



STATE OF HAWAII  
DEPARTMENT OF HEALTH

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**Testimony Providing COMMENTS on House Bill 1195, HD 1  
RELATING TO EXPANDED ADULT RESIDENTIAL CARE HOMES**

SENATOR SUZANNE CHUN OAKLAND, CHAIR  
SENATE COMMITTEE ON HUMAN SERVICES AND HOUSING

SENATOR JOSH GREEN, CHAIR  
SENATE COMMITTEE ON HEALTH

Hearing Date: Tuesday, March 17, 2015

Room Number: 016

1 **Fiscal Implications:** No new fiscal impacts although the staff time and effort expended over  
2 recent years on applications for a 3<sup>rd</sup> nursing facility level bed has slowed down the department's  
3 ability to process new applications for new ARCH and E-ARCH, and other licenses.

4 **Department Testimony:** Thank you for the opportunity to provide COMMENTS on this bill.

5 A Type I E-ARCH is defined in HRS §321-15.62 as a home of "five or fewer residents  
6 with no more than two nursing facility level residents; provided that more nursing facility level  
7 residents may be allowed at the discretion of the department..." The department already has the  
8 authority to provide for an additional nursing facility level resident and has done so. The  
9 department has no intention to cease the process of accepting applications and authorizing an  
10 additional nursing facility level resident.

11 This bill would change the above language to state "...no more than three nursing facility  
12 level residents..."

13 There are 236 licensed Type I E-ARCHs in Hawaii. During recent years, OHCA has  
14 received approximately 133 applications for a 3<sup>rd</sup> nursing facility level resident and has approved

1 125, or 94% of the applications received. Only about 8 applications were denied or deferred. In  
2 2014, there were 12 applications and 10 were approved.

3 In 2010, a bill was passed to allow OHCA to approve a 3<sup>rd</sup> resident. The bill sunsetted in  
4 2013. Nevertheless, OHCA has incorporated into its operation the standard practice of accepting  
5 applications for a 3<sup>rd</sup> resident with the results noted above.

6 OHCA is concerned for the health and safety of all residents and of the E-ARCH's ability  
7 to care for an additional nursing facility level resident. As a result, OHCA implemented criteria  
8 for the approval of such applications. The criteria includes a review of the E-ARCH's history of  
9 the prior two years to ensure no serious or significant deficiencies were cited, that plans of  
10 corrections for other citations were submitted timely and corrections were made, that residents  
11 are able to self-preserve or evacuate on their own from the home in case of an emergency, and  
12 other similar criteria. As the above statistics indicate, the Type I E-ARCH facilities have  
13 performed well to earn the department's approval of a 3<sup>rd</sup> resident.

14 As a result, this bill does not appear to be necessary but it is the department's position to  
15 provide COMMENTS only in order to provide the legislature with a context on what the  
16 department has continued to do on the matter of applications from Type I E-ARCHs for licensure  
17 of a 3<sup>rd</sup> nursing facility level resident.

18 Thank you for the opportunity to provided COMMENTS.

**Arlene Hanks CCFFH  
Jonathan & Arlene Hanks  
44-124 Mikiola Drive  
Kaneohe Hawaii, 96744**

**February 16, 2015**

THE SENATE  
THE TWENTY-EIGHTH LEGISLATURE  
REGULAR SESSION OF 2015

COMMITTEE ON HUMAN SERVICES AND HOUSING

Senator Suzanne Chun Oakland, Chair  
Senator Josh Green, Vice Chair

COMMITTEE ON HEALTH

Senator Josh Green, Chair  
Senator Glenn Wakai, Vice Chair

**Hearing on HB 1195  
Tuesday, February 17, 2015  
1:45 PM  
Conference Room 016  
State Capitol  
415 South Beretania Street**

**Testimony:**

**Aloha, Chair Oakland, Vice Chair Green and committee members. I thank you for this opportunity to speak. My name is Jonathan P. Hanks, My wife Arlene and I run a Community Care Family Foster Home. I am in support of HB 1195. My wife has been a certified CCFFH operator continuously for the last fourteen years. I've been caring for elderly in our home for the last nine years. I am also certified as an Adult Residential Care Home Operator. Adult Residential Care Homes originally began in Hawaii as "Boarding Homes" and they have changed and adapted over time. I believe the care of Hawaii's Medicaid recipients is everyone's responsibility, just as the issue of homelessness is. As our elderly population is increasing and the "Baby Boomer" generation is beginning to need care, we need as many options as possible for our elders in long term care. I believe we should make it easier for our elderly to find the care that they require. I agree that Adult Residential Care Homes should be allowed to increase their capacity from 2 to 3 nursing home level clients. I am in support of HB 1195. I humbly thank this Committee for this Opportunity to speak.**

**Jonathan P. Hanks**



To: Senator Josh Green, Chair of Health, Vice Chair of Human Services and Housing  
Senator Suzanne Chun Oakland, Chair of Human Services and Housing  
Senator Glenn Wakai, Vice Chair of Health  
Senator Jill Tokuda, Chair of Ways and Means  
Senator Ronald Kouchi, Vice Chair of Ways and Means

Date: March 17, 2015, 1 :45 PM, Conference Rm. 016

Re: **SUPPORT HB 1195 HD 1**—Relating to Expanded Adult Residential Care Homes

Aloha Chairs, Vice Chairs and Committee Members:

My name is Wannette Gaylord. I am a Care Home Operator and Vice President of the organization ARCA, Alliance of Residential Care Administrators. My written and in person testimony is in support of HB 1195 HD1.

The language of this bill is verbatim of the 2010 HB 2157, HD1, SD2, CD1, that became a Hawaii Revised Statute Section 321-15.62. The sunset date of June 30, 2013 was overlooked therefore had to be reintroduced this year.

The Department of Health, Office of Health Care Assurance has continued relicensing these care homes in accordance with this statute ensuring that our kupuna do not get displaced.

Mr. Ridley from the Department of Health feels it is not necessary to put this bill into law, but we, as care home operators, would feel more at ease knowing that we are upholding the law and not following the word of an administrator whose employment may change at any time.

I thank you Honorable Chairs, Vice chairs and committee members for listening to me in support of HB1195 HD 1.

Mahalo,

Wannette Gaylord

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**Cc:** [jamesjtz@aol.com](mailto:jamesjtz@aol.com)  
**Subject:** Submitted testimony for HB1195 on Mar 17, 2015 13:45PM  
**Date:** Sunday, March 15, 2015 10:58:10 PM

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**HB1195**

Submitted on: 3/15/2015

Testimony for HTH/HSB on Mar 17, 2015 13:45PM in Conference Room 016

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|---------------------|---------------------|---------------------------|---------------------------|
| James Gauer         | Individual          | Support                   | No                        |

Comments: A growing aging population and the demand for residential services is addressed by this legislation

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

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