HB 529, HD1, SD1

Measure Title:

RELATING TO CARE HOMES.

Report Title:

Care Home Operators; Liability Insurance

Requires all operators of adult foster homes, assisted living facilities, expanded adult residential care homes, community care foster family

Description:

homes, and developmental disabilities domiciliary homes to hold a

sufficient amount of liability insurance and automobile liability

insurance. (SD1)

Companion:

Package:

Filipino

Current Referral: HMS, CPN

Introducer(s):

MIZUNO

NEIL ABERCROMBIE GOVERNOR OF HAWAII



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

In reply, please refer to: File:

Senate Committee on Commerce and Consumer Protection

HB 0529, HD 1, SD 1, Relating to Care Homes

Comments of Loretta J. Fuddy, A.C.S.W., M.P.H. Director of Health March 28, 2013

- 1 Department's Position: The department supports the intent of this bill but wishes to provide additional
- 2 comments aimed at safeguarding clients with developmental disabilities (DD).
- 3 Fiscal Implications: DOH would incur the costs of staff time and effort to revise the administrative
- 4 rules to include the requirement to obtain and maintain liability insurance.
- 5 Purpose and Justification: Senate Draft 1 of this bill increased the number of developmentally
- 6 disabled clients that can be served in a DD adult foster home. An increase in the number of DD beds in
- 7 an adult foster home diminishes the intent of the home and is unnecessary. Having 3 DD clients
- 8 changes the concept from a family home to a group home and diminishes the ability of a family to
- 9 provide the quality of relationships that make a foster home different from a higher-capacity facility-
- based long term care setting. In addition, there is currently an excess amount of unfilled beds in the
- department's DD adult foster homes on Oahu and the DD Division has not been doing any active
- recruiting. The actual needs are for homes that are wheelchair accessible, more homes (not beds in a
- home) on the neighbor islands, and homes that can manage individuals with challenging behaviors
- rather than an increase in beds at all DD adult foster homes.

- The department has done a good job of creating family settings through the DD adult foster
- 2 home program as well as group home settings through DD domiciliary homes. Since the department
- 3 already licenses DD domiciliary homes for up to 5 DD clients, there is no need to increase the census in
- 4 DD adult foster homes.
- 5 Thank you for the opportunity to comment.



BARBARA A. YAMASHITA DEPUTY DIRECTOR

STATE OF HAWAII DEPARTMENT OF HUMAN SERVICES

P. O. Box 339 Honolulu, Hawaii 96809-0339

March 28, 2013

MEMORANDUM

TO:

The Honorable Rosalyn H. Baker, Chair

Senate Committee on Commerce and Consumer Protection

FROM:

Patricia McManaman, Director

SUBJECT:

H.B. 529, H.D. 1, S.D. 1 - RELATING TO CARE HOMES

Hearing:

Thursday, March 28, 2013; 9:30 a.m. Conference Room 229, State Capitol

PURPOSE: The purpose of H.B. 529, H.D. 1, S.D. 1, is to require 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 a sufficient amount of liability insurance and automobile liability insurance.

DEPARTMENT'S POSITION: The Department of Human Services (DHS) supports Section 2 of H.B. 529, H.D. 1, S.D. 1, which requires community care foster family homes to obtain and maintain liability insurance and automobile liability insurance.

The DHS also supports Section 5 extending the repeal date for Act 221, Session Laws of Hawaii to July 1, 2014. Pursuant to Act 221, SLH 2011, the DHS has continued to evaluate the effectiveness of the substitute caregiver requirements as specified in this Act. The DHS worked diligently with the community to develop a compromise in Act 221 which will sunset June 30, 2013 unless the repeal date is extended. Effective July 1, 2014, the community care foster family program will be transferred to the Department AN EQUAL OPPORTUNITY AGENCY

of Health (DOH). The DOH has already enacted legislation, effective July 1, 2014, incorporating the caregiver requirements in Act 221.

The DHS defers to the Department of Health (DOH) regarding the provisions of Sections 1, 3 and 4 that pertain to the facilities under DOH's jurisdiction.

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



STATE OF HAWAII

STATE COUNCIL
ON DEVELOPMENTAL DISABILITIES
919 ALA MOANA BOULEVARD, ROOM 113
HONOLULU, HAWAII 96814
TELEPHONE: (808) 586-8100 FAX: (808) 586-7543
March 28, 2013

The Honorable Rosalyn H. Baker, Chair Senate Committee on Commerce and Consumer Protection Twenty-Seventh Legislature State Capitol State of Hawaii Honolulu, Hawaii 96813

Dear Senator Baker and Members of the Committee:

SUBJECT: HB 529 HD1 SD1- RELATING TO CARE HOMES

The State Council on Developmental Disabilities (DD) has the following comments regarding HB 529 HD1 SD1. The bill requires all operators of adult foster homes, assisted living facilities, expanded adult residential care homes, community care foster family homes, and DD domiciliary homes to hold a sufficient amount of liability insurance and automobile liability insurance, and increases the amount of adults with developmental or intellectual disabilities (DD or ID).

The Council supports the intent of the provisions that require all operators of the above mentioned homes and facilities to hold sufficient liability and automobile liability insurance.

However, we have concerns about the increase in the number adults with DD or ID that is noted in Section 3 on Page 3, lines 13-21. The intent of certifying adult foster homes for up to two adults with DD or ID was to provide a "family" home versus a "group" home. Increasing the number from two adults to three adults clearly moves away from that intent and in the direction of the group home model. Nationally, the group home model is moving toward smaller residential settings, such as adult foster homes and individualized supported living options. If operators of adult foster homes want to provide care and support for more than two individuals, then they should consider becoming licensed through the Department of Health as a DD domiciliary home provider, which would allow up to five individuals to live in that setting.

In light of the above, we respectfully ask for your consideration to amend the bill to its original language by deleting "three" and replacing it with "two" adults with DD or ID on Page 3, lines 14 and 20. We are aware that there may be individual specific situations that include, but are not limited to:

 An individual may choose a home that already has two adults and the operator is capable and has the capacity to accommodate that individual. The Honorable Rosalyn H. Baker Page 2 March 28, 2013

2) The operator is the only one certified and available to provide specialized care and supports for that individual's particular needs.

For those above situations, an option to consider is to add a provision that "the Director of Health may waive the two adult limit for certification of that home, provided that the number of adults with DD or ID shall not exceed three adults with DD or ID." This provision is similar to the language on Page 3, lines 16-22, and Page 4, lines1-3. This provision would not be an across-the-board increase in the number of adults with DD or ID that could reside in an adult foster home. There would be flexibility by allowing the Director of Health to waive the two adult restriction on an individual basis.

Thank you for the opportunity to submit comments regarding HB 529 HD1 SD1. We appreciate your consideration of our proposed amendments.

Sincerely,

Waynette K.Y. Cabral, MSW

Executive Administrator

J. Curtis Tyler

Chair



DISABILITY AND COMMUNICATION ACCESS BOARD

919 Ala Moana Boulevard, Room 101 • Honolulu, Hawaii 96814 Ph. (808) 586-8121 (V/TDD) • Fax (808) 586-8129

March 28, 2013

TESTIMONY TO THE SENATE COMMITTEE ON COMMERCE AND CONSUMER PROTECTION

House Bill 529, HD1, SD1 - Relating to Adult Care Homes

The Disability and Communication Access Board (DCAB) takes no position on House Bill 529, HD1, SD1 – Relating to Adult Care Homes but offers comments. This measure requires all operators of adult foster homes, assisted living facilities, expanded adult residential care homes, community foster family homes and developmental disabilities domiciliary homes to hold sufficient amounts of liability insurance.

DCAB agrees that there should be licensing requirements for adult care homes both for the protection of the home operator and people that are served in the homes. Perhaps part of the licensing procedures may be included in the administrative rules so that a range of necessary insurance can be provided depending on the type of home it is and which Department is responsible for the licensing of the home and services provided.

DCAB defers to the Departments of Human Services, Health, and the State Council on Developmental Disabilities regarding other amendments that may be necessary for this bill.

Thank you for the opportunity to testify.

Respectfully submitted,

BARBARA FISCHLOWITZ-LEONG

Chairperson

FRANCINE WAI Executive Director

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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 28, 2013 Conference Room 229 @ 9:30am State Capitol

TO: COMMITTEE ON COMMERCE AND CONSUMER PROTECTION Honorable Senator Rosalyn Baker, Chair Honorable Brickwood Galuteria, Vice chair

My name is Margie Agliam former President of the Adult Foster Homes of the Pacific and representing 360 + caregivers in the community and I was a caregiver for over 13 years.

I am strongly support HB529,HD1,SD1 RELATING TO CARE HOMES To 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 maintain a sufficient amount of liability insurance: such as Professional Liability Insurance w/Malpractice and or error on omission, General Liability Insurance, Automobile Insurance and Home Insurance.

Based to our Hawaii Administrative Rules on CCFFH Section 17-1454-49 Liability Insurance has been mandated by the Department of Human Services since this program was implemented with no amendment or changes in our Rules and in addition in order for us to be paid for our services and to admit client from OHANA and United Health Care they also requiring us to have Professional Liability Insurance with MALPRACTICE and or Error on Omisions, General Liability Insurance and Automobile Insurance. This is a State Law for we CAREGIVERS to be follow. Please review our contract from United Health Care Article IV, Section 4.7 under liability Insurance, and Ohana Article IV, Section 6.7 Facility Insurance. Stated that FACILITY shall maintain and shall require Health Care Providers and their respective employees, subcontractors or independent contractors to maintain: (a) such policies of Automobile, General and Professional Liability (Malpractice) insurance as necessary to insure Facility and Health Care Providers respectively, against claims of personal injury or death alleged or cause by performance under this agreement. Since I started 1999 I do not have any problems in obtaining this expensive coverage that will protect my business that includes my credentials, license, assets, and financial welfare for my family. The Automobile, General and Professional Liability (Malpractice) insurance will then set forth the protection of any unexpected death or personal injury to any clients in my home. MALPRACTICE means an improper or negligent treatment of a patient, as by any healthcare provider resulting damage, or loss. Like other professions that purchase professional liability insurance to protect themselves,

medical malpractice insurance will financially protect a healthcare provider that may be sued by a patient for various reasons.

I also request the committee to make the following amendments to the bill: Under Section 346-334 of the Hawaii revised Statutes that all substitute caregivers for 3 clients should be 21 years and above and substitute caregivers should be NA Nurse Aid, instead of extending for 2 years please put it into LAW, remember we are underpaid we cannot afford to hire CNA paying them \$10 /hours we only getting \$41.06 per day from the state saving million dollars a year. Please I also request that all Primary Caregivers for 2 clients and 3 clients MUST be a CNA certified Nurse Aid.

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 clients 24/7 giving the best quality care possible. And fully assist and monitor clients who physically and mentally disabled. We are deligated by an RN 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.

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 in strong support HB529, HD1, SD1.

Yours truly

Margie Agliam (Former President Adult foster Homes of the Pacific) 808 677-2201 or 381-3629

HB529

Submitted on: 3/27/2013

Testimony for CPN on Mar 28, 2013 09:30AM in Conference Room 229

Submitted By	Organization ——	Testifier Position	Present at Hearing
Maria Corazon E. Cariaga	Big Island Adult Foster Home Operators	Support	No

Comments: On behalf of the Big Island Adult Foster Home Operators, we are in support of the HB 529 for our protection. Because our duties as a caregiver is very risky, Thank you for giving us the opportunity to testify. Respectfully, Maia Corazon E. Cariaga, President

HB529

Submitted on: 3/26/2013

Testimony for CPN on Mar 28, 2013 09:30AM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Rebecca D. Welch	Case Manager of CMP	Support	No

Comments: I'm in favor of HB529 with malpractice coverage for the protection of our caregivers. Thank you for giving me the chance to testify. Respectfully, Rebecca D. Welch, RN, MPH

HB529

Submitted on: 3/26/2013

Testimony for CPN on Mar 28, 2013 09:30AM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Robert de la Cruz	CCFFH OPERATOR	Support	No

Comments: I'm supporting this HB529 with malpractice coverage Thank you for giving me the chance to testify. Respectfully, Robert de la Cruz, CCFFH, primary caregiver

To: The Honorable Sen. Rosalyn H. Baker, Chair Honorable Sen. Brickwood Galuteria, Vice Chair and Members of the CPN Committee

HB529-Relating to Care Homes (Liability Insurance)

Hearing on March 28, 2013 at 9:30AM Conference Room 229

I strongly support the intent of HB529 HD1 SD1

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 <u>medical malpractice and</u> <u>professional liability insurance with sufficient coverage</u> for "peace of mind" and most especially, the insurance is there, in case, it is needed.

Under Section 3 of this Bill, I also strongly support **the addition of the third client** to the two existing clients of the caregivers caring for the developmentally and intellectually disabled.

First and foremost, these clients 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 (DD/ID) but also have very challenging behaviors. Medical problems include autism, spastic and seizure disorders, attention deficit and hyperactivity disorder (ADHD), cerebral palsy, etc.

Researchers have reported that DD/ID clients thrive better when they live with loving and caring families in the community instead of being institutionalized. It has shown significant improvement in their adaptive skills and behavior, including choice making, more active and involved lifestyles, leading to a higher quality of life.

Secondly, these caregivers are saving the State millions of dollars a year. If these clients were 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.

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

The DD/ID caregivers have the capacity and ability to care for the third client. Most of their family members are trained substitutes for them. They already have their trained substitutes in place ready to take on the $3^{\rm rd}$ client for those who want to expand right away.

Thank you for allowing me to testify in strong support of the intent HB529 HD1 SD1



ADULT FUSTER HOMES OF THE PACIFIC

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Aloha Senstor Sussess Stress Cercland Committee Chair on Human Services

I am Strongly Sepport 1859 Hid! Because based on our contract from United Healthcare Article IV, Section 4.7 under Liability Insurance; and Wellcare Health Insurance (Chana Health Plan) Article IV, Section 6.7 Facility Insurance, Facility shall maintain and shall require Health Care Providers and their respective employees, subcontractors or independent contractors to maintain: (a) such policies of general and professional liability (Malpractice) insurance as accessary to insure Pacility and Health Care Providers respectively, against claims of personal injury or death alleged or caused by performance index this Agreement. I do not see my problems in obtaining this expensive coverage that will protect my business that includes my credentials, license, assets, and financial welfare for my family. The general and professional liability (malpractice) insurance will then set forth the protection to any inexpected death or personal injury to any of my clients in my blanc. Malpractice means an improper or negligent treatment of a patient, as by any healthcare provider resulting in damage, or loss Like other professions that purchase provider insurance to protect themselves, medical malpractice insurance will linancially protect a healthcare provider that may be sued by a patient for various reasons.

I also request the committee to include up whilehold section aspending Section 346-334 of the Hawaii Revision Militaries mandating that the established to this please include an additional amendments to this section" allowing the primary caregiver to be absent from the community care forter family homes for no more than factly hours in a calendar week, not to exceed eight hours per day; provided that the substitute caregiver is present in the companiety care forter family home during the primary caregivers obsence Extend the samuel date for the Section 366-334 from June 30, 2013 to June 30 2015.

I urge the committee members to please pass this bill because it is designed to protect our business, suskeholder and property. Thank you for giving me the opportunity to testify.

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ADULT FOSTER HOMES OF THE PACIFIC March 28, 2013 Room 229 @9:30am State Capitol

TO: Committee on Commerce and Consumer Protection Senator Rosalyn Baker, Chair Senator Brickwood Galuteria, Vice Chair Members of the Committee

Testimony in Strong Support HB529 HD1.SD1 Relating to Care Homes

The purpose of this measure is to requires all operator of Adult Foster Homes. Assisted Living Facilities, Expanded Adult Residential Care Homes, Community Care Foster Family Homes and Developmental Disabilities. Domiciliary Homes to obtain and maintain a sufficient amount of general and professional liability insurance as well as automobile insurance.

I am Strongly Support HB529 HD1, SD1 Because according to our HAR Hawaii Administrative Rules the Department of Human Services mandated this rules as a requirement Section 17-1454- In addition based on our contract from United Healthcare Article IV, Section 4.7 under Liability Insurance; and Wellcare Health Insurance (Ohana Health Plan) Article IV, Section 6.7 Facility Insurance. Facility shall maintain and shall require (fealth Care Providers and their respective employees, subcontractors or independent contractors to maintain: (a) such policies of general and professional liability (Malpractice) insurance as necessary to insure Facility and Health Care Providers respectively, against claims of personal injury or death alleged or caused by performance under this Agreement. I do not see any problems in obtaining this expensive coverage that will protect my business that includes my credentials, license, assets, and financial welfare for my family. The general and professional liability (malpractice) insurance will then set forth the protection to any unexpected death or personal injury to any of my clients in my home. Malpractice means an improper or negligent treatment of a patient, as by any healthcare provider resulting in damage, or loss. Like other professions that purchase professional liability insurance to protect themselves, medical malpractice insurance will financially protect a healthcare provider that may be sued by a patient for various reasons.

I also request the committee to 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 21 years or older. In addition to this please include an additional amendments to this section" allowing the primary caregiver to be absent from the community care foster family homes for no more than forty hours in a calendar week, not to exceed eight hours per day;

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Printed Name, Signature, Title, & Date



ADULT FOSTER HOMES OF THE PACIFIC March 28, 2013 Room 229 @9:30am State Capitol

TO: Committee on Commerce and Consumer Protection Senator Rosalyn Baker, Chair Senator Brickwood Galuteria, Vice Chair Members of the Committee

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I am Strongly Support HB529 HO1, SD1 Because according to our HAR Hawaii Administrative Rules the Department of Human Services mandated this rules as a requirement Section 17-1454-49. In addition, based on our contract from United Healthcare Article IV, Section 4.7 under Liability Insurance; and Wellcare Health Insurance (Ohana Health Plan) Article IV, Section 6.7 Facility Insurance. Facility shall maintain and shall require Health Care Providers and their respective employees, subcontractors or independent contractors to maintain: (a) such policies of general and professional liability (Malpractice) insurance as necessary to insure Facility and Health Care Providers respectively, against claims of personal injury or death alleged or caused by performance under this Agreement. I do not see any problems in obtaining this expensive coverage that will protect my business that includes my credentials, license, assets, and financial welfare for my family. The general and professional liability (malpractice) insurance will then set forth the protection to any unexpected death or personal injury to any of any clients in my home. Malpractice means an improper or negligent treatment of a patient, as by any healthcare provider resulting in damage, or loss. Like other professions that purchase professional liability insurance to protect themselves, medical malpractice insurance will financially protect a healthcare provider that may be sued by a patient for various reasons.

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Thank you for giving me the opportunity to testify in support HB529, HD1, SD1

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JUAHITA SAGOH PCG (CNA) 3/27/13

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ADULT FOSTER HOMES OF THE PACIFIC March 28, 2013 Room 229 @9:30am State Capitol

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TO: Committee on Commerce and Consumer Protection
Senator Rosalyn Baker, Chair
Senator Brickwood Galuteria, Vice Chair
Members of the Committee

Testimony in Strong Support HB529 HD1.SD1 Relating to Care Homes

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Printed Name, Signature, Title, & Date



ADULT FOSTER HOMES OF THE PAGIFIC Metal 128 Attained 229 @936am State Capitol

TO: Commissee on Commerce and Consumer Protection Service of the Service Service Senate Chartena Hee Char Members of the Committee

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I also request the committee to 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 21 years or older. In addition to this please include an additional amendments to this section" allowing the primary caregiver to be absent from the community care foster family homes for no more than forty hours in a calendar week, not to exceed eight hours per day; the prime vices and (CIA) Partifications - Committation of the Certification (MO) Clear in time colours in bones.

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FE G. Dumeto-owner -A.nc (808) 689-8702

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ADULT FOSTER HOMES OF THE PACIFIC March 28, 2013 Room 229 @9:30am State Capitol

TO: Committee on Commerce and Consumer Protection
Senator Rosalyn Baker, Chair
Senator Brickwood Galuteria, Vice Chair
Members of the Committee

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I urge the committee members 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 in support HB529,HD1, SD1

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ADULT FOSTER HOMES OF THE PACIFIC March 28, 2013 Room 229 @9:30am State Capitol

TO: Committee on Commerce and Consumer Protection
Senator Rosalyn Baker, Chair
Senator Brickwood Galuteria, Vice Chair
Members of the Committee

Testimony in Strong Support HB529 HD1 SD1 Relating to Care Houses

The purpose of this measure is to requires all operator of Adult Foster Homes. Assisted Living Facilities. Expanded Adult Residential Care Homes Community Care Foster Family Homes and Developmental Disabilities. Domiciliary Homes to obtain and maintain a sufficient amount of general and professional liability insurance as well as automobile insurance.

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

Thank you for giving me the opportunity to test by in support HB529, HD1, SD1

Truly yours

Benilda B. Sagabaen, CNA (PCG) 3/27/13

Printed Name, Signature, Title, & Date

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ADULT FOSTER HOMES OF THE PACIFIC March 28, 2013 Room 229 @9:30am State Capitol

TO: Committee on Commerce and Consumer Protection Senator Rosalyn Baker, Chair Senator Brickwood Galuteria, Vice Chair Members of the Committee

Testimony in Strong Support HB529 HD1, SD1 Relating to Care Homes

The purpose of this measure is to requires all operator of Adult Foster Homes, Assisted Living Facilities, Expanded Adult Residential Care Homes, Community Care Foster Family Homes and Developmental Disabilities, Domiciliary Homes to obtain and maintain a sufficient amount of general and professional liability insurance as well as automobile insurance.

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I urge the committee members 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 in support HB529, HD1, SD1

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ADULT FOSTER HOMES OF THE PACIFIC March 28, 2013 Room 229 @9:30am State Capitol

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TO: Committee on Commerce and Consumer Protection
Senator Rosalyn Baker, Chair
Senator Brickwood Galuteria, Vice Chair
Members of the Committee

Testimony in Strong Support HB529 HD1, SD1-Relating to Care Houses

The purpose of this measure is to requires all operator of Adult Foster Homes. Assisted Living Facilities, Expanded Adult Residential Care Homes. Community Care Foster Family Homes and Developmental Disabilities, Domiciliary Homes to obtain and maintain a sufficient amount of general and professional liability insurance as well as automobile insurance.

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Thank you for giving me the opportunity to testify in support HB529.HD1.SD1

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The purpose of this measure is to requires all person of Adult Roses Homes Assisted Living Facilities, Expanded Addit Residential Care Homes, Community Care Foster Family Homes and Developmental Disabilities Domiciliary Homes to obtain and maintain a sufficient amount of general and professional liability insurance as well as automobile insurance.

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

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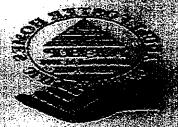
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I am Strongly Support HBS29 HD1; SD1 Decayes according to one HAR Hawaii Administrative Rules, the Department of Human Services annually this rules as a requirement Section 17-1454-49. In additional Stated on our contract from United Haulthcare Article IV, Section 4.7 anext Liability Historians. and Wellcare Health Industries (Classa Health Plan) Article IV, Section 6.7 Facility incurance Facility shall mannar and shall require Health Case Providers and their respective completions, subscribing the subscribes being contractors to mannatain: (a) such posicies of general and professional liability (Malicantice) insurance as necessary to insure Facility and Health Case Provider appropriate agreement of personal injury or death alleged or caused by performance of the protector to any unexpected health or personal injury or any of my clients in my home. Malpractice means an improper or angligent treatment of a patient, as by any healthcare provider resulting in damage, or loss. Like other professions that practase professional liability insurance to provider that may be sued by a patient for various reasons.

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I urge the committee measures to please pass this bill because it is design business, stakeholika and property.

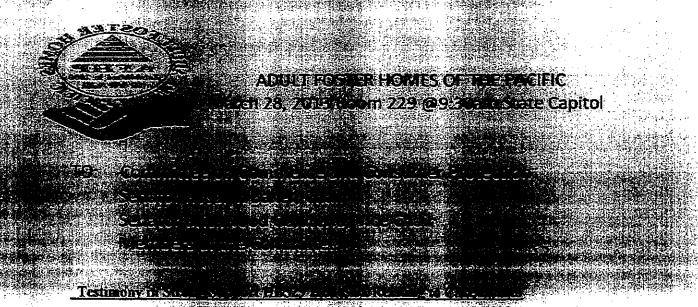
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The purpose of this measure is to requires all operator of Adult Foster Homes. Assisted Living Facilities, Expanded Adult Residential Care Homes, Community Care Foster Family Homes and Developmental Disabilities, Domiciliary Homes to obtain and maintain a sufficient amount of general and professional liability insurance as well as automobile insurance.

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provided that the substitute caregiver is presented the community care losses family home during the primary caregoral substitute. Extend the last date for the Scotten 2003 from June 30, 2013 to June 30, or server a most fact to substitute to such a substitute to make paid we take a substitute to include and adding the takesuages that requires all PKIMARY CAREGIVERS MUST BE A (CNA) Certified Nuise Assistant either certified for two clients or three clients in a homes.

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

Thank you for grangers ale opportunity to asset, in support HB529 HD1, SD1

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ADULT FOSTER HOMES OF THE PACIFIC March 28, 2013 Room 229 @9:30am State Capitol

TO: Committee on Commerce and Consumer Protection Senator Rosalyn Baker, Chair Senator Brickwood Galuteria, Vice Chair Members of the Committee

Testimony in Strong Support HB529 HD4 SD1 Relating to Case Houses

The purpose of this measure is to requires all operator of Adult Foster Stories. Assisted Living Facilities, Expanded Adult Residential Care Homes, Community Care Foster Family Homes and Developmental Disabilities, Domiciliary Homes to obtain and mainfain a sufficient amount of general and professional liability insurance as well as automobile insurance.

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I urge the committee members 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 in support HB529,HD1, SD1

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The purpose of this measure is to requires all enerator of Adult Poster Homes, Assisted Living Facilities, Expanded Adult Residential Care Homes, Community Care Foster Family Homes and Developmental Disabilities. Domiciliary Homes to obtain and maintain a sufficient amount of general and professional liability insurance as well as automobile insurance.

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ADULT FOSTER HOMES OF THE PACIFIC March 28, 2013 Room 229 @9:30am State Capitol

TO: Committee on Commerce and Consumer Protection
Senator Rosalyn Baker, Chair
Senator Brickwood Galuteria, Vice Chair
Members of the Committee

Testimony in Strong Support HB529 HD1 SD1 Relating to Care Homes

The purpose of this measure is to requires all operator of Adult Foster Homes, Assisted Living Facilities, Expanded Adult Residential Care Homes, Community Care Foster Family Homes and Developmental Disabilities, Domiciliary Homes to obtain and maintain a sufficient amount of general and professional liability insurance as well as automobile insurance.

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I urge the committee members 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 in support HB529, HD1, SD1

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ADULT FOSTER HOMES OF THE PACIFIC March 28, 2013 Room 229 @9:30am State Capitol

10: Residence of Communication Consumer Profession Senator Rosalyn Baker, Chair Senator Backwood Galuteria, Vice Chair Meanses of the Committee

Testimenty in Street Support HE-129 HD1 301 Relating to Care Houses

The purpose of this measure is to requires all operator of Adult Foster Homes. Assisted Living Facilities. Expanded Adult Residential Care Homes. Community Care Poster Family Homes and Developmental Disciplines. Dominiliary Homes to obtain and maintain a sufficient amount of general and professional fishility insurance as well as automobile insurance.

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Thank you for giving me the opportunity to testify in support HB529, HD1, SD1

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OM. 28m, M. S. SHUMAN, FOSTER HOME OWNER

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FO: Company Committee and Consumer Profession

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The purpose of this measure is to requires all operator of Adult Foster Homes, Assisted Living Facilities, Expanded Adult Residential Care Homes, Community Care Foster Family Homes and Developmental Disabilities. Domiciliary Homes to obtain and maintain a sufficient amount of general and professional liability insurance as well as automobile insurance.

I am Strongly Support HB529 HD1, SD1 Because according to our HAR Hawaii Administrative Rules the Department of Francia Services mandated this rules as a requirement Section 17-1454-49. In addition based on our contract from United Healthcare Article IV. Section 4.7 under Liability Insurance; and Wellcare Health Insurance (Ohana Health Plan) Article IV, Section 6.7 Facility Insurance. Facility shall maintain and shall require Health Care Providers and their respective employees; subcontractors or independent contractors to maintain: (a) such policies of general and professional habitity (Malpraciace) insurance as necessary to insure Facility and Health Care Providers respectively, against claims of personal injury or death alleged or caused by performance under this Agreement. I do not see any problems in obtaining this expensive coverage that will proceed by business that includes my credentials, license, assets, and financial welfare for my family. The general and professional liability (malpractice) insurance will then set forth the protection is any unexpected death or personal injury to any of my clients in my home. Malpractice means an improper or negligent treatment of a patient, as by any healthcare provider resulting in damage, or loss. Like other professions that purchase professional liability insurance to protect themselves, medical malpractice insurance will financially protect a healthcare provider that may be sued by a patient for various reasons.

I also request the committee to 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 21 years or older. In addition to this please include an additional amendments to this section" allowing the primary caregiver to be absent from the community care foster family homes for no more than forty hours in a calendar week, not to exceed eight hours per day;

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Beat you to a see the second style essely in support HB 7. 1882 301

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Letel D. Ventura

Printed Name, Signature, Title, & Date

march 28, 2013
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From: 2001

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ADULT FOSTER HOMES OF THE PACIFIC March 28, 2013 Room 229 @9:30am State Capitol

on and the second second

TO: Committee on Commerce and Consumer Protection:
Senator Rosalyn Baker, Chair
Senator Brickwood Galuteria, Vice Chair
Members of the Committee

Testimony in Strong Support HBS29 HD1.SD1 Relating to Care Hauses

The curpose of this measure is to requires all operator of Adult Foster Homes. Assisted Living Facilities. Exercise Adult Residential Care Homes Community Care Foster Funds / Jomes and Development Measure Development (Care Foster Funds / Jomes and Development (Care Foster Funds / Johnson (Car

I am Strongly Support HRS29 HD1; SD1 Because according to our HAR James Administrative Rules the Department of Human Services mandated this rules as a requirement Section 17-1454-49. In addition based on our contract from United Floubleme Armes TVOS against 7 miles. Liability Insurance; and Wellcare Health Insurance (Change Health Paul Floublet?) Section 6.7 Facility Insurance. Facility shall maintain and shall require Health Care Providers and their respective employees, subcommactors or independent contractors to maintain: (a) such policies of general and professional liability (Malpractice) insurance as necessary to insure Facility and Health Care Providers respectively, against claims of personal injury or death alleged or caused by performance under this Agreement. I do not see any problems in obtaining this expensive coverage that will protect my business that includes my credentials, howard success, and financial welfare for my family. The general and professional liability (malpractice) assurance will then set forth the protection to any unexpected death or personal injury to any of my clients in my home. Malpractice means an improper or negligent treatment of a patient, as by any healthcare provider resulting in damage, or loss. Like other professions that purchase professional liability insurance to protect that may be such by a patient for various reasons.

provided that the substitute caregiver is present in the community care foster family home during the primary caregivers absence' Extend the sunset date for the Section 346-334 from June 30, 2013 to June 30 2015, or put it into HAR because we cannot afford to hire CNA paying \$10/hour we are under paid we only getting \$41.06 per day from the State. I also request the committee to include and adding the languages that requires all PRIMARY CAREGIVERS MUST BE A (CNA) Certified Nurse Assistant either certified for two clients or three clients in a homes.

I urge the committee mambers to please pass this bill because it is designed to protect our business, stakeholder and property.

Thank you for giving me !

Truly your

Imalye flows PG 32212 Printed Name, Signature, Th

noralisme canea war young, tem

> Honorable Rosalyn H. Baker, Chair · Brickwood Galuteria, Vice Chair

Clarence K. Nishihara Malama Solomon Brian T. Taniguchi

Glenn Wakai Sam Slom

& Committee Members

Date: March 28, 2013

Time: 9:30 AM Place: Conference RM 229

Topic: HB529

We are in support of the HB529. We need an insurance to run our foster homes businesses for our protection against unwanted and unexpected incidents towards our job because our duty as caregivers is very risky. Thank you for giving us the opportunity to testify.

Respectfully,

Kyeir O Slace

Honorable Rosalyn H. Baker, Chair Brickwood Galuteria, Vice Chair

Clarence K. Nishihara Malama Solomon Brian T. Taniguchi

Glenn Wakai Sam Slom

& Committee Members

Date: March 28, 2013 Time: 19:30 AM

Place: Conference RM 229

Topic: HB529

We are in support of the HB529. We need an insurance to run our foster homes businesses for our protection against unwanted and unexpected incidents towards our job because our duty as caregivers is very risky. Thank you for giving us the opportunity to testify.

Respectfully/

JOENSIEE C. RAGSAC, RN-CM

CMD

Honorable Rosalyn H. Baker, Chair Brickwood Galuteria, Vice Chair

Clarence K. Nishihara Malama Solomon Brian T. Taniguchi Glenn Wakai

Gienn Wakai Sam Slom

& Committee Members

Date: March 28, 2013

Time: 9:30 AH

Place: Conference RM 229

Topic: HB529

We are in support of the HB529. We need an insurance to run our foster homes businesses for our protection against unwanted and unexpected incidents towards our job because our duty as caregivers is very risky. Thank you for giving us the opportunity to testify.

Respectfully.

Carnen Janely

Honorable Rosalyn H. Baker, Chair Brickwood Galuteria, Vice Chair

Clarence K. Nishihara Malama Solomon Brian T. Taniguchi Glenn Wakai Sam Slom

& Committee Members

Date: March 28, 2013

Time: .9\30 A.M.
Place: Conference RM 229

Topic: HB529

We are in support of the HB529. We need an insurance to run our foster homes businesses for our protection against unwanted and unexpected incidents towards our job because our duty as caregivers is very risky. Thank you for giving us the opportunity to testify.

Respectfully

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Honorable Rosalyn H. Baker, Chair Brickwood Galuteria, Vice Chair

Clarence K. Nishihara Malama Solomon Brian T. Taniguchi Glenn Wakai Sam Slom

& Committee Members

Date: March 28, 2013 Time: 9:50 A- M

Place: Conference RM 229

Topic: HB529

We are in support of the HB529. We need an insurance to run our foster homes businesses for our protection against unwanted and unexpected incidents towards our job because our duty as caregivers is very risky. Thank you for giving us the opportunity to testify.

Respectfully,

Tupe pormer LAN: PCB

Committee on CPN To:

> Honorable Rosalyn H. Baker, Chair Brickwood Galuteria, Vice Chair

Clarence K. Nishihara Malama Solomon Brian T. Taniguchi Glenn Wakai Sam Slom

& Committee Members

Date: March 28, 2013

Time: 9.30 411 Place: Conference RM 229

Selies S. Wains

Topic: HB529

We are in support of the HB529. We need an insurance to run our foster homes businesses for our protection against unwanted and unexpected incidents towards our job because our duty as caregivers is very risky. Thank you for giving us the opportunity to testify.

Respectfully,

Committee on CPN To:

> Honorable Rosalyn H. Baker, Chair Brickwood Galuteria, Vice Chair

Clarence K. Nishihara Malama Solomon Brian T. Taniguchi Glenn Wakai Sam Slom

& Committee Members

Date: March 28, 2013

Time: GLBO AM Place: Conference RM 229

Topic: HB529

We are in support of the HB529. We need an insurance to run our foster homes businesses for our protection against unwanted and unexpected incidents towards our job because our duty as caregivers is very risky. Thank you for giving us the opportunity to testify.

Respectfully,

Lugonier De Dela Roga PCG

HB529

Submitted on: 3/25/2013

Testimony for CPN on Mar 28, 2013 09:30AM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Victoria Baker	Individual	Support	No

<u>HB529</u> Submitted on: 3/25/2013

Testimony for CPN on Mar 28, 2013 09:30AM in Conference Room 229

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

Honorable Rosalyn H. Baker, Chair Brickwood Galuteria, Vice Chair Clarence K. Nishihara Malama Solomon Brian T. Taniguchi Glenn Wakai Sam Slom & Committee Members

Date: March 28, 2013

Time: 9:30 App Place: Conference RM 229

Topic: HB529

We are in support of the HB529. We need an insurance to run our foster homes businesses for our protection against unwanted and unexpected incidents towards our job because our duty as caregivers is very risky. Thank you for giving us the opportunity to testify.

Respectfully,

Committee on CPN To:

Honorable Rosalyn H. Baker, Chair Brickwood Galuteria, Vice Chair Clarence K. Nishihara

Malama Solomon Brian T. Taniguchi Gleun Wakni Sam Slom

& Committee Members

Date: March 28, 2013

Time: A.20 Apr Piace: Conference RM 229

Topic: HB529

We are in support of the HB529. We need an insurance to run our foster homes businesses for our protection against unwanted and unexpected incidents towards our job because our duty as caregivers is very risky. Thank you for giving us the opportunity to testify.

Respectfully,

Honorable Rosalyn H. Baker, Chair

Brickwood Galuteria, Vice Chair

Clarence K. Nishihara Malama Solomon Brian T. Taniguchi Glenn Wakai Sam Slom

& Committee Mambers

Date: March 28, 2013 Time: . 9/30 A M Place: Conference RM 229

Topic: HB529

We are in support of the HR529. We need an insurance to run our foster homes businesses for our protection against unwanted and musiqueeted incidents towards our job because our duty as emegivers is very risky. Thank you for giving us the opportunity to testify.

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Respectfully,

Toresita Carpal

Honorable Rosslyn H. Baker, Chair Brickwood Galuteria, Vice Chair Charence K. Nishihara

Clarence K. Nishih Malama Solomon Brian T. Taniguchi Gienn Wakai Sam Siom

& Committee Members

Date: March 28, 2013 Time: Q: 3c A. H Place: Conference RM 229

Topic: HB529

We are in support of the HB529. We need an insurance to run our foster homes businesses for our protection against unwanted and unexpected incidents towards our job because our duty as exegivers is very risky. Thank you for giving us the opportunity to testify.

Respectfully,

Largo Caynal

Committee on CPN

Honomble Rosalyn H. Baker, Chair Brickwood Galuteria, Vice Chair

Clarence K. Nishihara Malama Solomon Brian T. Taniguchi Glenn Wakai Sam Slom

& Committee Members

Date: March 28, 2013 Time: 9/30 A-17
Place: Conference RM 229

Topic: HB529

We are in support of the HB529. We need an insurance to run our factor homes businesses for our protection against unwanted and unexpected incidents towards our job because our duty as caregivers is very risky. Thank you for giving us the opportunity to testify.

Respectfully,

Eugenia Esteban

To; Com

Committee on CPN

Honorable Rosalyn H. Baker, Chair

Briokwood Galateria, Vice Chair

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State of the State

Na Hair L

Clerence K. Nishihara Malama Solumon Brism T. Taniguchi Gleon Wakai Sam Slom

& Committee Members

Date: March 28, 2013 Time: 9:30 Apr

Place: Conference RM 229

Topic: HB529

We are in support of the HB529. We need an insurance to run our foster house businesses for our protection against unwanted and unexpected incidents towards our job because our duty as caregivers is very risky. Thank you for giving us the opportunity to testify.

Respectfully,

ď

Honorable Roselyn H. Baker, Chair Brickwood Galuteria, Vice Chair

Clarence K. Nishihara Malama Solomoo Brian T. Taniguchi Glenn Wakai Sem Slom

& Committee Members

Date: March 28, 2013

Time: 9130 Apq Place: Conference RM 229

Topic: HB529

We are in support of the HB529. We need an insurance to run our foster homes businesses for our protection against unwanted and unexpected incidents towards our job because our duty as caregivers is very risky. Thank you for giving us the opportunity to tastify.

Respectfully,

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18-18-18-18

Honorable Rossiyn H. Baker, Chuir Brickwood Galuteria, Vice Chuir

Clarence K. Nishihara Malama Solomon Brian T. Taniguchi Glenn Wakai Sam Slom

& Committee Members

Date: March 28, 2013 Time: 0, 50 A. H Place: Conference RM 229

Topic: HB529

We are in support of the HB529. We need an insurance to run our foster homes businesses for our protection against unwanted and unexpected incidents towards our job because our duty as caregivers is very risky. Thank you for giving us the opportunity to testify.

Respectfully,

Ruda Ramos

Honorable Rosalyn H. Baker, Chair Brickwood Galuteris, Vice Chair

Chrence K. Nishthera Malama Solomon Briza T. Taniguchi Glerm Wakai Sare Slom

& Committee Members

Date: March 28, 2013 Time: 9150 A.M. Place: Conference RM 229

Topic: HB529

We are in support of the HB529. We need an insurance to run our force businesses for our protection against unwanted and unexpected incidents towards our job because our duty as caregivers is very risky. Thank you for giving us the opportunity to testify.

Respectfully,

Filipin G. Andres

Honorable Rosslyn H. Baker, Chair Brickwood Galuteria, Vice Chair

Clarence K. Nishibara Malama Solomon Brian T. Taniguchi Clenn Wakni Sam Slom

& Committee Members

Date: March 28, 2013 Time: 9 50 Mg Place: Conference RM 229

Topic: HB529

We are in support of the HBS29. We need an insurance to run our foster homes businesses for our protection against unwanted and unexpected incidents towards our job because our duty as caregivers is very risky. Thank you for giving us the opportunity to testify.

ে বিশ্বস্থা নাম্বান্ত হৈ । তেওঁ প্ৰশ্নতা <mark>আনুষ্ঠান্ত বিশ্ববিদ্যাল</mark>্য লোক। তেওঁ চাৰ্যাল্ডিক ভাৰত ভাৰতি আৰু কাৰ্যিক ক্ষেত্ৰত কৰিব কৰিব ।

Respectfully,

Josephine Garmanal

Honorable Rosalyn H. Baker, Chair Brickwood Galuteria, Vice Chair

Clarence K. Nishihara Melema Solomon Brian T. Taniguchi Olcon Wakai Sem Slom

& Committee Members

Date: March 28, 2013 Time: 4.30 A-M Piace: Conference RM 229

Topic: HB529

We are in support of the HR529. We need an insurance to run our foster homes businesses for our protection against unwanted and unexpected incidents towards our job because our duty as caregivers is very risky. Thank you for giving us the opportunity to testify.

Respectfally,

Mercidita Trangsing

Honorable Rosalyn H. Baker, Chair Brickwood Galutaria, Vice Chair

Clarence K., Nishibara Malama Solomon Brian T. Taniguchi Chang Wakai

Sam Slom

& Committee Members

Date: March 28, 2013 Time: Q:30 A.M. Piece: Conference RM 229

Topic: HB529

We are in support of the HB529. We need an insurance to run our foster homes businesses for our protection against unwanted and unexpected incidents towards our job because our duty as caregivers is very risky. Thank you for giving us the opportunity to testify.

Respectfully.

those forglas

Honorable Rosalyn H. Baker, Chair Brickwood Galmeria, Vice Chair

Chrence K. Nishibara Mahana Solomon Belan T. Taniguchi Glerm Wakai Sam Slom

& Committee Members

Date: March 28, 2013 Time: 4:30 Apr

Place: Conference RM 229

Topic: HB\$29

We are in support of the HB529. We need an insurance to ren our firster homes businesses for our protection against unwanted and unexpected incidents towards our job because our duty as emegivers is very tisky. Thank you for giving us the opportunity to testify.

Respectfully,

Theloria Gacula Logue

Committee on CPN To:

Hoserable Rosslyn H. Baker, Chair Brickwood Gelateria, Vice Chair Clarence K. Nickihara

Мижене Sоюнки Brien T. Taniguchi Gienn Wakai Sam Slom

& Committee Members

Date: March 28, 2013 Time: Q130 Apq Place: Conference RM 229

Topic: HB529

We are in support of the HB529. We need an insurance to run our foster homes businesses for our protection against answarded and unexpected incidents towards our job bactuise our day as esregivers is very risky. Thank you for giving us the opportunity to testify.

Respectfully,

Honorable Rosslyn H. Baker, Chair Brickwood Galuteria, Vice Chair

Clarence K. Nishibara Molama Solomon Brian T. Taniguchi Gienn Wakai Sem Slom

& Committee Members

Date: March 28, 2013 Time: q:30 Ay

Place: Conference RM 229

Topic: HB529

We are in support of the HB529. We need an insurance to run our faster homes businesses for our protestion against unwanted and unexpected incidents towards our job because our dely as caregivers is very nisky. Thank you for giving us the opportunity to testify.

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Respectfully,

Honorable Roselyn H. Baker, Chair Brickwood Chaluterie, Vice Chair

Clarence K. Nishibara Molesta Solomon Belan T. Tanagachi Glenn Walen Sem Slom

& Committee Members

Date: Murch 28, 2013 Time: 9:30 Am Place: Conference RM 229

Topic: HB\$29

We are in support of the HB529. We need an insurance to run our foster homes businesses for our protection against unwarsed and unexpected incidents towards our job because our doty as categivers is very risky. Thank you for giving as the opportunity to testify.

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Respectfully,

Leo D. lettoan

Honorable Rosalyn H. Baker, Chair Drickwood Gelateria, Vice Chair Chrence K. Nishihara Malama Solomon Brism T. Taniguchi Chem Wakai Sam Slom

& Committee Members

Date: March 28, 2013 Time: 9:30 474

Place: Conference RM 229

Topic: HB529

We are in support of the HB529. We need an insurance to run our foster homes businesses for our protection against unwanted and unexpected incidents towards our job because one duty as caregivers is very risky. Thank you for giving us the opportunity to testify.

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Respectfully.

Consra de la Dose

Honorable Rossiyn H. Baker, Chair Brickwood Galuteria, Vice Chair

Ciarence K. Nishāhara Malama Solomon Briso T. Tanigochi Gienn Waksi Sam Slom

& Committee Members

Date: March 28, 2013 Time: Q:30 App Place: Conference RM 229

Topic: HB529

We are in support of the HB529. We need an insurance to run our foster houses businesses for our protection against unwanted and unexpected incidents towards our job because our duty as caregivers is very risky. Thank you for giving us the opportunity to testify.

Respectfully,

Frances Marie E Cariaga

Honorable Rosslyn H. Baker, Chair Brickwood Galateria, Vice Chair

Charenco K. Nishihara Majama Sokumon Brism T. Taniguchi Gleon Wakai Sam Slom

& Committee Members

Date: March 28, 2013

Time: q 30 AM Place: Conference RM 229

Topic: HB529

We are in support of the HB529. We need an insurance to run our foster homes businesses for our protection against unwanted and unexpected incidents towards our job henomes our duty as caregivers is very risky. Thank you for giving us the opportunity to testify.

Respectfully,

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Edil Minora ah lo

Honorable Rosalyn H. Baker, Chair Brickwood Galuteria, Vice Chair

Clarence K. Nishihara Malama Solomon Brian T. Taniguchi Glem Wakai Sam Slom

& Committee Members

Date: March 28, 2013 Time: q1.80 A-H1 Place: Conference RM 229

Topic: HB529

We are in support of the HB529. We need an insurance to run our foster homes businesses for our protection against unwanted and unexpected incidents towards our job because our duty as exceptivers is very risky. Thank you for giving us the opportunity to testify.

Respectfully,

Jugui promus LAN, PCB,

Honorable Rosalyn H. Baker, Chair Brickwood Galuteria, Vice Chair

Clarence K. Nishihara Malama Solomon Brian T. Tanjiguchi

Glenn Wakai Sam Slom

& Committee Members

Date: March 28, 2013 Time: 9:30 Å/M

Time: 9:30 A·M.
Place: Conference RM 229

Topic: HB529

We are in support of the HB529. We need an insurance to run our foster homes businesses for our protection against unwanted and unexpected incidents towards our job because our duty as caregivers is very risky. Thank you for giving us the opportunity to testify.

Respectfully

Committee on CPN To:

Honorable Rosalyn H. Baker, Chair

Brickwood Galusria, Vice Chair

Clarence K. Nishihara Malama Solomon

Brian T. Taniguchi

Glenn Wakai

Sam Slom

& Committee Members

Date: March 28, 2013

Time: 9230 A71 Place: Conference RM 229

Topic: HB529

We are in support of the HB529. We need an insurance to run our foster homes businesses for our protection against unwanted and unexpected incidents towards our job because our duty as caregivers is very risky. Thank you for giving us the opportunity to testify.

Respectfully,

Lingonies & Dela Roya PCG

Honorable Rosalyn H. Baker, Chair Brickwood Galuteria, Vice Chair

Clarence K. Nishihara Malama Solomon Brian T. Taniguchi Glenn Wakai

Sam Slom

& Committee Members

Date: March 28, 2013 Time: 19:30 AM

Place: Conference RM 229

Topic: HB529

We are in support of the HB529. We need an insurance to run our foster homes businesses for our protection against unwanted and unexpected incidents towards our job because our duty as caregivers is very risky. Thank you for giving us the opportunity to testify.

Respectfully/

UDENELEE C. RAGGAC, RN-CM

ζ*N*Ç

Homorable Rosalyn H. Baker, Chair Brickwood Galuteria, Vice Chair Clarence K. Nishihara Malama Solomon Brien T. Taniguchi Glenn Wakai

Sam Slom

& Committee Members

Date: Merch 28, 2013

Time: 19:30 Au Place: Conference RM 229

Topic: HB529

We are in support of the HB529. We need an insurance to run our fester homes businesses for our protection against unwanted and unexpected incidents towards our job because our duty as caregivers is very risky. Thank you for giving us the opportunity to testify.

Respectfully.

Corner Jamely

Honorable Rosalyn H. Baker, Chair

Brickwood Galuteria, Vice Chair Clarence K. Nishihara

Malama Solomon Brian T. Taniguchi

Clenn Wakai Sam Slom

& Committee Members

Date: March 28, 2013 Time: QI So A- PI Place: Conference RM 229

Topic: HB529

We are in support of the HB529. We need an insurance to run our foster homes businesses for our protection against unwanted and unexpected incidents inwards our job because our duty as caregivers is very risky. Thank you for giving us the opportunity to testify.

RASPORTED Souch

To: Committee on CPN
Honorable Rosalyn H. Baker, Chair
Brickwood Guluteria, Vioe Chair
Clarence K. Nichibera
Malores Solomon

Malama Solomon Brian T. Taniguchi Glem Wakai Sam Slom & Committee Members

Date: March 28, 2013 Time: 9:30 #/1 Piace: Conference RM 229

Topic: HB529

We are in support of the HB529. We need an insurance to run our foster homes businesses for our protection against unwanted and unexpected incidents towards our job because our duty as caragivers is very risky. Thank you for giving us the opportunity to testify.

Respectfully,

Server Com

Honorable Rosalyn H. Baker, Chair Brickwood Galuteria, Vice Chair

Clarence K. Nichitara

Malama Solomon Brian T. Taniguchi

Glenn Wakar

Sam Slom

& Committee Members

Date: March 28, 2013

Time: 4:30 A.M. Place: Conference RM 229

Topic: HB529

We are in support of the HB529. We need an insurance to run our faster homes businesses for our protection against invanted and unexpected incidents towards our job because our duty as caregivers is very risky. Thank you for giving us the opportunity to testify.

Respectfully.

Myrna Caro

To: Committee on CPN

Honorable Rosalyn H. Baker, Chair
Brickwood Gainteria, Vice Chair
Clarence K. Nishihara
Malanna Solomon
Brian T. Taniguchi
Glenn Wakai
Sam Slom

& Committee Manbers

Date: March 28, 2013 Time: 9:30 A:M: Place: Conference RM 229

Topic: HB529

We are in support of the HB529. We need an insurance to run our foctor homes businesses for our protection against unwanted and unexpected incidents towards our job because our duty as emegivers is very risky. Thank you for giving us the opportunity to testify.

Respectfully,

Victoria Baker

Honorable Roselyn H. Baker, Chair Brickwood Galuterin, Vice Chair

Clarence K. Nishihara Malama Solomon Brian T. Taniguchi Glenn Wakai Sam Slom

& Committee Members

Jolita Parasada

Date: March 28, 2013

Time: 9:30 A.H. Place: Conference RM 229

Topic: HB529

We are in support of the HR529. We need an insurance to run our foster homes businesses for our protection against unwanted and unexpected incidents towards our job because our duty as emegivers is very risky. Thank you for giving us the opportunity to testify.

Respectfully,

are totally

To: Committee on CPN Honorabie Rosalyn H. Baker, Chair Brickwood Galuterin, Vice Chair Clarence K. Nishibara Malama Solomon Brian T. Taniguchi Glenn Waker Sam Slom & Committee Members

Date: March 28, 2013 Time: q:30 A. M.
Place: Conference RM 229

Торіс: НВ529

We are in support of the HB529. We need an insurance to run our foster homes businesses for our protection against imwanted and imaxpected incidents towards our job because our duty as caregivers is very risky. Thank you for giving us the opportunity to testify.

Respectfully,

Cooline Fernandey

To: Committee on CPN
Honorabie Rosalyn H. Baker, Chair
Buckwood Galmeria, Vice Chair
Clarence K. Nighthern
Malanus Solomon
Brian T. Tanlguchi
Glenn Wakai
Sam Shun
& Committee Members

Date: March 28, 2013 Time: 9:30 A.H. Place: Conference RM 229

Topic: FB529

We are in support of the HBS29. We need an insurance to run our foster homes busingsses for our protection against unwanted and unexpected incidents towards our job because our duty as caregivers is very risky. Thank you for giving us the opportunity to testify.

Respectfully,

Pelly Cabayadao

Honorable Rosalyn H. Baker, Chair

Brickwood Galuteria, Vice Chair Clarence K. Nishibara Malama Solomon Brian T. Taniguchi Glenn Wakai Sam Siom

& Committee Members

Daie: March 28, 2013 Time: q:3c A.M. Place: Conference RM 229

Topic: HB529

We are in support of the HB529. We need an insurance to run our foster homes businesses for our protection against unwanted and unexpected incidents towards our job because our duty as categoress is very risky. Thank you for giving us the opportunity to testify.

Respectfully,

Virginia DE LA COUZ

To: Committee on CPN
Honorable Rosalyn H. Baker, Chair
Brickwood Galuterin, Vice Chair
Clasence K. Nishibara
Malama Solomon
Brian T. Taniguchi
Glean Wakai
Esm Slom

& Committee Members

Date: March 28, 2013 Time: 4:30 A, 14 Place: Conference RM 229

Topic: HB529

We are in support of the HB529. We need an insurance to run our faster homes businesses for our protection against unwanted and unexpected incidents towards our job because our duty as caregivers is very risky. Thank you for giving us the opportunity to testify.

Respectfully,

Maritisa Ferrio

Honorable Rossiyn H. Baker, Chair Brickwood Galuteria, Vice Chair

Clarence K. Nishihura Malama Solomon Brian T. Taniguchi Glenn Wakai Sum Slom

& Committee Members

Date: March 28, 2013 Time: 4'30 A.M. Place: Conference RM 229

Topio: HB529

We are in support of the HB529. We need an insurance to run our foster homes businesses for our protection against unwanted and unsupported incidents towards our job because our day as caregivers is very risky. Thank you far giving as the opportunity to testify.

Respectivity,

Eana Jia

Honnable Rosslyn H. Baker, Chair Brickwood Galuseria, Vice Chair

Clarence K. Nishibara Malama Solomon Brian T. Tanigochi Glem Wakai Sam Slom & Committee Members

Date: March 28, 2013 Time: 4, 30 Å, H Place: Conference RM 229

Topic: HB529

We are in support of the HB579. We need an insurance to run our faster homes businesses for our protection against unwanted and manapected incidents towards our job because our duty as cancelvers is very risky. Thank you for giving us the opportunity to testify.

Respectfully,

Esfela Ellazar

To: C

Committee on CPN

Honorable Rosalyn H. Baker, Chair Brickwood Galuteria, Vice Chair

Clarence K. Nishibara Majama Solomon Brian T. Tanlguchi Glom Wakai Sam Slom

& Committee Members

Date: March 28, 2013

Time: 4:30 A.M. Place: Conference RM 229

Topic: HB529

We are in support of the HB529. We need an insurance to run our foster homes businesses for our protection against unwanted and unsuperted incidents towards our job because our duty so caregivers is very risky. Thank you for giving us the opportunity to testify.

Respectfully,

Masoni Awage

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To: Committee on CPN
Honorable Rosalyn H. Baker, Chair
Brickwood Gahateria, Vice Chair
Clarence K. Nishibam
Malama Solomon
Brian T. Taniguchi
Gleon Wakaf
Sam Slom
& Committee Members

Date: March 28, 2013 Time: 4:30 A.H. Place: Conference RM 229

Topic: HB529

We are in support of the HB529. We need an insurance to run our faster homes businesses for our protection against unwanted and unexpected incidents towards our job because our duty as categovers is very risky. Thank you for giving us the opportunity to teatify.

Respectfully,

Precilar Vierok P.C.G.

To: Committee on CPN Honorable Rosalyn H. Baker, Chair Brickwood Galuteria, Vice Chair Ciercoce K. Nishibara Malama Solomon Brian T. Taniguchi Citenn Wakai

Sam Slom

& Committee Members

Date: March 28, 2013 Time: 4:35 Apr Place: Conference Rist 229

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"Norgie Viernes



ADUITEOSTER HOMES OF RECESSORIC St 28 Foots Room 229@9:386#GBBte Capitol

Senatoria - 2 Vocad Galuteria, Vice Chair

Testimony in Strong Support H8529 HD1 SD1 Relating to Care Homes

The purpose of this measure is to requires all operator of Adult Foster Homes. Assisted Living Facilities. Expanded Adult Residential Care Homes. Community Care Foster Family Homes and Developmental Disabilities. Domiciliary Homes to obtain and maintain a sufficient amount of general and professional liability insurance as well as automobile insurance.

I am Strongly Support HB529 HD1, SD1 Because according to our HAR Hawaii Administrative Rules the Department of Laman Services marking this rules as a requirement Section 17-1454-49. In addition based on our contract from United Healthcare Article IV, Section 4.7 under Liability Insurance, and Wellcare Health Insurance (Ohana Health Plan) Article IV, Section 6.7 Facility Insurance. Facility shall maintain and shall require Health Care Providers and their respective employees (second actors of independent contractors to manifely (a) such policies of general and processes and activity (Wall racinety) insurance as necessary to insure Facility and Health Care Providers respectively, against claims of personal injury or death alleged or caused by performance under this Agreement. I do not see any problems in obtaining this expensive coverage that will protect my business that includes my credentials, license, assets, and financial welfare for my family. The general and professional liability (malpractice) insurance will then set forth the protection to any unexpected death for personal injury to any of my clients in my home. Malpractice means an improper or negligent treatment of a patient, as by any healthcare provider resulting in damage, or loss. Like other professions that purchase professional liability insurance to protect themselves, medical malpractice insurance will financially protect a healthcare provider that may be sued by a patient for various reasons.

I also request the committee to 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 21 years or older. In addition to this please include an additional amendments to this section" allowing the primary caregiver to be absent from the community care foster family homes for no more than forty hours in a calendar week, not to exceed eight hours per day;

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ADULT FOSTER HOMES OF THE PACIFIC

March 28, 2013 650m 229 @ 9:30 am State Capitol

To: Committee on Commerce and Consumer Protection

Senator Rosalyri H. Baker, Chair

Senator Brickwood Galuteria, Vice Chair

Members of the committee

I Mma Chellanosa Strongly SUPPORT HB398,HD1,SD1 with Amendments

Please make the following Amendments to this Bill.

Please add as part 2 to include a Task Force to assist in the transition of the Department of Health, whereas all home & Community- Based Facilities and Case Managers will be affected by this combining of departments.

The Task force stall include one member of the Senate appointed by the Senate President; one member of the House of Representatives appointed by the Speaker of the House two case managers, four representatives from the Adult Residential Care Homes, four representatives from the Community Care Foster Family Homes, four representatives from Adult Day Care Centers, one representatives from the Department of Human Services and one Representatives from Department of Health: Members shall service without compensation. The Task Force is effective upon approval and shall make recommendations to the Legislatures on the Transition pertaining to these Providers, no later than 20 days prior to the convening of the 2014 legislature.

The Task Force shall cease to exist June 30, 2014.

Thank you for allowing me the opportunity to Testify IN SUPPORT OF HB 398 HD1,SD1.

Yours truly

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provided that the substitute caregiver is present in the community care foster family home during the primary caregiver assessed. Extend the substitute for the Section 346-334 from June 30, 2013 to June 30 2015; community serior HAR passesses we cannot affer a serior CNA paying \$10/hour we are under paid websity getting \$41.00 per day from the State. I associate the committee to include and adding the languages that requires all PRIMARY CAREGIVERS MUST BE A (CNA) Certified Nurse Assistant either certified for two clients or three clients in a homes.

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

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Thank you for giving me the opportunity to testify in support HB529, HD1, SD1

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ADULT FOSTER HOMES OF THE PACIFIC March 28, 2013 Room 229 @9:30am/State Capitol

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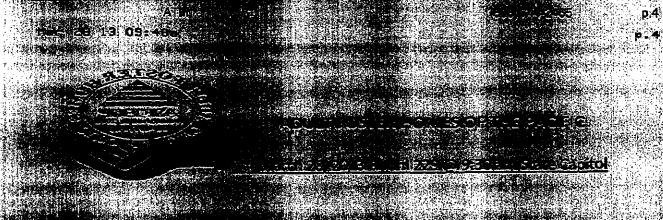
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Yours truly

LOWENA C. CENERCE (CNA) THE (808) 664-4880 N GM-8860

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Hostinable Senator Resilvations Chair
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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 RN, LPN, Certified Nurse Aide (CNA) or Nurse Aide (NA) or anybody in the allied health care professions.

We also strongly support the addition of the 3rd client to the existing 2 clients of the Adult Foster Home Caregivers taking care of the developmentally and intellectually disabled (DD/ID) residents, under Section 3 of the bill

Chair: Vice Chair and Gommidtee members, adding a 3 client to the existing 2 clients that we already have: First will provide another residual with a loving and matering environment in a family setting in the community where he or she cancengoy life instead of being in an institution.

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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 take a day-off or two to rest or unwind to avoid burn-out.

Thank you for allowing us to testify in support of HB529 HD1 SD1.

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ADULT FOSTER HOMES OF THE PACIFIC March 28, 2013 Room 229 @9:30am State Capitol

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TO: Committee on Commerce and Consumer Protection
Senator Rosalyn Baker, Chair
Senator Brickwood Galuteria, Vice Chair
Members of the Committee

Testimony in Strong Support HB529 HD1, SD1 Relating to Cave Homes

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TESSIE SILAO, PCG. 701. #(808) 888-3890

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ADULT FOSTER HOMES OF THE PACIFIC March 28, 2013 Room 229 @9:30am State Capitol

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ADULT FOSTER HOMES OF THE PACIFIC March 28, 2013 Room 229 @9:30am State Capitol

TO: Committee on Commerce and Consumer Protection Senator Rosalyn Baker, Chair Senator Brickwood Galuteria, Vice Chair Members of the Committee

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Honorable Senator Rosalyn Baker, Chair Honorable Senator Brickwood Galuteria, Vice Chair and Members of the CPN Committee

HB529-Relating to Care Homes - Liability Insurance Hearing on March 28, 2013 at 9:30AM Conference Room 229

I strongly support the intent of HB529 HD1 SD1.

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.

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