We need liability insurance for our protection to run our business

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From: Genevieve Tuliao [gentul68@gmail.com]
Sent: Wednesday, March 13, 2013 3:31 PM
To: HMS Testimony
Subject: RE HB 529 Liability Insurance

March 13, 2013

Honorable Suzanne Oakland, Chair
Honorable Josh Green, Vice-chair
Members of the Committee

My name is Genevie Tuliao, a care home operator from the Big Island. I strongly support HB 529. Liability Insurance protects us against risk which is mostly accidental and most likely an unexpected incident. Caregiving career is a risky profession. Clients we dealing with are aged, frail elderly and people with disabilities. Claim against caregiver may cost a sizable amount of dollars depending upon the extent of the injury. Caregiver is responsible because we are in direct contact with our patients every day. we don't want our house to be foreclosed.

Thank you very much for giving me the opportunity to testify.

Respectfully,

Genevie Tuliao

LATE

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, March 13, 2013 2:22 PM
To: HMS Testimony
Cc: gracebigisland@yahoo.com
Subject: Submitted testimony for HB529 on Mar 14, 2013 13:20PM

HB529

Submitted on: 3/13/2013

Testimony for HMS on Mar 14, 2013 13:20PM in Conference Room 016

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

Comments: I am supporting this HB529 . We need it. Respectfully, Grace Andres

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RECEIVED 03/12/2013 16:37

13-MAR-2013 16:37 From:8084854372

Page: 1/2

VIA FAX 808-586-6131

RE: HB529 HD1 - Testimony In Support and Comments - HMS 3/14/13 - Rm. Q16 1:20 p.m.

Chair Chun Oakland, Vice Chair Green, and Members of the Committee:

We support HB529 HD1 as long as PROFESSIONAL LIABILITY coverage is required and NOT MEDICAL MALPRACTICE. If MEDICAL MALPRACTICE is required, we really oppose this because we may not be able to get it and/or would cost us too much. We are having a hard time, but we still purchase insurance voluntarily. Please do not force us to purchase a really expensive insurance. We have not had any problems.

Very truly yours,



RECEIVED 03/12/2013 16:37

13-FEB-2013 16:37 From: 8084210860

Page: 1/1

VIA FAX 809-830-6131

RE: HB529 HD1 - Testimony in Support and Comments - HRS 3/14/13 - Rm. 036 1:20 p.m.

Chair Chun Oakland, Vice Chair Green, and Members of the Committee:

We support HB529 HD1 as long as PROFESSIONAL LIABILITY coverage is required and NOT MEDICAL MALPRACTICE. (MEDICAL MALPRACTICE is required, we really oppose this because we may not be able to get it and/or would cost us too much. We are having a hard time, but we still purchase insurance voluntarily. Please do NOT force us to purchase a really expensive insurance. We have not had any problems.

Very truly yours,

E. Porton

Federico O. Porton

Shirley V. Amelio

Art Porton

Manzano

Mitchie Jose

Norma Ueal

Maggie Sulay

Julie Aguinale

Lina Ford

Frey Valdez

Luzaya Padua

Diana Walker

Christopher Valdez

Yvonne Purnanglag

Estrella Casiano

Josefa Cadua

Sherwin Jose

Sonia Pagdilas

Josephita Pagdilas

Mildred Dacoco

Marivyn Casino

Brian Casino

Zolanda Casino

Federico O. Porton

Recha Dacoco

Edwin Galdamez

Marina Galdamez

LATE

RE:HB 529 HD1-TESTIMONY IN SUPPORT AND COMMENTS_HMS-3/14/13-RM.016 1:20PM

Chair Suzanne Chun Oakland, Vice Chair Josh Green and Members of the Committee

I am supporting HB 529 HD1 as long as PROFESSIONAL LIABILITY coverage is required and not MEDICAL MALPRACTICE. If MEDICAL MAL PRACTICE is required, I strongly oppose because I may not be able to get it and/or would cost me too much. I am having a hard time, but I still purchase insurance voluntarily. Please do not force me to purchase a really expensive insurance. I have not had any problems.

Very truly yours,

Eredulin V. Julian
EREDULIN V. JULIAN, PCG
AFHA Member, Big Island

LATE

RE:HB 529 HD1-TESTIMONY IN SUPPORT AND COMMENTS_HMS-3/14/13-RM.016 1:20PM

Chair Suzanne Chun Oakland, Vice Chair Josh Green and Members of the Committee

I am supporting HB 529 HD1 as long as PROFESSIONAL LIABILITY coverage is required and not MEDICAL MALPRACTICE. If MEDICAL MAL PRACTICE is required, I strongly oppose because I may not be able to get it and/or would cost me too much. I am having a hard time, but I still purchase insurance voluntarily. Please do not force me to purchase a really expensive insurance. I have not had any problems.

Very truly yours,

Esmeralda Miyazaki - Big Island
Operator, Foster Home AFHA Member

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Page: 1/2

13-MAR-2013 16:37 From:8084854372

VIA FAX 808-586-6131

RE: HB529 HD1 - Testimony in Support and Comments - HMS 3/14/13 - Rm. 016 1:20 p.m.

Chair Chun Oakland, Vice Chair Green, and Members of the Committee:

We support HB529 HD1 as long as PROFESSIONAL LIABILITY coverage is required and NOT MEDICAL MALPRACTICE. If MEDICAL MALPRACTICE is required, we really oppose this because we may not be able to get it and/or would cost us too much. We are having a hard time, but we still purchase insurance voluntarily. Please do not force us to purchase a really expensive insurance. We have not had any problems.

Very truly yours,

Grinda O. O'Neil
PCN

LATE

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13-MAR-2013 16:37 From:8084854372

Page:1/2

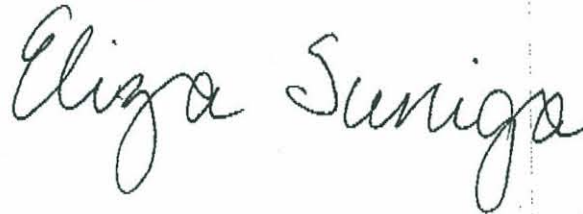
VIA FAX 808-586-6121

RE: HB529 HD1 – Testimony In Support and Comments – HMS 3/14/13 – Rm. 016 1:20 p.m.

Chair Chun Oakland, Vice Chair Green, and Members of the Committee:

We support HB529 HD1 as long as PROFESSIONAL LIABILITY coverage is required and NOT MEDICAL MALPRACTICE. If MEDICAL MALPRACTICE is required, we really oppose this because we may not be able to get it and/or would cost us too much. We are having a hard time, but we still purchase insurance voluntarily. Please do not force us to purchase a really expensive insurance. We have not had any problems.

Very truly yours,



03/13/2013 08:30 AM 0007210000

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13-MAR-2013 16:37 From:0084654372

Page:1/2

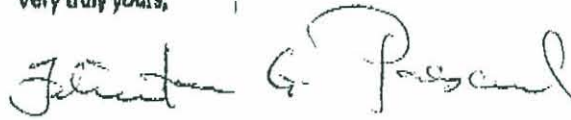
VIA FAX 808-586-6181

RE: HB529 HD1 - Testimony in Support and Comments - HMS 3/14/13 - Rm. 016 1:20 p.m.

Chair Chun Oakland, Vice Chair Green, and Members of the Committee:

We support HB529 HD1 as long as PROFESSIONAL LIABILITY coverage is required and NOT MEDICAL MALPRACTICE. If MEDICAL MALPRACTICE is required, we really oppose this because we may not be able to get it and/or would cost us too much. We are having a hard time, but we still purchase insurance voluntarily. Please do not force us to purchase a really expensive insurance. We have not had any problems.

Very truly yours,



LATE p.1

03/13/2013 04:55PM 8084218080

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Page 1/2

13-MAR-2013 16:37 From:8084854372

VIA FAX 808-586-6131

RE: HB529 HD1 - Testimony in Support and Comments - HRS 3/14/13 - Rm. 016 1:20 p.m.

Chair Chun Oakland, Vice Chair Green, and Members of the Committee:

We support HB529 HD1 as long as PROFESSIONAL LIABILITY coverage is required and NOT MEDICAL MALPRACTICE. IF MEDICAL MALPRACTICE is required, we really oppose this because we may not be able to get it and/or would cost us too much. We are having a hard time, but we still purchase insurance voluntarily. Please do not force us to purchase a really expensive insurance. We have not had any problems.

Very truly yours,

Jocelyn A. Lazo

Mar.13.2013 07:26

TO: 9354703

FEB-13-2007 11:21 FROM: WDJGP+D

P.1/1
PAGE 02/04

LATE

13-PPR-0003 16:37

From: BBS@BBS.ORG

RECEIVED 02/13/2013 16:07

Page 1 of 1

VIA FAX 800-586-6163

RE: HES29 HQ1 - Testimony in Support and Comments - (HCS 3/14/13) - Sun. 02/13 1:00 p.m.

Chair Glenn Caldwell, Vice Chair Gregg, and Members of the Commission

We support ~~HEALTH~~ HCS as long as PROFESSIONAL LIABILITY coverage is required and NOT MEDICAL MALPRACTICE. If MEDICAL MALPRACTICE is required, we really oppose this because we may not be able to get it and/or would cost us too much. We are having a hard time, but we still purchase insurance voluntarily. Please do not force us to purchase a really expensive insurance. We have not had any problems.

Very truly yours,

Merly Castillo
Foster Care HOME

LATE



ADULT FOSTER HOMECARE ASSOCIATION OF HAWAII

P.O. BOX 970092 WAIPAHU, HAWAII 96797

Email: afhahawaii@gmail.com

Website: afhahawaii.org

VIA FAX 808-586-6131

RE: HB529 HD1 – Testimony In Support and Comments – HMS 3/14/13 – Rm. 016 1:20 p.m.

Chair Chun Oakland, Vice Chair Green, and Members of the Committee:

We support **HB529 HD1** as long as PROFESSIONAL LIABILITY coverage is required and NOT MEDICAL MALPRACTICE. If MEDICAL MALPRACTICE is required, we really oppose this because we may not be able to get it and/or would cost us too much. We are already having a hard time, but we still purchase insurance voluntarily. Please do not force us to purchase a really expensive insurance which is not necessary because we have professional liability insurance. We have not had any problems.

I am hoping for your kind consideration. Thank you very much.

Sincerely,

A handwritten signature in black ink, appearing to read 'Maribel B. Tan'.

Maribel B. Tan

Vice President

LATE

03/13/2013 07:33PM 8884218888

PAGE 02/02

13-MAR-2013 16:37

From:8884854372

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Page:1/2

VIA FAX 808-586-6131

RE: HB529 HD1 -- Testimony in Support and Comments -- HMS 3/14/13 -- Rm. 016 1:20 p.m.

Chair Chun Oakland, Vice Chair Green, and Members of the Committee:

We support HB529 HD1 as long as PROFESSIONAL LIABILITY coverage is required and NOT MEDICAL MALPRACTICE. IF MEDICAL MALPRACTICE is required, we really oppose this because we may not be able to get it and/or would cost us too much. We are having a hard time, but we still purchase insurance voluntarily. Please do not force us to purchase a really expensive insurance. We have not had any problems.

Very truly yours,

Janeth Dulig
JANETH DULIG

LATE

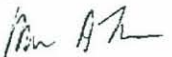
VIA FAX 808-586-6131

RE: HBS29 HD1 – Testimony In Support and Comments – HMS 3/14/13 – Rm. 016 1:20 p.m.

Chair Chun Oakland, Vice Chair Green, and Members of the Committee:

We support HBS29 HD1 as long as PROFESSIONAL LIABILITY coverage is required and NOT MEDICAL MALPRACTICE. If MEDICAL MALPRACTICE is required, we really oppose this because we may not be able to get it and/or would cost us too much. We are having a hard time, but we still purchase insurance voluntarily. Please do not force us to purchase a really expensive insurance. We have not had any problems.

Very truly yours,

 - NORMA TAN

 ROSARID TABILISYA

Mar 13 13 08:51p Myra Uenegas

8082069705

p.1

LATE

RECEIVED 03/12/2013 16:37

13-MAR-2013 16:37 From: 8082069705

Fax: 1/2

VIA FAX 808-586-0131

RE: HB29 HD1 -- Testimony in Support and Comments -- HHS 3/1A/13 -- Rm. 016 1:20 p.m.

Chair Chun Oakland, Vice Chair Green, and Members of the Committee:

We support HB29 HD1 as long as PROFESSIONAL LIABILITY coverage is required and NOT MEDICAL MALPRACTICE. If MEDICAL MALPRACTICE is required, we really oppose this because we may not be able to get it and/or would cost us too much. We are having a hard time, but we still purchase insurance voluntarily. Please do not force us to purchase a really expensive insurance. We have not had any problems.

Very truly yours,

RADICAL LAGPACAN
Jason Lagpacan

p.1
LATE

13-MAR-2013 16:37 From: 8084854372

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Page: 1/2

VIA FAX 808-586-6131

RE: HB529 HD1 -- Testimony in Support and Comments -- HMS 3/14/13 -- Rm. 016 1:20 p.m.

Chair Chun Oakland, Vice Chair Green, and Members of the Committee:

We support HB529 HD1 as long as PROFESSIONAL LIABILITY coverage is required and NOT MEDICAL MALPRACTICE. If MEDICAL MALPRACTICE is required, we really oppose this because we may not be able to get it and/or would cost us too much. We are having a hard time, but we still purchase insurance voluntarily. Please do not force us to purchase a really expensive insurance. We have not had any problems.

Very truly yours,

Margarita Cubbengan

LATE

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13-MAR-2013 16:37 From:8084218000

Page:1/2

VIA FAX 808-586-6131

RE: HBS29 HD1 - Testimony in Support and Comments - HRS 3/14/13 - Rm. 036 1:20 p.m.

Chair Chun Oaidand, Vice Chair Green, and Members of the Committee:

We support HBS29 HD1 as long as PROFESSIONAL LIABILITY coverage is required and NOT MEDICAL MALPRACTICE. If MEDICAL MALPRACTICE is required, we really oppose this because we may not be able to get it and/or would cost us too much. We are having a hard time, but we still purchase insurance voluntarily. Please do not force us to purchase a really expensive insurance. We have not had any problems.

Very truly yours,



LATE

RECEIVED 03/12/2013 16:37

13-MAR-2013 15:37 From:8084218080

Page:1/2

VIA FAX 808-580-6181

RE: HB529 HD1 - Testimony in Support and Comments - HHS 3/14/13 - Rm. 036 3:20 p.m.

Chair Chun Galdand, Vice Chair Green, and Members of the Committee:

We support HB529 HD1 as long as PROFESSIONAL LIABILITY coverage is required and NOT MEDICAL MALPRACTICE. If MEDICAL MALPRACTICE is required, we really oppose this because we may not be able to get it and/or would cost us too much. We are having a hard time, but we still purchase insurance voluntarily. Please do not force us to purchase a really expensive insurance. We have not had any problems.

Very truly yours,

Amely Supnet

LATE

VIA FAX 808-586-6131

RE: HB529 HD1 - Testimony In Support and Comments - HMS 3/14/13 - Rm. C16 1:20 p.m.

Chair Chun Oakland, Vice Chair Green, and Members of the Committee:

We support HB529 HD1 as long as PROFESSIONAL LIABILITY coverage is required and NOT MEDICAL MALPRACTICE. If MEDICAL MALPRACTICE is required, we really oppose this because we may not be able to get it and/or would cost us too much. We are having a hard time, but we still purchase insurance voluntarily. Please do not force us to purchase a really expensive insurance. We have not had any problems.

Very truly yours,

Mari Angelina D. Maluyo
Mari Angelina D. Maluyo, CNA, PCG

LATE

RE:HB 529 HD1-TESTIMONY IN SUPPORT AND COMMENTS_HMS-3/14/13-RM.016 1:20PM

Chair Suzanne Chun Oakland, Vice Chair Josh Green and Members of the Committee

I am supporting HB 529 HD1 as long as PROFESSIONAL LIABILITY coverage is required and not MEDICAL MALPRACTICE. If MEDICAL MAL PRACTICE is required, I strongly oppose because I may not be able to get it and/or would cost me too much. I am having a hard time, but I still purchase insurance voluntarily. Please do not force me to purchase a really expensive insurance. I have not had any problems.

Very truly yours,



DANIEL LAMPITOC MARCOS
PRESIDENT, AFMA-BIG ISLAND CHAPTER

LATE

RE:HB 529 HD1-TESTIMONY IN SUPPORT AND COMMENTS_HMS-3/14/13-RM.016 1:20PM

Chair Suzanne Chun Oakland, Vice Chair Josh Green and Members of the Committee

I am supporting HB 529 HD1 as long as PROFESSIONAL LIABILITY coverage is required and not MEDICAL MALPRACTICE. If MEDICAL MAL PRACTICE is required, I strongly oppose because I may not be able to get it and/or would cost me too much. I am having a hard time, but I still purchase insurance voluntarily. Please do not force me to purchase a really expensive insurance. I have not had any problems.

Very truly yours,


ARIFINA V. MARCUS
MARCUS FOSTER FAMILY HOME, Orange

LATE

RE: HB 529 HD1-TESTIMONY IN SUPPORT AND COMMENTS_HMS-3/14/13-RM.016 1:20PM

Chair Suzanne Chun Oakland, Vice Chair Josh Green and Members of the Committee

I am supporting HB 529 HD1 as long as PROFESSIONAL LIABILITY coverage is required and not MEDICAL MALPRACTICE. If MEDICAL MAL PRACTICE is required, I strongly oppose because I may not be able to get it and/or would cost me too much. I am having a hard time, but I still purchase insurance voluntarily. Please do not force me to purchase a really expensive insurance. I have not had any problems.

Very truly yours,

Anita Ventura

VENTURA FOSTER FAMILY HOME

LATE

VIA FAX 808-586-6123.

RE: HB529 HD1 - Testimony In Support and Comments - HHS 3/14/13 - Am. 015 3:20 p.m.

Chair Chun Oakland, Vice Chair Green, and Members of the Committee:

We support HB529 HD1 as long as PROFESSIONAL LIABILITY coverage is required and NOT MEDICAL MALPRACTICE. If MEDICAL MALPRACTICE is required, we really oppose this because we may not be able to get it and/or would cost us too much. We are having a hard time, but we still purchase insurance voluntarily. Please do not force us to purchase a really expensive insurance. We have not had any problems.

Very truly yours,

Rochelle R. Romji

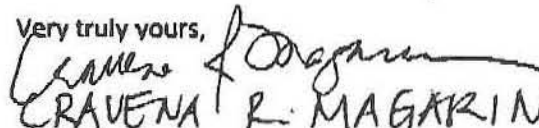
LATE

RE:HB 529 HD1-TESTIMONY IN SUPPORT AND COMMENTS_HMS-3/14/13-RM.016 1:20PM

Chair Suzanne Chun Oakland, Vice Chair Josh Green and Members of the Committee

I am supporting HB 529 HD1 as long as PROFESSIONAL LIABILITY coverage is required and not MEDICAL MALPRACTICE. If MEDICAL MAL PRACTICE is required, I strongly oppose because I may not be able to get it and/or would cost me too much. I am having a hard time, but I still purchase insurance voluntarily. Please do not force me to purchase a really expensive insurance. I have not had any problems.

Very truly yours,


CRAVENA R. MAGARIN - PCG, Operator
Big Island

LATE

March 14, 2013

RE: HB529 HD1 – Testimony In Support and Comments – HMS 3/14/13 –
Rm. 016 1:20 p.m.

Chair Chun Oakland, Vice Chair Green, and Members of the Committee:

I support the HB529 HD1 as long as Professional Liability coverage is required and NOT MEDICAL MALPRACTICE. If MEDICAL MALPRACTICE is required, we really oppose this because we may not be able to get it and/or would cost us too much. We are having a hard time, but we still purchase insurance voluntarily. Please do not force us to purchase a really expensive insurance. We have not had any problems.

Very truly yours,



Ronald Camper
Secondary Substitute
Camper Foster Family

LATE

RE:HB 529 HD1-TESTIMONY IN SUPPORT AND COMMENTS_HMS-9/14/13-RM.016 1:20PM

Chair Suzanne Chun Oakland, Vice Chair Josh Green and Members of the Committee

I am supporting HB 529 HD1 as long as PROFESSIONAL LIABILITY coverage is required and not MEDICAL MALPRACTICE. If MEDICAL MAL PRACTICE is required, I strongly oppose because I may not be able to get it and/or would cost me too much. I am having a hard time, but I still purchase insurance voluntarily. Please do not force me to purchase a really expensive insurance. I have not had any problems.

Very truly yours,

Thelma M. Agbayani
THELMA M. AGBAYANI
AFHA (Big Island)

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LATE

13-MAR-2013 16:37 From: 8084218088

VIA FAX 808-585-6131

RE: HB529 HD1 - Testimony in Support and Comments - HMS 3/14/13 - Rm. 016 1:20 p.m.

Chair Chun Oakland, Vice Chair Green, and Members of the Committee:

We support HB529 HD1 as long as PROFESSIONAL LIABILITY coverage is required and NOT MEDICAL MALPRACTICE. If MEDICAL MALPRACTICE is required, we really oppose this because we may not be able to get it and/or would cost us too much. We are having a hard time, but we still purchase insurance voluntarily. Please do not force us to purchase a really expensive insurance. We have not had any problems.

Very truly yours,

Shoricio Aguilera

Rommel Bascoro

Aniline Albis

Julie Pinter

Felbert Pasceal

Red [unclear]

Apfel

[Signature]

[Signature]

Gloria Agtang

Ruby Joyce Balanta

Aileen Navalta

Melvin Pinera

[Signature]

Aprilyn M. Pasenf
Loreta Tabuc

Wasta
Linda Pulido

Gracia Aguilera

Rula Quijano

Vilma Ramboyon