

**LATE**

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

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
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

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
DANIEL MARCOS	ADULT FOSTER HOMECARE ASSOCIATION OF HAWAII-BIG IS	Support	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.

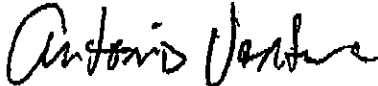
To: Chair Rosalyn H. Baker, Vice Chair Brickwood Galuteria and All Members of the Committee

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

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,



To: Chair Rosslyn H. Baker, Vice Chair Bridwood 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,

Anita Ventura

To: Chair Rosalyn H. Baker, Vice Chair Brickwood Sakuteria 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,

Ronald Miyazaki



**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 require 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 17-1454-49. In addition based on our contract from United Healthcare Article IV, Section 4.7 under Liability Insurance; and Wellcare Health Insurance (Obama 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 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;




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 language 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.

Thank you for giving me the opportunity to testify in support HBS29,HD1, SD1

Truly your

  
PRISCILLA M. TAGATA  
PCA/CNA 03/27/13  
Printed Name, Signature, Title, & Date

tagman2006@aol.com

Mar 28 13 02:32p

P. 2



**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 HD1, 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 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.

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Mar 28 13 02:32p

P. 3

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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

Truly your

3/27/13

NORMA A. ROMERO / Norma A. Romero / Caregiver

Printed Name, Signature, Title, & Date



ADULT FOSTER HOMES OF THE PACIFIC

March 23, 2013 Room 229 @ 9:30am State Capitol

TO: Committee on Commerce and Consumer Protection  
Senator [Name]  
Senator [Name] Vice Chair  
Members State Committee

Testimony in Support of HB529 HD1, SD1 Relating to Caregivers

The purpose of this measure 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 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 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, contractors or subcontractors to maintain (a) such policies of general and professional liability (malpractice) insurance as necessary to ensure 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. 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;

provided that for each day the caregiver is present in the community care foster family home during the primary caregiver's absence, the caregiver shall be paid the same rate as the caregiver on June 30, 2012.

...

...

...

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

Truly your

*Juliet Beatty-Carrier*

Printed Name, Signature, Title, & Date

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Mar 28 13:02:32p



ADULT FOSTER HOMES OF THE PACIFIC

2875 Kalia Road, 2D, 955 State Capitol

TO: Committee on Commerce and Consumer Protection  
Senator Rose BAKER, Chair  
Senator Elizabeth Galuteria, Vice Chair  
Members of the Committee

Testimony in Support of HB529 HD1, SD1 Relating to Caregivers

The purpose of this measure 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 obtain and maintain a sufficient amount of general and professional liability insurance as well as automobile insurance.

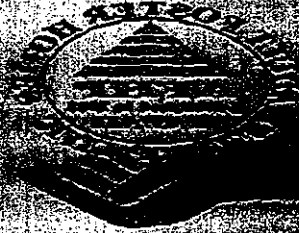
I am Strongly Support HB529 HD1, SD1 Because according to our HAR Hawaii Administrative Rules the Department of Human Services mandated this rules as a requirement Section 17-1454-49. In addition based on our contract from United Healthcare Article IV, Section 4.7 under Liability Insurance and Wellcare 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 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.

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Mar 27 13 10:36p

P. 1



ADULT RESIDENTIAL HOMES OF HAWAII

Members Room 2790, 3rd Floor, State Capitol

To: Governor  
Senate President  
Senate Minority Leader  
Senate Committee Chair  
Members

I Johel Prady 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 shall 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 representative from the Department of Human Services and one Representatives from Department of Health members shall be selected compensation. The Task Force is effective upon the date of the bill and shall report to the legislature on the Transition pertaining to these issues, no later than 30 days prior to the convening of the 2014 legislature.  
The Task Force shall cease to exist June 30, 2014.

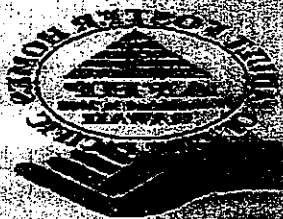
Thank you for allowing me the opportunity to Testify IN SUPPORT OF HB 398  
HD1,SD1

Yours truly

Johel Prady - caregiver  
Print Name, Signature, Title, Phone

Mar 27 13 02:55p

P. 1



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

TO: Committee on Commerce and Consumer Protection  
Senator Carolyn Baker, Chair  
Senator Richard Wood, Governor's Vice Chair  
Members of the Committee

Testimony in 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 H.A.R. 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. We 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.

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Mar 29 13 02:32p

p. 3

...primary home during  
 ...from June 30,  
 ...because we cannot afford to pay a caregiver paying \$10/hour  
 ...we are under paid ... \$41.00 per day from the State. ... the committee to  
 ...include and address the regulations that requires all PRIMARY CAREGIVERS MUST BE A  
 ...either certified for two clients or have 2 years in a home:

...the committee ... please ... because it is ... protect our

Thank you for your ... support HHS

Sincerely yours

*Catherine A. Conner*  
*Catherine Conner* / SGG / Carignan

Printed Name, Signature, Title, & Date

provided that the individual is not a person who is, or has been, convicted of a crime during  
 the preceding five years, or who is, or has been, convicted of a crime involving the same  
 type of conduct as the crime for which the individual is being licensed. The individual  
 must also be a resident of the State of Florida. The individual must also be a  
 resident of the State of Florida. The individual must also be a resident of the State of Florida.  
 (CNA) Certified Nurse Aide Licensee for the State of Florida. The individual must be a  
 resident of the State of Florida. The individual must be a resident of the State of Florida.

Thank you for giving me the opportunity to testify in support HBS29, HD1, SD1

Truly your

*Eden Andaya Capgwin - 805-385-4508*

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

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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provided that the substitute caregiver is present in the community care foster family home during the primary caregiver's absence. Extend the sunset date for the Section 346-334 from June 30, 2015 to June 30, 2016. The Department of Health shall be authorized to increase the \$10/hour fee to \$15/hour for the State's community care foster family homes. The Department shall be authorized to increase the fee for either certified for two clients or three clients in a home. The Department shall be authorized to increase the fee for the State's community care foster family homes for business, professional, or other purposes.

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

Truly your

Claro Romero  
 Claro Romero / SGG - 3/27/13

Printed Name, Signature, Title, & Date

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,

*Nelly Allegat, Core Home Operator, Hild*

To: Chair Rosalyn H. Baker, Vice Chair Bridwood Galante and All Members of the Committee

RE: HB 529 3/29/13

I am supportive of the bill. Professional liability coverage is required for medical malpractice. If the bill is passed, I will not be able to purchase it as it will cost too much. I am having and will 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,

*Merly Castillo*

MERLY CASTILLO, PCG / owner  
CASTILLO FOSTER FAMILY HOME Big Island



Re: Chair No. [REDACTED] [REDACTED] Committee

Re: HR 529 3/28/06 [REDACTED]

[REDACTED] Medical  
[REDACTED] [REDACTED] [REDACTED]  
[REDACTED]

Respectfully,

*[Signature]*  
AARIFINA V. MARCUS, PCG / Owner  
MARCUS FOSTER FAMILY HOME - Big Island

*[Faint signature]*  
MARCUS FOSTER FAMILY

Respectfully,

*Merly Castillo*

MERLY CASTILLO, PEG / OWNER  
CASTILLO FOSTER FAMILY HOME Big Island



77 Waihanuhea Place

Hilo, Hawaii 96720

March 26, 2013

Committee on Consumer Protection (CPN)

Honorable Senator Rosalind Baker, Chair

Honorable Senator Eulogio Galuteria, Vice-chair

RE: HB 529 529

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.

Thank you very much for the opportunity to testify.

Respectfully yours



Elena Bugarin- Care Home Operator of the Big Island

298 Olu St.

Hilo, Hawaii 96720

March 28, 2013

Committee on Consumer Protection (CPN)

Honorable Senator Russell Baker, Chair

Honorable Senator Joseph Galuteria, Vice-Chair

RE: HB ~~528~~ 529

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.

Thank you very much for the opportunity to testify.

Respectfully yours,

*Genevieve Tuliao*

Genevieve Tuliao - Care Home Operator of the Big Island

298 Olu St.

Hilo, Hawaii 96720

March 28, 2013

Committee on Commerce and Consumer Protection (C)

Honorable Senator, Honolulu, HI

RE: HB ~~322~~ 529

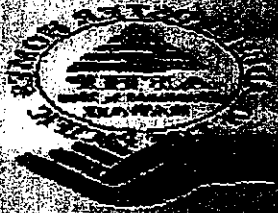
My name is Jessie Gacula a care home operator from the Big Island.

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.

Thank you very much for the opportunity to speak.

Respectfully yours,  
*Jessie Gacula*  
Jessie Gacula



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

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

Testimony in Support of HB 229 HD1, SD1, Relative to Care Homes

The purpose of this bill is to require the Director of Adult Foster Homes, Assisted Living Facilities, Community Care Foster Family Homes, Community Care Foster Homes and Developmental Disabilities Residential Homes to obtain and maintain a sufficient amount of general and professional liability insurance as well as automobile insurance.

I am Strongly Support HB 229 HD1, SD1. Because according to our HAR Hawaii Administrative Rules, the Department of Human Services created this rules as a requirement Section 17-1454-49. In addition, based on our contract for Health Insurance Article 13, Section 4.7 under Liability Insurance, and Welfare Health Insurance (Obama 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 don't 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.

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provided that the caregiver is licensed in the community care facility home during the primary care of the client. The Department of Health Services on June 30, 2013 to June 30, 2015. The Department of Health Services is currently paying \$10/hour we are under paid and we are \$41.00 per hour in the State. I also request the committee to include and adding the following requirements: **ALL HOME CAREGIVERS MUST BE A (CNA) Certified Nurse Assistant either certified for two clients or three clients in a home.**

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

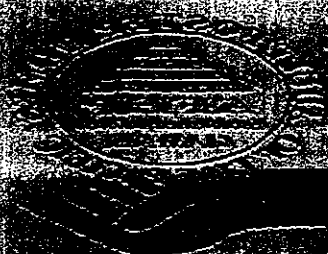
Thank you for giving me the opportunity to testify in support HB529, HD4, SD4.

Truly your

ARCELI G TABAG PCG 3/27/13

Printed Name, Signature, Title, & Date





**ADULT FOSTER HOMES OF THE STATE OF HAWAII**

March 28, 2018 10:00 AM 29-09-30 State Capitol

Committee on Commerce and Consumer Protection  
Senator Susan B. Lowy, Chair  
Senator Bruce M. Gagnier, 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 H&K Hawaii Administrative Rules the Department of Human Services made 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. I am a business owner and I have to have this insurance. Article IV Section 6.7 Facility Insurance. I am a business owner and I have to have this insurance 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.

Section 246-224 of the

provided that the caregiver is not the primary caregiver of the client in the family home during the primary caregiver absence. Enclosed is a request for the SC form 346-354 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 \$4.06 per day from the State. I also request the committee to include and adding the languages that require 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 necessary to protect our business, stakeholders and property.

Thank you for giving me the opportunity to testify in support HB291001, 301

Truly yours

Encarnacion D. Mendez - Primary Caregiver / 3-29-2013  
 Manolo R. Mendez - Substitue Caregiver / 3-27-2013

Printed Name, Signature, Title, & Date





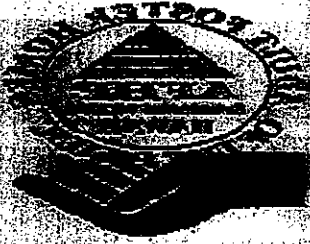
provided... during the primary... 2013 to June 30... 110-hour

CNA

Please print name because it is required for the...

Truly your  
C. HERLY SILK — CNA / Primary caregiver  
Cherly Silk 808-422-6791  
03/27/2013

Printed Name, Signature, Title, & Date



**ADULT FOSTER HOMES OF THE PACIFIC**

**March 28, 2013 HD1 SD1 @ 9:30am State Capitol**

**TO: Committee on Commerce and Consumer Protection  
Senator Ronald Baker, Chair  
Senator Brockwood Galuteria, Vice Chair  
Members of the Committee**

**Testimony in Support Subject HB529 HD1 SD1 Relative to Care Boxes**

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 rule 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 (Obama Health Plan) Article IV, Section 6.7 Facility Insurance. Facility shall maintain and shall require Health Care Providers and their respective employees, sub-contractors 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

In addition to this please include an additional amendments

provided that the caregiver is not a relative of the client and is not residing in the client's home during the primary care period. **Extend the contract date for the Season 09-2014 from June 30, 2013 to June 30, 2014** but it into HPAK because we cannot afford to have a CNA paying \$10/hour we are under paid we only getting \$4.76 per hour from the State. I also request the committee to include and add the language that requires **ALL PRIMARY CAREGIVERS MUST BE A (CNA) Certified Nurse Assistant either certified for two clients or three clients in a home.**

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

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

Truly your

Sally BERMUDEZ

Printed Name, Signature, Title, & Date

*Sally B*  
 CCEH  
 3/27/13

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*  
THELMA M. AGBAYANI  
AFHA (Big Island)

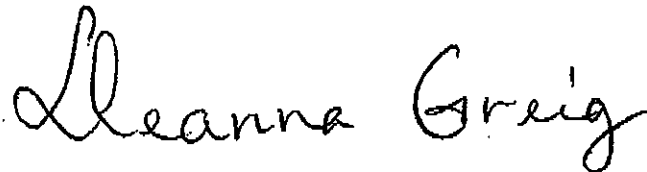
To: Chair Roslyn H. Baker, Vice Chair Bridwood Sakuma and All Members of the Committee

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

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Thank you very much.

Respectfully,

A handwritten signature in cursive script that reads "Deanna Greig". The signature is written in black ink on a white background.

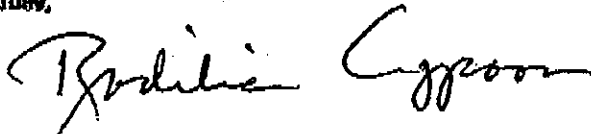
To: Chair Roselyn H. Baker, Vice Chair Bridgwood Galuseria and All Members of the Committee

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

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Thank you very much.

Respectfully,

A handwritten signature in black ink, appearing to read "Rodilia Cyprian". The signature is written in a cursive style with a large, sweeping initial "R".

To:Chair Rosalyn H. Baker, Vice Chair Brickwood Galutaria 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.

*Marilyn Aurelio*  
Respectfully,

*Marilyn Aurelio Adult Foster Home  
Big Island*