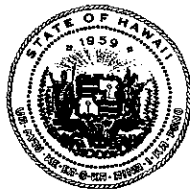


1

NEIL ABERCROMBIE
GOVERNOR OF HAWAII



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

LATE

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

In reply, please refer to:
File:

2

3

House Committee on Consumer Protection and Commerce

4

5

HB 0529, HD 1, Relating to Care Homes

6

7

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

8

Director of Health

9

February 20, 2013

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Department's Position: The Department of Health supports the intent of this bill but proposes further amendments to the proposed changes to the sections of chapter 321 set forth in Sections 2, 3, and 4 of the bill.

13

14

15

Fiscal Implications: The department would incur the minimal costs of staff time and effort to revise the administrative rules to include the requirement to obtain and maintain liability insurance.

16

17

Purpose and Justification: House Draft 1 of this bill added developmental disabilities domiciliary homes (DD Doms) to the types of residential facilities licensed by the Department of Health that will be required to obtain and maintain liability insurance in coverage amounts deemed sufficient and appropriate by the Department of Health. Act 266, July 6, 2012 (Gov. Msg. No. 1369), signed into law last year, and codified as section 321-11.7, Hawaii Revised Statutes (HRS), now requires liability insurance for adult foster homes, adult residential care homes, assisted living facilities, and expanded adult residential care homes. The administrative rules applicable to the facilities currently covered by the law are being revised to include the insurance requirements, and will be presented at public hearing

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1 in the near future. The department can make similar changes to the administrative rules for the DD
2 Doms if this is the intent of the Legislature.

3 For purposes of clarity and consistency, the department of health respectfully requests the
4 following amendments to certain provisions in Sections 2, 3, and 4 of the bill:

5 (1) Section 2 proposes a change to the definition of “adult foster home,” which is
6 unnecessary, but if the suggested revision is to remain in the bill the department requests that the bill be
7 amended to read at page 2, end of line 3 after “developmental” as follows: “or intellectual disabilities.”
8 The deletion of “and” and the insertion of “or” is consistent with the terminology that is used in other
9 sections of the Hawaii Revised Statutes governing provision of services for persons with developmental
10 disabilities or intellectual disabilities.

11 (2) At page 2, line 4, the department requests insertion of “or intellectual” after
12 “developmental” so that the phrase will read as follows: “developmental or intellectual disabilities”.

13 (3) In Section 3 of the amended bill, the department requests deletion from page 2, lines 19
14 and 20 the following: “operating under the waiver program with the department of human services”, as
15 the waiver program is with Medicaid not with the department of human services.

16 (4) At page 2, line 21, the department requests deletion of “community care foster family
17 homes”. The transition of oversight of community care foster family homes from the department of
18 human services to the department of health is not effective until July 1, 2014, so inclusion of this type of
19 residential care in the current version of section 321-11.7, HRS, as proposed, would be premature.

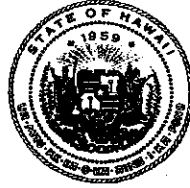
20 (5) In Section 4 of the bill, at page 3, lines 19 and 20, the department requests deletion of
21 “operating under the waiver program with the department of human services and”.

22 (6) At page 4 line 22, the department requests deletion of “321-A of Act 93, Session Laws of
23 Hawaii 2012” and insertion after “section” the following: “321-481”.

24 Thank you for the opportunity to testify.

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:

House Committee on Consumer Protection and Commerce

HB 0529, HD 1, Relating to Care Homes

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

February 20, 2013

Department's Position: The Department of Health supports the intent of this bill but proposes further amendments to the proposed changes to the sections of chapter 321 set forth in Sections 2, 3, and 4 of the bill.

Fiscal Implications: The department would incur the minimal costs of staff time and effort to revise the administrative rules to include the requirement to obtain and maintain liability insurance.

Purpose and Justification: House Draft 1 of this bill added developmental disabilities domiciliary homes (DD Doms) to the types of residential facilities licensed by the Department of Health that will be required to obtain and maintain liability insurance in coverage amounts deemed sufficient and appropriate by the Department of Health. Act 266, July 6, 2012 (Gov. Msg. No. 1369), signed into law last year, and codified as section 321-11.7, Hawaii Revised Statutes (HRS), now requires liability insurance for adult foster homes, adult residential care homes, assisted living facilities, and expanded adult residential care homes. The administrative rules applicable to the facilities currently covered by the law are being revised to include the insurance requirements, and will be presented at public hearing

kawakami2 - Rise

From: CPN Testimony
Sent: Tuesday, February 19, 2013 5:48 PM
To: CPCtestimony
Subject: FW: HB529 HD1 2/20/13 3 PM in Room 325



From: arvid [mailto:thirr33@gmail.com]
Sent: Friday, February 15, 2013 5:31 PM
To: CPN Testimony
Cc: Rep. Derek Kawakami
Subject: HB529 HD1 2/20/13 3 PM in Room 325

Chair Angus L. K. McKelvey
Vice Chair Derek S. K. Kawakami
Honorable Representative of the CPC Committee
Room 325 HB 529 HD1 3 pm Hearing

My name is Arvid Tadao Youngquist.

I support HB 529 HD1 which calls for a sufficient amount of liability insurance by care home operators. The vote in the previous committee was 8 ayes, with Rep. Jo Jordon voting with reservations. Hearing in the CPC Committee has to answer her reservations. I was, first of all surprised that care providers gave supportive testimony while the Department opposed it.

There was also a Civil Beat article which attached several photos from independent, presumably smaller operators, Hopefully, the 14 members of the CPC Committee of which some duplicates the previous committee membership, continues to examine this measure with a fine tooth comb to make sure it does not pose the chilling effect of diminishing the number of care homes. I ask this since I live in a district inundated by care homes and domiciles. Thank you for this opportunity to submit testimony and please continue your good work in the social service and consumer rights field.

Mahalo.

Arvid Tadao Youngquist
Kalihi Valley Resident
Feb. 15, 2013

kawakami2 - Rise

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 19, 2013 5:53 PM
To: CPCtestimony
Cc: acelagarcia@gmail.com
Subject: Submitted testimony for HB529 on Feb 20, 2013 15:00PM



HB529

Submitted on: 2/19/2013

Testimony for CPC on Feb 20, 2013 15:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
ACELA E. GARCIA	UGHO	Support	No

Comments: For the protection of ARCH, E-ARCH, and CCFFH providers, clients, and the general public, these facilities should think it necessary to have adequate liability insurance, which includes malpractice protection. The rationale that these home community providers are exempt from malpractice protection is not acceptable. medication errors & other adverse events unexpectedly happen many times. When the other medical professionals (doctors, pharmacies, nurses, social workers, case managers, etc) are deemed not responsible for the adverse events, obviously, the caregiver(s) are responsible for any actions within their home/facility. Thank you for the opportunity to comment online. Mahalo & Aloha!

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kawakami2 - Rise

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 19, 2013 6:12 PM
To: CPCtestimony
Cc: normat@cbpacific.com
Subject: *Submitted testimony for HB529 on Feb 20, 2013 15:00PM*



HB529

Submitted on: 2/19/2013

Testimony for CPC on Feb 20, 2013 15:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Norma Tenorio	ARCA	Support	Yes

Comments:

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To: CPCtestimony
Cc: normat@cbpacific.com
Subject: *Submitted testimony for HB529 on Feb 20, 2013 15:00PM*



HB529

Submitted on: 2/19/2013

Testimony for CPC on Feb 20, 2013 15:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Mark Tenorio	Individual	Support	No

Comments:

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From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 19, 2013 6:15 PM
To: CPCtestimony
Cc: normat@cbpacific.com
Subject: *Submitted testimony for HB529 on Feb 20, 2013 15:00PM*



HB529

Submitted on: 2/19/2013

Testimony for CPC on Feb 20, 2013 15:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Michael Tenorio	Individual	Support	No

Comments:

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Sent: Tuesday, February 19, 2013 6:16 PM
To: CPCtestimony
Cc: normat@cbpacific.com
Subject: *Submitted testimony for HB529 on Feb 20, 2013 15:00PM*



HB529

Submitted on: 2/19/2013

Testimony for CPC on Feb 20, 2013 15:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Geronimo Tenorio	ARCA	Support	No

Comments:

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From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 19, 2013 6:18 PM
To: CPCtestimony
Cc: normat@cbpacific.com
Subject: *Submitted testimony for HB529 on Feb 20, 2013 15:00PM*



HB529

Submitted on: 2/19/2013

Testimony for CPC on Feb 20, 2013 15:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Michelle Tenorio	ARCA	Support	No

Comments:

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To: The Honorable Angus McKelvey, Chair
Honorable Derek Kawakami, Vice Chair
and Members of the CPC Committee

LATE

HB529-Relating to Care Homes
(Liability Insurance)

Hearing on February 20, 2013 at 3:00PM
Room 325

I strongly support the intent of HB529.

My name is Myriam Tabaniag, a Registered Nurse 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.”

Having 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 the CNAs and NAs 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 **malpractice and professional liability insurance with sufficient coverage** for “peace of mind” and most especially, the insurance is there, in case, it is needed.

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

Myriam Tabaniag

kawakami2 - Rise

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 19, 2013 6:56 PM
To: CPCtestimony
Cc: pascuale006@hawaii.rr.com
Subject: *Submitted testimony for HB529 on Feb 20, 2013 15:00PM*



HB529

Submitted on: 2/19/2013

Testimony for CPC on Feb 20, 2013 15:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Esther Pascual	Individual	Support	No

Comments:

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kawakami2 - Rise

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 19, 2013 6:59 PM
To: CPCtestimony
Cc: cadizvicky@yahoo.com
Subject: *Submitted testimony for HB529 on Feb 20, 2013 15:00PM*



HB529

Submitted on: 2/19/2013

Testimony for CPC on Feb 20, 2013 15:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Vicky Bagain	Individual	Support	No

Comments:

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kawakami2 - Rise

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 19, 2013 7:02 PM
To: CPCtestimony
Cc: ercacal@gmail.com
Subject: *Submitted testimony for HB529 on Feb 20, 2013 15:00PM*



HB529

Submitted on: 2/19/2013

Testimony for CPC on Feb 20, 2013 15:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Evelyn Cacal	Individual	Support	No

Comments:

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kawakami2 - Rise

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 19, 2013 7:05 PM
To: CPCtestimony
Cc: ycollo@yahoo.com
Subject: *Submitted testimony for HB529 on Feb 20, 2013 15:00PM*



HB529

Submitted on: 2/19/2013

Testimony for CPC on Feb 20, 2013 15:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Yolanda Collo	Individual	Support	No

Comments:

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kawakami2 - Rise

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 19, 2013 7:08 PM
To: CPCtestimony
Cc: linaesta@gmail.com
Subject: *Submitted testimony for HB529 on Feb 20, 2013 15:00PM*



HB529

Submitted on: 2/19/2013

Testimony for CPC on Feb 20, 2013 15:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Lina Esta	Individual	Support	No

Comments:

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From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 19, 2013 7:12 PM
To: CPCtestimony
Cc: adelaspnz@yahoo.com
Subject: *Submitted testimony for HB529 on Feb 20, 2013 15:00PM*



HB529

Submitted on: 2/19/2013

Testimony for CPC on Feb 20, 2013 15:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Adela Espinosa	Individual	Support	No

Comments:

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kawakami2 - Rise

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 19, 2013 7:15 PM
To: CPCtestimony
Cc: normajacinto@aol.com
Subject: *Submitted testimony for HB529 on Feb 20, 2013 15:00PM*



HB529

Submitted on: 2/19/2013

Testimony for CPC on Feb 20, 2013 15:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Norma Jacinto	Individual	Support	No

Comments:

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kawakami2 - Rise

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 19, 2013 7:19 PM
To: CPCtestimony
Cc: Rolman88@yahoo.com
Subject: *Submitted testimony for HB529 on Feb 20, 2013 15:00PM*



HB529

Submitted on: 2/19/2013

Testimony for CPC on Feb 20, 2013 15:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Roland Manuel	Individual	Support	No

Comments:

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From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 19, 2013 7:22 PM
To: CPCtestimony
Cc: RDN@hawaii.rr.com
Subject: *Submitted testimony for HB529 on Feb 20, 2013 15:00PM*



HB529

Submitted on: 2/19/2013

Testimony for CPC on Feb 20, 2013 15:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Rebecca Navarro	Individual	Support	No

Comments:

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kawakami2 - Rise

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 19, 2013 7:26 PM
To: CPCtestimony
Cc: ambini610@hotmail.com
Subject: *Submitted testimony for HB529 on Feb 20, 2013 15:00PM*



HB529

Submitted on: 2/19/2013

Testimony for CPC on Feb 20, 2013 15:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Eden Mabini	Individual	Support	No

Comments:

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kawakami2 - Rise

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 19, 2013 7:54 PM
To: CPCtestimony
Cc: erafael@yahoo.com
Subject: *Submitted testimony for HB529 on Feb 20, 2013 15:00PM*



HB529

Submitted on: 2/19/2013

Testimony for CPC on Feb 20, 2013 15:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Evelyn Rafael	Individual	Support	No

Comments:

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kawakami2 - Rise

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 19, 2013 7:57 PM
To: CPCtestimony
Cc: arthurandtrina@yahoo.com
Subject: *Submitted testimony for HB529 on Feb 20, 2013 15:00PM*



HB529

Submitted on: 2/19/2013

Testimony for CPC on Feb 20, 2013 15:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Trina Pascual	Individual	Support	No

Comments:

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kawakami2 - Rise

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 20, 2013 4:02 AM
To: CPCtestimony
Cc: uilani1950@aol.com
Subject: Submitted testimony for HB529 on Feb 20, 2013 15:00PM

LATE

HB529

Submitted on: 2/20/2013

Testimony for CPC on Feb 20, 2013 15:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
hildegard Akee	Individual	Support	Yes

Comments: I support this bill to require liability insurance be kept in the administrative rules. For all caregivers as protection for those who are responsible for caring for the disabled. The chance of an in home fall or an accident of any kind. is a under the category as "liability".

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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298 OluSt.

Hilo, HI 96720

February 19, 2013

RE: HB 529 Relating to Care Home- Liability Insurance

Honorable Angus Mc Kelvey, Chair, Derek Kawakami Vice-Chair and all members of CCPC committee:

LATE

My name is Genevie Tuliao- Care Home Operator from Hilo, Hawaii Big Island chapter. I strongly support the intent of HB 529. Thank you so much for allowing me to testify.

Mahaio,
Genevie Tuliao
Genevie Tuliao

2501-A Kinoaole St.

Hilo, HI 96720

February 19, 2013

RE: HB 529 Relating to Care Home- Liability Insurance

Honorable Angus Mc Kelvey, Chair, Derek Kawakami Vice-Chair and all members of CCPC committee:

My name is Melba Suero Daak – President of Care Home Operator Association from Hilo, Hawaii Big Island chapter. I strongly support the intent of HB 529. Thank you so much for allowing me to testify.

Mahalo



Melba S. Daak- Big Island Chapter President

LATE

392 Kawiki Rd.

Hilo, HI 96720

February 19, 2013

RE: HB 529 Relating to Care Home- Liability Insurance

Honorable Angus Mc Kelvey, Chair, Derek Kawakami Vice-Chair and all members of CCPC committee:

LATE

We Care Home Operators from Hilo, Hawaii Big Island chapter. We strongly support the intent of HB 529. Thank you so much for allowing us to testify.

Mahalo,

Florentina Saldares
Florentina Saldares

Miriam Guerrero
Miriam Guerrero

Ofelia Solmerin
Ofelia Solmerin

Edita Castro
Edita Castro

Charing Justo
Charing Justo

Felicidad Mones
Felicidad Mones

Jessie Gacula
Jessie Gacula

Emelyn Bar
Emelyn Bar

Olivia Corpuz
Olivia Corpuz

Aurora Patao
Aurora Patao

Elisa Cabal
Elisa Cabal

Nelly Aliga
Nelly Aliga

Rianalyn Handy
Rianalyn Handy

Estela Ellazar
Estela Ellazar

Elena Bugarin
Elena Bugarin

2-19-13

Honorable Angus Melby, Chairman,
Honorable Derek Kawakami, Vice Chairman,
and all the members of CPC Committee,

Re- regarding HB529 liability insurance
relating to care home.

I strongly support the intent of HB529

Thank you very much for
allowing me to testify.

Carlina Fernandez
Care Home operator
Big Island Arch

137 B Hakulani St.
Hilo, Hi. 96720

February 19, 2013

LATE

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)

To the Honorable Angus L.K. McKelvey, Chair
Honorable Derek S. K. Kawakami, Vice Chair
and Members of the CPC Committee

LATE

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

RE: HB529-Relating to Care Homes

Hearing on February 20, 2013 at 3:00PM
Room 325

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.

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

**ADULT FOSTER HOMES OF THE PACIFIC
P.O. BOX 971450
WAIPAHU, HAWAII 96797**

LATE

**TESTIMONY IN STRONG SUPPORT HB 529 HD1-CPC
20 Feb 2013 room 325 3:00 pm**

RELATING TO LIABILITY INSURANCE

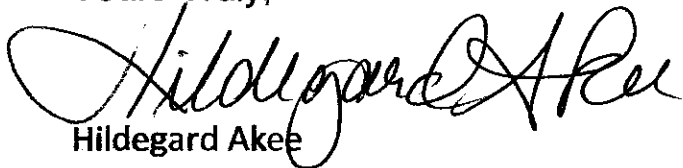
Description: That requires all operators of Care Homes, Adult Residential Care Homes, Assisted Living Facilities, Expanded Adult Residential Care Homes and Community Care Foster Family Homes to hold and maintain sufficient amount of Liability Insurance

**To: Honorable Chair Rep. Angus McKelvey,
Honorable Vice Chair Rep. Derek Kawakami,
Honorable Members of the Committee**

My name is Hildegard Akee . I strongly support this bill to require liability insurance be kept in the administrative rules. For all caregivers as protection for those who are responsible for caring for the disabled. We are responsible for our clients 24/7 this is our protection. The chance of an in home fall or an accident of any kind is under the category as "liability". I am a foster home care giver for 15 years and would not even imagine placing my own family member in a home without any liability protection. We are delegated by Registered Nurses through a case management team to perform necessary duties to our clients. The intent of this bill is for the protection for all caregivers in the community-based programs which is necessary to protect us from a lawsuit that could result in a malpractice.

Mahalo for giving me the opportunity to give my testimony.

Yours Truly,



**Hildegard Akee
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808-351-3741
94-137 Hulahe St, Waipahu, Hawaii 96797**