
A BILL FOR AN ACT

RELATING TO HEALTH.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Section 321-1.8, Hawaii Revised Statutes, is
2 amended to read as follows:

3 " ~~[+]§321-1.8[+]~~ **Inspections; public notice.** (a)
4 Beginning ~~[with inspections occurring]~~ on January 1, ~~[2015,]~~
5 2016, the department of health ~~[shall]~~ may post on its website
6 ~~[electronic copies of reports for all inspections it performs of~~
7 ~~the following state licensed care facilities:~~
8 ~~(1) Adult day health centers;~~
9 ~~(2) Adult day care centers;~~
10 ~~(3) Community care foster family homes;~~
11 ~~(4) Developmental disabilities domiciliary homes as~~
12 ~~defined in section 321-15.9;~~
13 ~~(5) Developmentally disabled adult foster homes;~~
14 ~~(6) Long-term care facilities as defined in section~~
15 ~~349-21(f); and~~
16 ~~(7) Special treatment facilities as defined in section~~
17 ~~334-1.]~~ information concerning a major and adjudicated
18 patient care violation when the order specifying the



1 violation is final and the violation was discovered

2 in:

3 (1) A state-licensed care facility;

4 (2) Adult day care center; and

5 (3) Community care foster family home.

6 (b) [~~Each report shall~~] Information may be posted on the
7 department of health's website within [~~five working~~] thirty
8 calendar days [~~of the conclusion of each inspection~~] after the
9 order specifying the major and adjudicated patient care violation
10 became final and shall include but not be limited to the
11 following information:

12 (1) The date [~~of the inspection,~~] that the order
13 specifying the major and adjudicated patient care
14 violation became final;

15 (2) A description of major and adjudicated patient care
16 violations of relevant state laws or rules [~~, if~~
17 ~~applicable~~]; and

18 (3) Plans of correction and the status of corrective
19 actions in response to any major and adjudicated
20 patient care violations [~~, if applicable,~~

21 ~~(4) A list and description of all corrective actions taken~~
22 ~~by the facility, if applicable, to be submitted by the~~



1 ~~facility and added to the report at a later time, as~~
2 ~~determined by the department; and~~
3 ~~(5) Other information regarding the quality and conditions~~
4 ~~of the facility the department of health deems~~
5 ~~appropriate].~~

6 (c) ~~[Each report]~~ Information posted on the department of
7 health's website ~~[that reports a violation committed by a state-~~
8 ~~licensed care facility as described in subsection (a)]~~ shall be
9 removed from the website after ~~[three years from the date the~~
10 ~~report was posted.]~~ completion of the corrective action.

11 (d) For purposes of this section, unless the context
12 otherwise requires:

13 "Community care foster family home" has the same meaning as
14 in section 321-481.

15 "Major and adjudicated patient care violation" means any
16 violation that has been adjudicated and in which there is gross
17 negligence, wilful and wanton misconduct, or intentional
18 misconduct, including financial abuse.

19 "State-licensed care facilities" mean:

20 (1) Adult day health centers;

21 (2) Developmental disabilities domiciliary homes as
22 defined in section 321-15.9;



- 1 (3) Developmentally disabled adult foster homes;
- 2 (4) Long-term care facilities as defined in section
- 3 349-21(f); and
- 4 (5) Special treatment facilities as defined in section
- 5 334-1."

6 SECTION 2. Statutory material to be repealed is bracketed
7 and stricken. New statutory material is underscored.

8 SECTION 3. This Act shall take effect on July 1, 2014.

9

INTRODUCED BY:

Rich F. Antoinelli
Tom Brown

~~*[Signature]*~~

Mel Cance

Romy M. [Signature]

[Signature]

John M. [Signature]

JAN 10 2014



H.B. NO. 1575

Report Title:

Department of Health; Website Information; Care Homes Violations

Description:

Authorizes the Department of Health, beginning January 1, 2016, to post on its website information concerning a major and adjudicated patient care violation when the order specifying the violation is final and the violation was discovered in specified state-licensed care facilities, adult day care centers, and community care foster family homes. Effective July 1, 2014.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

