

Lilia Fajotina
ARCA President

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

DATE: Thursday, March 28, 2013

TIME: 9:30am

ROOM: Conference Room 229 (State Capitol)

Re: HB529, HD1, SD1

Committee on Commerce and Protection Senator Rosalyn H. Baker, Chair Senator Brickwood Galuteria, Vice Chair And Senate Committee on CCP

My name is Lilia Fajotina, President of the Alliance of Residential Care Administrators (ARCA), and I am testifying in strong **SUPPORT** to House Bill 529,HD1,SD1

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

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

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

And I also strongly support the addition of the third client of the adult foster home developmentally and intellectually disabled.

Adult foster homes save the State upwards of \$200 million a year. It could open up bed spaces for respite. DD/ID clients would be in a loving and nurturing environment.

Thank you for the opportunity to testify in support to HB529,HD1SD1

Lilia Fajotina (ARCA PRESIDENT)

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
THELMA ORTAL	ADULT FOSTER HOMECARE ASSOCIATION OF HAWAII	Support	No

Comments: In Section 5 of the bill, please extend the sunset date of Act 221 (2011) to 2015. Thank you.

HB529

Submitted on: 3/28/2013

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

Submitted By	Organization	Testifier Position	Present at Hearing
DANIEL MARCOS	ADULT FOSTER HOMECARE ASSOCIATION OF HAWAII-BIG IS		No

Comments: We are strongly supporting HB 529 as long as Professional Liability coverage is required and not Medical malpractice. We did not have any problem with the Professional Liability coverages with our current insurance. Thank you.

To:Chair Rosalyn H. Baker, Vice Chair Brickwood Galuteria and All Members of the Committee

RE: HB 529 3/28/13 RM:229 9:30AM

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I am supporting HB 529 as long as Professional Liability coverage is required and not Medical Malpractice. If Medical Malpractice is required, I may not be able to purchase it as it would cost too much. I am having herd time, but I still purchase insurance for my own protection. I have not had any problems with the coverage of my Liability Insurance.

Thank you very much.

Respectfully.

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To:Chair Rosalyn H. Saker, Vice Chair Brickwood Galuteria and Ali Members of the Committee

RE: HB 529 3/28/13 RM.229 9:30AM

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Respectfully,

Anita Ventura

To:Chair Rosalyn H. Baker, Vice Chair Brickwood Galuteria and All Members of the Committee RE: HB 529 3/28/13 RM.229 9:30AM

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Thank you very much.

Respectfully.

Ronald Mysgaki



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 House

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. Dominitiary Homes to obtain and maintain a sufficient amount of general and professional liability insurance as well as automobile insurance.

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I also request the committee to include an additional section amending Section 346-334 of the Hawaii Revised Streets, 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 faster family homes for no more than forty homes in a calendar week, not to second eight hours per day;

provided that the substitute caregiver is present in the community once feater 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 RE 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.

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

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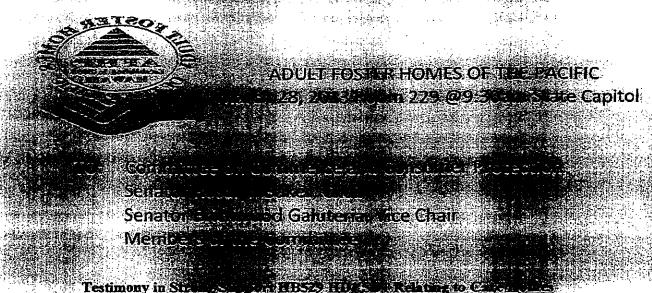
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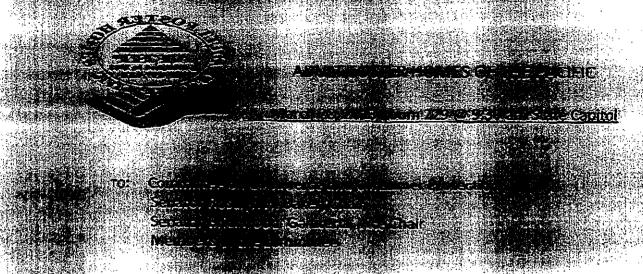
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I Olle Break (with Amendments)

Strongly SUPPORT HB398,HD1,SD1

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 laceses a community its set is aclities and Case interagers will be affected by this combining coordinates.

The Task force Constitute one member states because appointed by the Speaker of the House two case member of the Constitute and the Assist Residential Care House; (all) representatives from the Community Case Foster. Family from the Assist Residential Care House; (all) representatives from the Community Case Foster. Family from the Department for representatives from Department (Case Foster) from the Department of Human Services and one Representatives from Department (Case Foster) from the Department of Human Services and one Representatives from Department (Case Foster) from the Department of Human Services and one Representatives from Department (Case Foster) from the Department of Human Services and one Representatives from Department (Case Foster) from the Department of Human Services and one Representatives from Department (Case Foster) from the Department of Human Services and One Representatives from Department (Case Foster) from the De

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

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

TO: Constitute of Commerce and Consumer Proteines
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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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Thank you for giving me the opportunity to testify in support HB529, HD1, SD1

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To: Committee on CPN

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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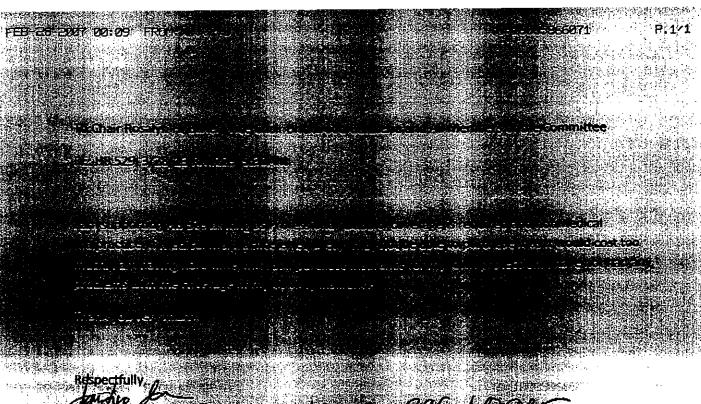
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77 Waianuliea Place

Hillo, Hawaii 96720

March 28, 2013

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Honorable Senate a successible of Char

Honorable Senate (1587) 1888 (1681) Galutena, Vice Chair

RE: HB-508-529

My name is Jessie Gacula a care home operator from the Big Island.

I strongly support HB 529 HD1. According to (HAR)Hawaii Administrative Rules as a requirement Section 17-1454-49. Facility shall maintain and shall require Healthcare Providers and their respective employees, professional liability, malpractice insurance as necessary to insure facility and healthcare care providers respectively, against claims of personal injury or death alleged or caused by performances under this agreement.

Please include the amendments as set forth Section 346-334 of the Hawaii Revised Statutes.

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Respectfully yours

Elena Bugarin- Care Horne Operator of the Big Island

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Hilo, Hawaii 96720

March 28, 2013

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HonorabieSerati (408 Maileaker, Chair)

Plonorable Senator Caluteria, Vice, chair

RE: HB 358-579

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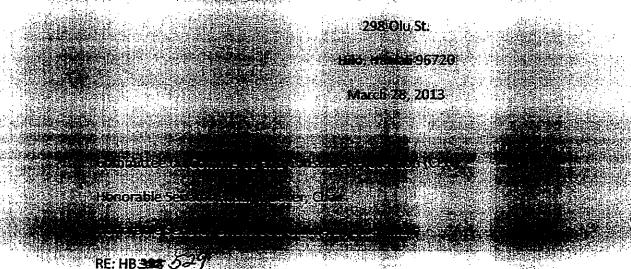
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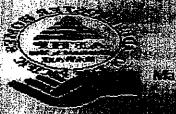
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Sespectfully yours

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Jessie Gacula



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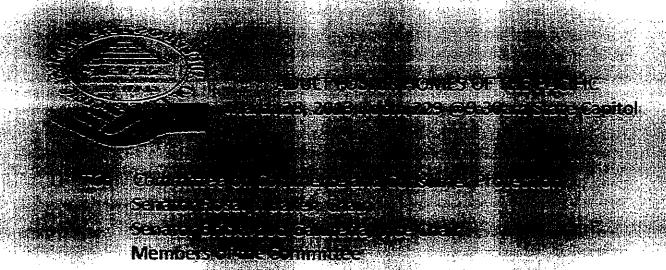
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Testimony in Strong Support HB529 HD1, SB1 Relating to Care Homes

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Sales the Department of Paniss Services manager this miles as a requirement Section 17-1454-49 M. addition based on surpostract from United Strainticate Article FV Section 4.7 under and they believe east Examilier Commeters to maintain a) such policies of general and professional feet this for appraised between as necessary to make 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 malpractace assurance will insucially protect a healthcare provider that may be such by a perical fire various reasons.

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Encarnacion D. Menetiz Primary Cologie (3-27-2013

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I mm Strongly Support HB529 HD1, SD1 Becomes according to our HAR Hawaii Administrative Rules, the Department of Human Services mentioned this rules as a requirement Section 17-1454-49. His Ministrative and workers of the Massal Healtherse Arrole IV. Section 4.7 under Lateral Massal Health Plan) Africk IV. Section 6.7 Pacific Massal Plan Massal Health Care Providers and their respective semalayeas services are adapted to compactive to pressure (a) such policies of green) and pacific manual habitity (Massalatica) measures as processed to pressure Pacifity and Health Care Policies in the city of parameters of personal manual Pacifity and Health Care Policies of green and pacific respectively and the compactive of personal manual pacific respectively and Health Care Policies (A) and pacific respectively and the compactive of personal manual pacific respectively and the personal manual pacific respectively and the coverage of the control of the coverage of the cov

I also request the committee to include an additional section amending Section 346-334 of the Hawaii Revised Statutes, mandating that the community care float facility 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 farty hours in a calendar week, not to exceed eight hours per day.

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Testimony in Strong Suggest HRS29 HD1 SEA Relating to Care Boules

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Pain Strongly Support HB529 HD1 SD1 Because according to our HAR Higher Administrative Rules the Department of Thursto Services measured 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 houseace (Ohana Health Plan) Article IV, Section 6.7 Facility Insurance. Facility shall maintain and shall sequire Health Care Providers and their respective comboyees, subcomments or indeposition contractors to maintaine (a) such policies of general and professional liability (Mahmetite) insurance as necessary to loane Facility and Health Care Providers respectively, against clause 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 mollides 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 americand death or personal injury to according clients in my home. Malpractice means an improper or negligent treatment of a patient, as by any healthcare provider resulting in dimmer, or loss, Like other professions that purchase professional liability insurance to protect themselves, medical malpractice insurance will financially protect a beelthcare provider that may be sued by a perious for various reasons.

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To:Chair Rosalyn H. Baker, Vice Chair Brickwood Galuteria and All Members of the Committee RE: HB 529 3/28/13 RM.229 9:30AM

I am supporting HB 529 as long as Professional Liability coverage is required and not Medical Malpractice. If Medical Malpractice is required, I may not be able to purchase it as it would cost too much. I am having hard time, but I still purchase insurance for my own protection. I have not had any problems with the coverage of my Liability Insurance.

Thank you very much.

Respectfully,

THELMA M. AGBAYANI

AFHA (Big Island)

- Participation of the Community of th

To:Chair Roselyn H, Seker, Vice Chair Brickwood Galuseria and Ali Ajembers of the Committee
AC: NG 529-3/28/13 RM.229-9:30AM

I am supporting HB 520 as long as Professional Liability coverage is required and not Medical Majoractice. If Medical Majoractice is required, I may not be subte to purchase in would cost too much, I am having here time, but (atili purchase insurance for my case protection, I have not had any problems with the coverage of my Liability Insurance.

Thank you very much.

Respectfully,

To:Chair Roselyn H. Seiter, Vice Chair Britiswood Saluteria and All Members of the Committee
RE: HB 529-3/28/13 RM.225-9:50AM

I am importing HB 529 as long as Professional Liability coverage is required and not Medical Malpractice. If Medical Malpractice is required, I may not be able to purchase it as it would cost too much. I am having herd time, but I still purchase insurance for my own protection. I have not had any problems with the coverage of my Liability Insurance.

Thank you very much.

Respectfully

Rodilia Cypoon

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To:Chair Rosslyn H. Baker, Vice Chair Brickwood Galuteria and All Members of the Committee RE: HB 529 3/28/13 RM,229 9:30AM

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Thank you very much:

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