

STATE OF HAWAII
DEPARTMENT OF HEALTH
P. O. Box 3378
Honolulu, HI 96801-3378
doh.testimony@doh.hawaii.gov

**Testimony in SUPPORT of SB2384 SD1 HD1
RELATING TO LICENSING INSPECTIONS**

REPRESENTATIVE SYLVIA LUKE, CHAIR
HOUSE COMMITTEE ON FINANCE

Hearing Date: Friday, April 1, 2016

Room Number: 308

1 **Fiscal Implications:** None.

2 **Department Testimony:** Thank you for the opportunity to testify in SUPPORT of this bill as
3 amended.

4 This bill will require the relicensing or recertification inspections of care facilities to be
5 unannounced. The current statutes either require the relicensing inspections of Adult Residential
6 Care Homes (ARCHs), Expanded ARCHs (E-ARCH), and medical marijuana dispensaries to be
7 announced, or in the case of recertification of Community Care Foster Family Homes (CCFFH),
8 the statute is silent.

9 The Department prefers that relicensing or recertification surveys be unannounced in
10 order to maximize the readiness of the care homes or dispensaries for an inspection at any time
11 by the Department. This will also be consistent with all other relicensing inspections of health
12 care facilities under the regulatory responsibility of the Office of Health Care Assurance
13 (OHCA), and is seen as an improved safeguard for the public. Finally, OHCA conducts
14 recertification inspections on Medicare facilities on behalf of the federal government. The
15 federal government requires that all such recertification inspections be conducted unannounced.

1 The technical amendments requested by the Department were included in SD1, and the
2 changes in HD1 are acceptable as well. As a result, the Department remains supportive.

3 Thank you for the opportunity to testify in SUPPORT of this bill.

4 **Offered Amendments:** None.

House Committee on Finance
S.B. 2384, SD1, HD1 Relating to Licensing Inspections

Testimony of John G. McDermott, LSW, ACSW, M.Div
State Long Term Care Ombudsman

March 30, 2016

Good afternoon, Chair Sylvia Luke, Vice Chair Scott Nishimoto and members of the House Finance Committee.

I am here to testify **strongly in favor** of S.B. 2384, SD1, HD1.

Mahalo for giving me this opportunity to testify before you. My name is John G. McDermott and I have been the State Long Term Care Ombudsman (SLTCO) since August, 1998. The Office of the Long Term Care Ombudsman is both federally and state mandated and has been part of the Executive Office on Aging since 1975. Our primary responsibility, per the Older Americans Act, is to be an “advocate” for residents of licensed nursing homes, assisted living facilities, adult residential care homes, expanded adult residential care homes, and community care foster family homes. That total population in Hawai'i is now 12,340.

It is now 18 years since I first testified before you in favor of unannounced inspections. 18 years!! Since then there have been numerous accounts of abuse and neglect, even death, in our long term care facilities that have made the front pages of our newspapers and on the television news. This problem will not go away with the current regulations. We would all like to believe such instances are the rare exception (and I actually do believe that) but we will never know for sure what is happening behind closed doors until we have unannounced inspections. If you tell someone when you are coming, you can't really call that an inspection. It's strictly paper compliance, pro forma, an illusion. Hawaii remains the only state where the licensing agency (Department of Health) is required to give notice when they will be coming to a facility for the annual inspection. No other industry receives such preferential treatment in Hawaii. Because of this advance notice, families are told NOT to visit during the inspection (so no opportunity for family members to complain or express their concerns), inappropriate substitutes are nowhere to be found because the caregiver took off the week from her other full-time job to get prepared, residents are coached on what to say, and residents more likely to complain are taken to the mall during the inspection so they too have no opportunity to voice their concerns.

When Linda Lingle was running for Governor she publicly supported unannounced inspections at many open forums. When she won election, she changed her position and went with a compromise – the inspections would continue “with notice” but there would also be an annual unannounced visit. The unannounced visits did find problems – but that information was not available to the public. The other problem was the Governor doubled the workload of the state surveyors but never doubled the staffing. If this bill passes, the unannounced visits will no longer be necessary because we will finally be doing true inspections so the Department of Health will have the staffing to accomplish this goal.

Unannounced inspections are the standard for every industry across the country. Our care homes, foster family homes and assisted living facilities are the only exceptions. Why? Politics! Please eliminate the politics and do what you know is right for our most vulnerable kupuna. Mahalo.



Testifier's Name: Gary Simon
President
Hawai'i Family Caregiver Coalition

Testimony Is Directed To: House Committee on Finance

MEASURE: SB2384, SD1, HD1
RELATING TO LICENSING INSPECTIONS
Requires the Department of Health to conduct unannounced visits and inspections, including inspections for relicensing and recertification, for certain state-licensed or state-certified care facilities and unannounced inspections for license renewals for medical marijuana production centers and dispensaries.

Date & Time of Hearing: Friday, April 1, 2016, 3:00 p. m.

Position: **The Hawai'i Family Caregiver Coalition strongly supports SB2384, SD1, HD1.**

Dear Chair Luke, Vice Chair Nishimoto, and Honorable Members of the House Committee on Finance:

I am Gary Simon, President of the Hawai'i Family Caregiver Coalition (HFCC).

I am testifying as an individual who has worked in healthcare for over twenty-eight years, and I am offering testimony on behalf of HFCC.

Unannounced inspections of our state-licensed and state-certified care facilities are crucial, essential, and fundamental for accurately and truthfully assessing the quality of care and services provided by these facilities to its residents.

Your support is imperative in providing the Department of Health with the authority to ensure that our Kupuna residing in our state-licensed and state-certified care facilities are receiving the highest level of care in the safest manner.

We urge you to support SB2384, SD1, HD1 and to recommend its passage, and we thank you for seriously considering the Bill.

Very sincerely,
Gary Simon
President
Hawai'i Family Caregiver Coalition
Phone 808 547 8140
Email gsimon@stfrancishawaii.org



ADULT FOSTER HOME OF THE PACIFIC
P.O. Box 971450 Waipahu, HI 96797

Re: SB2384 SD1 – Testimony in Opposition

NOTICE OF HEARING

DATE: Friday, April 01, 2016

TIME: 3:00 p.m.

PLACE: Conference Room 308

State Capitol

415 South Beretania Street

**To: The Honorable Chair Rep. Sylvia Luke, Vice Chair Rep. Scott Y. Nishimoto,
and Committee Members of Finance**

My name is **Elma Velasco Tierra**, I am a Community Care Foster Family Home provider. President of the Adult Foster Home of the Pacific, we have about 450 providers here in Oahu & Big Island. I strongly oppose **SB2384 SD1** for the bill relating to the unannounced annual visits and inspections for State-licensed or certified State-care facilities for Relicensing or Recertification which includes – Community Care Foster Family Homes, Adult Residential Care Homes. CCFFH have already Case Managers to supervise clients in our homes, aside from the CTA (Community Ties of America) who does their unannounced visits any day of the year and anytime of the day. Unannounced visits or inspections is not an option or assurance on quality of care for our clients. Time management is so efficient on what we do as caregivers. We have scheduled follow up check-up or Doctor's appointments for our clients, blood work every certain dates, and many more.

HRS 321-15.6 has been in existence, I am respectfully asking the Committee to retain the language of the statue **“Annual inspections for relicensing shall be conducted with notice, unless otherwise determined by the department.”**

Thank you for the opportunity to submit testimony opposing the intent of **SB2384 SD1**.

Mahalo for your Attention,

Elma V. Tierra, President

Adult Foster Home of the Pacific

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, March 31, 2016 10:53 AM
To: FINTestimony
Cc: ajohnson@hinamauka.org
Subject: Submitted testimony for SB2384 on Apr 1, 2016 15:00PM

SB2384

Submitted on: 3/31/2016

Testimony for FIN on Apr 1, 2016 15:00PM in Conference Room 308

Submitted By	Organization	Testifier Position	Present at Hearing
Alan Johnson	Hawaii Substance Abuse Coalition	Comments Only	No

Comments: "The issue is that OHCA is understaffed and needs more funding and resources. OHCA already does do unannounced visits with STFs; however requiring all visits with all care facilities to be unannounced, even for resolution, would limit their ability to make decisions on a given situation and would require an increase in their budget."

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.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov



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415 South Beretania Street

**To: The Honorable Chair Rep. Sylvia Luke, Vice Chair Rep. Scott Y. Nishimoto,
and Committee Members of Finance**

My name is Ramon C. Tierra Jr.; I am a Community Care Foster Family Home provider. I strongly oppose **SB2384 SD1** for the bill relating to the unannounced annual visits and inspections for State-licensed or certified State-care facilities for Relicensing or Recertification which includes – Community Care Foster Family Homes, Adult Residential Care Homes. CCFFH have already Case Managers to supervise clients in our homes, aside from the CTA (Community Ties of America) who does their unannounced visits any day of the year and anytime of the day. Unannounced visits or inspections is not an option or assurance on quality of care for our clients. Time management is so efficient on what we do as caregivers. We have scheduled follow up check-up or Doctor's appointments for our clients, blood work every certain dates, and many more.

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Thank you for the opportunity to submit testimony opposing the intent of **SB2384 SD1**.

Mahalo for your Attention,

Adult Foster Home of the Pacific



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P.O. Box 971450 Waipahu, HI 96797

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415 South Beretania Street

**To: The Honorable Chair Rep. Sylvia Luke, Vice Chair Rep. Scott Y. Nishimoto,
and Committee Members of Finance**

My name is Harvey Rumbaoa, I am a Community Care Foster Family Home provider. I strongly oppose **SB2384 SD1** for the bill relating to the unannounced annual visits and inspections for State-licensed or certified State-care facilities for Relicensing or Recertification which includes – Community Care Foster Family Homes, Adult Residential Care Homes. CCFFH have already Case Managers to supervise clients in our homes, aside from the CTA (Community Ties of America) who does their unannounced visits any day of the year and anytime of the day. Unannounced visits or inspections is not an option or assurance on quality of care for our clients. Time management is so efficient on what we do as caregivers. We have scheduled follow up check-up or Doctor's appointments for our clients, blood work every certain dates, and many more.

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Thank you for the opportunity to submit testimony opposing the intent of **SB2384 SD1**.

Mahalo for your Attention,

Adult Foster Home of the Pacific



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P.O. Box 971450 Waipahu, HI 96797

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State Capitol

415 South Beretania Street

**To: The Honorable Chair Rep. Sylvia Luke, Vice Chair Rep. Scott Y. Nishimoto,
and Committee Members of Finance**

My name is **Betty V. Rumbaoa**, I am a Community Care Foster Family Home provider. I strongly oppose **SB2384 SD1** for the bill relating to the unannounced annual visits and inspections for State-licensed or certified State-care facilities for Relicensing or Recertification which includes – Community Care Foster Family Homes, Adult Residential Care Homes. CCFFH have already Case Managers to supervise clients in our homes, aside from the CTA (Community Ties of America) who does their unannounced visits any day of the year and anytime of the day. Unannounced visits or inspections is not an option or assurance on quality of care for our clients. Time management is so efficient on what we do as caregivers. We have scheduled follow up check-up or Doctor's appointments for our clients, blood work every certain dates, and many more.

HRS 321-15.6 has been in existence, I am respectfully asking the Committee to retain the language of the statute **“Annual inspections for relicensing shall be conducted with notice, unless otherwise determined by the department.”**

Thank you for the opportunity to submit testimony opposing the intent of **SB2384 SD1**.

Mahalo for your Attention,


Adult Foster Home of the Pacific



ADULT FOSTER HOME OF THE PACIFIC
P.O. Box 971450 Waipahu, HI 96797

Re: SB2384 SD1 – Testimony in Opposition

NOTICE OF HEARING

DATE: Friday, April 01, 2016

TIME: 3:00 p.m.

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State Capitol

415 South Beretania Street

**To: The Honorable Chair Rep. Sylvia Luke, Vice Chair Rep. Scott Y. Nishimoto,
and Committee Members of Finance**

My name is Lucrecia M. Pastor, I am a Community Care Foster Family Home provider. I strongly oppose **SB2384 SD1** for the bill relating to the unannounced annual visits and inspections for State-licensed or certified State-care facilities for Relicensing or Recertification which includes – Community Care Foster Family Homes, Adult Residential Care Homes. CCFFH have already Case Managers to supervise clients in our homes, aside from the CTA (Community Ties of America) who does their unannounced visits any day of the year and anytime of the day. Unannounced visits or inspections is not an option or assurance on quality of care for our clients. Time management is so efficient on what we do as caregivers. We have scheduled follow up check-up or Doctor's appointments for our clients, blood work every certain dates, and many more.

HRS 321-15.6 has been in existence, I am respectfully asking the Committee to retain the language of the statue "**Annual inspections for relicensing shall be conducted with notice, unless otherwise determined by the department.**"

Thank you for the opportunity to submit testimony opposing the intent of **SB2384 SD1**.

Mahalo for your Attention,

Lucrecia M. Pastor PG

Adult Foster Home of the Pacific

ADULT FOSTER HOMECARE ASSOCIATION OF HAWAII

P.O. Box 970092, Waipahu, Hawai'i 96797

April 1, 2016

RE: **SB2384 – Testimony in Opposition** – FIN 4/1/16 – Rm. 329 10 a.m.

Norma Tan
President
*Adult Foster Homecare
Association of Hawaii*

Dear Chair Luke, Vice Chair Nishimoto, and Members of the Committees:

We **oppose SB2384**, which allows the Department of Health (DOH) to conduct unannounced visits for the purpose of relicensing and recertification for the simple reason: **this law is redundant and would not achieve consumer protection or improved care.**

Thelma Ortal
Immediate Past
President
*Adult Foster Homecare
Association of Hawaii*

The DOH already conducts unannounced visits. DOH has no limits as to the number of times they conduct unannounced visits or the time of day or night they can show up at our home where we live and demand to enter our home, as they often do. They can come every single night 365 days of the year. We have nothing to hide. We always let them in. We have no choice, and we don't see a problem with this system. We don't need this bill to ensure consumer protection because they already conduct unannounced visits.

The reason why licensing/certification visits were announced is to ensure efficiency. During a licensing/certification visit, the home is required to produce an incredible amount of paperwork that must often be updated. Only the operator or primary caregiver has access to these documents (mortgage documents, rental agreements, budget, insurance, criminal records clearance, fingerprinting, educational documents, TB clearance, and other financial information). If DOH shows up unannounced in the middle of the night and the primary care caregiver is unavailable, DOH will not be able to access the documents forcing DOH to either return for another visit, issue a corrective action plan, or deny licensure and find new homes for the clients, which is always detrimental to client care – not because the care fell below the standard, but only because documents may have not been available due to DOH's unwillingness to provide notice. Remember, we often hire licensed substitutes (CNAs) from agencies – people to whom one won't entrust sensitive financial documents like mortgage and budget documents - it's like giving these documents to a babysitter or gardener.

This would create a completely unworkable and chaotic system that would require DOH to expend additional resources unnecessarily. Meanwhile, our compensation rates have not been raised for almost 10 years; and now DOH is starting to talk about licensure fees.

The problem stems from the State's lack of understanding of Community Care Foster Family Homes (CCFFHs). We are not facilities. We are not "care homes" or "care home operators" as we are referred to in some committee reports. We are basically families who have accepted our clients as part of our family. We don't have a custodian of records on duty at all times like other facilities. We only have a maximum of 3 clients, not 5, 8, 15 or hundreds. Remember, we are required to keep some of the documents above on everyone who lives in our household whether they provide care or not.

Visit us unannounced anytime to ensure patient care and consumer protection. But if you need us to get our mortgage, rental, budget, fingerprints, and over 50 other documents (no kidding – this is the amount of documentation we are required to keep), you must give us some notice. For these reasons, we **oppose SB2384**.

Very truly yours,
Norma Tan - President

About AFHA

The Adult Foster Home Association of Hawaii (AFHA) is the industry trade association of providers under the Community Care Foster Family Home program under the Department of Human Services, State of Hawaii. With a membership of almost 750 providers, AFHA's mission is to promote the interests of providers as well as resident clients. AFHA members provide 24-hour care to resident clients 7 days a week, 365 days a year.

To: Finance Committee Chair Representative Sylvia Luke
 Date: 30 March 2016
 Re: SB 2384 – Relating to Care Facilities

Aloha Chair Luke and Committee Members:

My name is Ramon Sumibcay. I am a Care Home Operator (Adult Residential Care Homes – ARCHs) in Makakilo. The care home industry comprises of about 500 care homes and about 1100 Family Foster Care Homes – CCFFHs). SB2384 was referred to your Committee for hearing soon. I am hereby declaring my strong OPPOSITION to the bill in particular to the section regarding care homes.

First and foremost, I am respectfully asking your Committee that this section of HRS 321-15.6: **“Annual inspections for relicensing shall be conducted with notice, unless otherwise determined by the department.”** be retained and should not be changed.

For transparency and for the welfare and protection of our Kupuna, the above-mentioned HRS already allows the Office of Health Care Assurance (OHCA) to conduct **unannounced visits** at any intervals at its discretion to confirm correction of deficiencies and/or to investigate complaints for suspicion of neglect and abuse.

I would like to draw your attention to these data provided by the DHS Adult Protective and Community Services Branch:

State Fiscal Year	2010	2011	2012	2013	2014
Total	1,065	1,160	1,048	1,046	1,014
Confirmed	170	99	197	189	168
Percent of Confirmed Reports	16%	8.5%	18.7%	18%	16.5%
Percent of Re-Abuse	8.2%	6%	6%	3.6%	4.1%

Relative	445	44%
Staff of caring facility	152	15%
Self	273	27%
Non-relative	112	11%
Unknown	32	3%
Total	1014	100%

J PERPETRATOR

ADULT ABUSE TYPES - SFY 2014	Frequency	Percent
Caregiver Neglect	354	27.4%
Financial Exploitation	300	23.2%
Self-Neglect	286	22.2%
Psychological Abuse	153	11.9%
Physical Abuse	169	13.1%

Sex Abuse	28	2.2%
TOTAL REPORTS	1,290	100%
LOCATION OF ABUSE INCIDENT		

Own Home	585	58%
Nursing Facility (ICF/SNF)	44	4%
Adult Residential Care Home-Type I	13	1%
Adult Residential Care Home-Type II	2	0%
Expanded Adult Residential Care Home	5	0%
Community Care Foster Family Home	47	5%
Developmentally Disabled Foster Home	3	0%
Developmentally Disabled Dorn. Home	2	0%
Developmentally Disabled Day Program	0	0%
Hawaii State Hospital	1	0%
ICF/MR Home	1	0%
Jail/Prison	0	0%
Assisted Living Facility	13	1%
Psychiatric Facility	1	0%
Other relative's home	19	2%
Adult offspring's home	23	2%
Unrelated person's home	17	2%
Hospital	12	1%
Adult Day Care/Adult Day Health	2	0%
Other	69	7%
Unknown	155	15%
Total	1014	100%

Chair Luke, as you can see from the data, provided by the Department of Human Services, Adult Protective and Community Services Board, cases of abuse and neglect in the ARCHs are very low in numbers. We can do better. The CCFFHs may have to do some work to improve their numbers. I have to say that, although DOH and DHS have merged under one roof in 2014, but the rules governing ARCHs and CCFFHs are still different to include relicensing/recertification visits.

Chair Luke, for the past 25 years there were 2 deaths in the care facilities. The incident in the 1990s happened in an ARCH, and the recent incident happened in CCFFH. But both cases were highly preventable. Honestly, we don't need a legislation to solve the problem. As a Registered Nurse myself, I know decubitus ulcers could be prevented and when treated promptly, ulcers are not life-threatening situation. We just need **INTEGRITY and ACCOUNTABILITY** to all individuals involved with a patient's care.

Annual relicensing survey **WITHOUT NOTICE** does not prevent deaths, abuse or neglect in any care facility. Annual survey for relicensing is primarily for administrative purposes to make sure that the care home is complying with the list of requirements or the care home is in compliance with Chapter 100.1.

DOH's testimony submitted at the Health Committee hearing, the only reason cited was: "To maximize the readiness of the care homes or dispensaries for an inspection by the Department. This will be consistent with all other relicensing inspections of health care facilities under the regulatory responsibility of the OHCA, and is seen as an improved

safeguard for the public.” I believe, the unannounced visit is more powerful tool OHCA can use at its disposal to protect the welfare of our fragile and aging elderly population.

It is a little difficult to make comparison between care homes and other healthcare facilities. Most care facilities are “mom & pop industry” where the operator has many tasks to do aside from caregiving.

The current practice of the Department of Health through the Office of Health Care Assurance (OHCA) is to send notice to the care home operator regarding an upcoming annual relicensing inspection. The notice says “a certain day of the month but it does not announce the exact date.” The reason OHCA has promulgated this system to allow the care home operator to be present during the inspection. There are many reasons that the care home operator could be out the house at any given time; such as bringing residents to their medical appointments, picking up medications, buying provisions and supplies for the residents, outings for residents, and once in a while a trip to the emergency room. In addition, care home operators have also personal appointments and errands. OHCA requires that the primary caregiver, the care home operator, and the residents must be present during the annual relicensing inspection.

I believe the system is working fine and it does not need a piece of legislation just for a minor reason as cited by the Department.

Please retain the language in the statute, “Annual inspections for relicensing shall be conducted with notice, unless otherwise determined by the department.”

Mahalo for your support and consideration.

Sincerely,

Ramon Sumibcay, MHA, BSN, RN
MAJ (ret), US Army

From: Anthony Lenzer <tlenzer@hawaii.rr.com>
Sent: Thursday, March 31, 2016 8:27 AM
To: FINTestimony
Subject: SB 2384, SD1, HD1

TO: Committee on Finance
Rep. Sylvia Luke, Chair, Rep. Scott Y. Nishimoto, Vice Chair

FROM: Anthony Lenzer, PhD

RE: Support for SB 2384, SD1, HD1

HEARING: Friday, April 1, 2016, 3:00 p.m.
Conference Room 308

I am writing to offer strong support for the above bill, which mandates unannounced visits and inspections, including relicensing visits, to a wide range of state-certified or state-licensed facilities for the elderly and developmentally disabled.

Unannounced inspections and visits are particularly critical with regard to these types of facilities, which care for frail and disabled populations. Residents and users of these facilities are especially vulnerable and dependent upon their care providers. If abuse or neglect takes place, family members are often unaware until the situation becomes threatening to life or health.

Owners and operators of some of these facilities have successfully fought unannounced inspections for many years. Among the arguments used is the fact that the owner may not be present when inspectors arrive, and that owners may not have enough time to get their facilities and records in proper order. Regarding the first argument, if owners are absent on the day of the inspection a qualified substitute caregiver must be present. As for the second argument, unannounced inspections will serve as a powerful tool to require that facilities and their books be in order at all times, as they should be.

Finally, on a personal note, my wife spent the last eight months of her life in a care home. This facility and its staff provided excellent care for a small group of patients with extensive needs. I am certain that this care home could have been inspected on any day, and it would pass with flying colors. This is the model to which all such facilities should aspire.

Thank you for the opportunity to testify on this much needed legislation.

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, March 31, 2016 6:38 AM
To: FINTestimony
Cc: sarahyuan@gmail.com
Subject: Submitted testimony for SB2384 on Apr 1, 2016 15:00PM

SB2384

Submitted on: 3/31/2016

Testimony for FIN on Apr 1, 2016 15:00PM in Conference Room 308

Submitted By	Organization	Testifier Position	Present at Hearing
Sarah Yuan	Individual	Support	No

Comments: I strongly support SB2384 SD1 HD1. The bill requires DOH to conduct unannounced visits for relicensing and recertification of the state-licensed care facilities, which is a critical measure for ensuring safety and quality of life of our frail seniors. Thanks for the opportunity to testify.

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.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov

To: Finance Committee Chair, Representative Sylvia Luke
Date: 30 March 2016
Re: SB 2384 - Relating to Care Facilities

Aloha Chair Luke and Committee Members:

My name is Remedios Aguinatto, I am a Care Home Operator (Adult Residential Care Homes - ARCHes) in Waipahu. SB2384 was referred to your Committee for hearing soon. I strongly OPPOSE the bill in particular the section regarding care homes.

Currently, HRS 321-15.6 has this provision: "**Annual inspections for relicensing shall be conducted with notice, unless otherwise determined by the department.**" I hereby respectfully ask the Chair and Members to retain the language. In addition, for transparency and for the welfare and protection of our Kupuna, the above-mentioned HRS already allows the Office of Health Care Assurance (OHCA) to conduct **unannounced visits** at any intervals at its discretion to confirm correction of deficiencies and/or to investigate complaints for suspicion of neglect and abuse.

According to data and statistics gathered and published by DHS Adult Protective and Community Services Board, in 2014, there were 168 confirmed cases of abuse and neglect from 1,104 reports. Out of those reports, there were 445 relatives as perpetrators (44%), and staff of caring facility was reported at 15% with 152 cases. Furthermore, data showed 13 incidents (1%) happened in ARCHes and 5 (0%) happened in E-ARCHes. Obviously, the numbers do not indicate that we need a legislation to warrant an unannounced relicensing/recertification visits. On the CCFFHs side (family foster homes), the numbers are a little bit higher, but with tighter OVERSIGHT and ACCOUNTABILITY to all individuals involved with the care of an elderly, those numbers should go down.

Annual relicensing survey **WITHOUT NOTICE** does not prevent abuse or neglect in any care facility. Annual survey for relicensing is primarily for administrative purposes to make sure that the care home is complying with the list of requirements or the care home is in compliance with Chapter 100.1.

According to DOH's testimony submitted at the Health Committee hearing, the only reason cited was: "To maximize the readiness of the care homes or dispensaries for an inspection by the Department. This will be consistent with all other relicensing inspections of health care facilities under the regulatory responsibility of the OHCA, and is seen as an improved safeguard for the public." It is a little difficult to make comparison between care homes and other healthcare facilities. Most care facilities are "Mom & Pop industry" where the operator has many tasks to do aside from caregiving.

The current practice for the annual relicensing visit is OHCA sends notice to the care home operator regarding an upcoming annual relicensing inspection. The notice says "a certain day of the month but it does not announce the exact date." The reason OHCA has promulgated this system to allow the care home operator to be present during the inspection. There are many reasons that the care home operator could be out the house at any given time; such as bringing residents to their medical appointments, picking up medications, buying provisions and supplies for the residents, outings for residents, and once in a while a trip to the emergency room. In addition, care home operators have also personal appointments and errands. OHCA requires that the primary caregiver, the care home operator, and the residents must be present during the annual relicensing inspection.

I believe the current system is working well, and the care home industry does not need another piece of legislation to justify the reason cited by the Department for an unannounced relicensing visit.

Please retain the language in the statute, "**Annual inspections for relicensing shall be conducted with notice, unless otherwise determined by the department.**"

Mahalo for your support and consideration.

Sincerely,

Remedios A. Aguinatto, RN

Care Home Operator

To: Finance Committee Chair, Representative Sylvia Luke
Date: 30 March 2016
Re: SB 2384 – Relating to Care Facilities

Aloha Chair Luke and Committee Members:

My name is Tessie Oculito . I am a Care Home Operator (Adult Residential Care Homes – ARCHes) in Makakilo. SB2384 was referred to your Committee for hearing soon. I strongly OPPOSE the bill in particular the section regarding care homes.

Currently, HRS 321-15.6 has this provision: **“Annual inspections for relicensing shall be conducted with notice, unless otherwise determined by the department.”** I hereby respectfully ask the Chair and Members to retain the language. In addition, for transparency and for the welfare and protection of our Kupuna, the above-mentioned HRS already allows the Office of Health Care Assurance (OHCA) to conduct **unannounced visits** at any intervals at its discretion to confirm correction of deficiencies and/or to investigate complaints for suspicion of neglect and abuse.

The current practice for the annual relicensing visit is, OHCA sends notice to the care home operator regarding an upcoming annual relicensing inspection. The notice says “a certain day of the month but it does not announce the exact date.” The reason OHCA has promulgated this system to allow the care home operator to be present during the inspection. There are many reasons that the care home operator could be out the house at any given time; such as bringing residents to their medical appointments, picking up medications, buying provisions and supplies for the residents, outings for residents, and once in a while a trip to the emergency room. In addition, care home operators have also personal appointments and errands. OHCA requires that the primary caregiver, the care home operator, and the residents must be present during the annual relicensing inspection.

I believe the current system is working well, and the care home industry does not need another piece of legislation to justify the reason cited by the Department for an unannounced relicensing visit.

Please retain the language in the statute, **“Annual inspections for relicensing shall be conducted with notice, unless otherwise determined by the department.”**

Mahalo for your support and consideration.

Sincerely,

TERESITA OCU LITO

Care Home Operator

To: Finance Committee Chair, Representative Sylvia Luke
Date: 30 March 2016
Re: SB 2384 – Relating to Care Facilities

Aloha Chair Luke and Committee Members:

My name is Narcisa Jatiko. I am a Primary Caregiver for a care home (Adult Residential Care Homes – ARCHes) in Makakilo. SB2384 was referred to your Committee for hearing soon. I strongly OPPOSE the bill in particular the section regarding care homes.

Currently, HRS 321-15.6 has this provision: **“Annual inspections for relicensing shall be conducted with notice, unless otherwise determined by the department.”** I hereby respectfully ask the Chair and Members to retain the language. In addition, for transparency and for the welfare and protection of our Kupuna, the above-mentioned HRS already allows the Office of Health Care Assurance (OHCA) to conduct **unannounced visits** at any intervals at its discretion to confirm correction of deficiencies and/or to investigate complaints for suspicion of neglect and abuse.

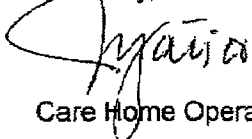
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I believe the current system is working well, and the care home industry does not need another piece of legislation to justify the reason cited by the Department for an unannounced relicensing visit.

Please retain the language in the statute, **“Annual inspections for relicensing shall be conducted with notice, unless otherwise determined by the department.”**

Mahalo for your support and consideration.

Sincerely,



Care Home Operator

To: Finance Committee Chair, Representative Sylvia Luke
Date: 30 March 2016
Re: SB 2384 – Relating to Care Facilities

Aloha Chair Luke and Committee Members:

My name is *Aurora Alejandra* am a Care Home Operator (Adult Residential Care Homes – ARCHes) in SB2384 was referred to your Committee for hearing soon. I strongly OPPOSE the bill in particular the section regarding care homes.

Currently, HRS 321-15.6 has this provision: **“Annual inspections for relicensing shall be conducted with notice, unless otherwise determined by the department.”** I hereby respectfully ask the Chair and Members to retain the language. In addition, for transparency and for the welfare and protection of our Kupuna, the above-mentioned HRS already allows the Office of Health Care Assurance (OHCA) to conduct unannounced visits at any intervals at its discretion to confirm correction of deficiencies and/or to investigate complaints for suspicion of neglect and abuse.

According to data and statistics gathered and published by DHS Adult Protective and Community Services Board, in 2014, there were 168 confirmed cases of abuse and neglect from 1,104 reports. Out of those reports, there were 445 relatives as perpetrators (44%), and staff of caring facility was reported at 15% with 152 cases. Furthermore, data showed 13 incidents (1%) happened in ARCHes and 5 (0 %) happened in E-ARCHes. Obviously, the numbers do not indicate that we need a legislation to warrant an unannounced relicensing/recertification visits. On the CCFFHs side (family foster homes), the numbers are a little bit higher, but with tighter OVERSIGHT and ACCOUNTABILITY to all individuals involved with the care of an elderly, those numbers should go down.

Annual relicensing survey **WITHOUT NOTICE** does not prevent abuse or neglect in any care facility. Annual survey for relicensing is primarily for administrative purposes to make sure that the care home is complying with the list of requirements or the care home is in compliance with Chapter 100.1.

According to DOH's testimony submitted at the Health Committee hearing, the only reason cited was: "To maximize the readiness of the care homes or dispensaries for an inspection by the Department. This will be consistent with all other relicensing inspections of health care facilities under the regulatory responsibility of the OHCA, and is seen as an improved safeguard for the public." It is a little difficult to make comparison between care homes and other healthcare facilities. Most care facilities are "Mom & Pop industry" where the operator has many tasks to do aside from caregiving.

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I believe the current system is working well, and the care home industry does not need another piece of legislation to justify the reason cited by the Department for an unannounced relicensing visit.

Please retain the language in the statute, **“Annual inspections for relicensing shall be conducted with notice, unless otherwise determined by the department.”**

Mahalo for your support and consideration.

Sincerely,

Aurora Alejandra
Care Home Operator

To: Finance Committee Chair, Representative Sylvia Luke
 Date: 30 March 2016
 Re: SB 2384 - Relating to Care Facilities

Aloha Chair Luke and Committee Members:

LILIA NONALES
 My name is ~~Antonio~~. I am a Care Home Operator (Adult Residential Care Homes - ARCHes) in SB2384 was referred to your Committee for hearing soon. I strongly OPPOSE the bill in particular the section regarding care homes.

Currently, HRS 321-15.6 has this provision: "Annual inspections for relicensing shall be conducted with notice, unless otherwise determined by the department." I hereby respectfully ask the Chair and Members to retain the language. In addition, for transparency and for the welfare and protection of our Kupuna, the above-mentioned HRS already allows the Office of Health Care Assurance (OHCA) to conduct unannounced visits at any intervals at its discretion to confirm correction of deficiencies and/or to investigate complaints for suspicion of neglect and abuse.

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According to DOH's testimony submitted at the Health Committee hearing, the only reason cited was: "To maximize the readiness of the care homes or dispensaries for an inspection by the Department. This will be consistent with all other relicensing inspections of health care facilities under the regulatory responsibility of the OHCA, and is seen as an improved safeguard for the public." It is a little difficult to make comparison between care homes and other healthcare facilities. Most care facilities are "Mom & Pop industry" where the operator has many tasks to do aside from caregiving.

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I believe the current system is working well, and the care home industry does not need another piece of legislation to justify the reason cited by the Department for an unannounced relicensing visit.

Please retain the language in the statute, "Annual inspections for relicensing shall be conducted with notice, unless otherwise determined by the department."

Mahalo for your support and consideration.

Sincerely,

Lilia Nonaless
 Care Home Operator

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, March 31, 2016 2:24 PM
To: FINTestimony
Cc: cariagacora@yahoo.com
Subject: Submitted testimony for SB2384 on Apr 1, 2016 15:00PM

SB2384

Submitted on: 3/31/2016

Testimony for FIN on Apr 1, 2016 15:00PM in Conference Room 308

Submitted By	Organization	Testifier Position	Present at Hearing
Maria Corazon E. Cariaga	Individual	Oppose	No

Comments: I'm in opposition for the recertification of CCFFH / ARCH- expanded . They can come for unannounced visit randomly but not in our recertification and re licensing . We are working 24hrs. 7 days a week and 365 or 366 days a year in servicing these needy people of our community . And we are helping the state saving million of dollars in sheltering these clients . Thank you for this opportunity in giving my testimony.

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To: FINTestimony
Cc: hsapla@yahoo.com
Subject: *Submitted testimony for SB2384 on Apr 1, 2016 15:00PM*

SB2384

Submitted on: 3/31/2016

Testimony for FIN on Apr 1, 2016 15:00PM in Conference Room 308

Submitted By	Organization	Testifier Position	Present at Hearing
Jonnel Salom	Individual	Oppose	No

Comments:

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Cc: hsapla@yahoo.com
Subject: *Submitted testimony for SB2384 on Apr 1, 2016 15:00PM*

SB2384

Submitted on: 3/31/2016

Testimony for FIN on Apr 1, 2016 15:00PM in Conference Room 308

Submitted By	Organization	Testifier Position	Present at Hearing
Alejandro Salom (Big Island Foster Home)	Individual	Oppose	No

Comments:

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SB2384

Submitted on: 3/31/2016

Testimony for FIN on Apr 1, 2016 15:00PM in Conference Room 308

Submitted By	Organization	Testifier Position	Present at Hearing
Jayvie Sumoba	Individual	Oppose	No

Comments:

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Cc: hsapla@yahoo.com
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SB2384

Submitted on: 3/31/2016

Testimony for FIN on Apr 1, 2016 15:00PM in Conference Room 308

Submitted By	Organization	Testifier Position	Present at Hearing
Helen Sumoba Sapla	Individual	Oppose	No

Comments: I strongly oppose SB 2384 for the following reasons: 1. We have already enough rules and regulations for licensing and re-licensing the the care homes and adult foster homes. 2.Care home and Adult foster homes industry are now over regulated. 3.More rules and regulations the more violations are and has nothing to do with the quality of care. 4.Care Homes and Adult Foster Homes are already saving money for state why do keep adding more requirements that does not improve the quality of care to our patients? 5.The state cannot afford to waste more money and time to legislate unnecessary mandates. Thank you for this opportunity to testify SB2384. Helen Sapla, Adult Family Foster Home Operator.

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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March 17, 2016

To: Health Committee Chair Representative Della Au Belatti
Judiciary Committee Chair, Representation Karl Rhoads

Re: SB 2384 – Relating to Care Facilities

Aloha,
Chair Belatti Vice-Chair Richard Creagan and Committee Members;
Chair Rhoads, Vice-Chair Joy San Buenaventura and Committee Members

My name is Jocelyn Harris, MSN, APRN; I am a Care Home Operator in Kailua. I am in strong OPPOSITION to the bill in particular to the section regarding care homes.

I am respectfully asking the Committee to retain the language of the HRS 321-15.6:
“Annual inspections for relicensing shall be conducted with notice, unless otherwise determined by the department.”

Community-based care facilities are governed by different regulations regarding unannounced visits and annual inspection for relicensing. The Department of Health has the jurisdiction of the Adult Residential Care Homes under the guidance of HRS 321-15.6. The Department of Human Services has the jurisdiction of the foster family homes using the guidelines under Hawaii Administrative Rules Title 17, Chapter 1454.

The current practice of the Department of Health through the Office of Health Care Assurance (OHCA) is to send notice to the care home operator, regarding an upcoming annual relicensing inspection. The notice says “a certain day of the week in the month but does not announce the exact date.”

The reason OHCA has promulgated this system to allow the care home operator to be present during the inspection. There are many reasons that the care home operator could be out of the house at any given time; such as bringing residents to prescheduled medical appointments, picking up medications, buying provisions and supplies for the residents, outings for residents, and once in a while an unexpected trip to the emergency room. In addition, care home operators have also personal appointments and errands. OHCA requires that the primary caregiver, the care home operator, and the residents must be present during the annual relicensing inspection.

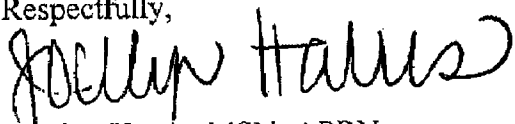
The statute already has the provision for unannounced visits. OHCA can conduct unannounced visits at any interval at its discretion to confirm correction of deficiencies and/or to investigate complaints for suspicion of neglect and abuse.

In the Senate Committee hearing last February 17, the Department of Health stated in its testimony that: “The department recognizes and understands that care home operators

have many responsibilities and cannot always remain in the home. However, if the Department stops by for an inspection or visit and the primary care giver or homeowner is not home, any patients in the care home must be left in the care of a secondary caregiver. This secondary caregiver will be able to answer any of the questions that the Department may pose, and the primary caregiver's or homeowner's unavailability will not otherwise negatively impact the results of the Department's survey."

This testimony is inaccurate, per Chapter 100.1-23, a secondary caregiver is not required to know any matters about inspection or survey.

Respectfully,

A handwritten signature in black ink that reads "Jacylyn Harris". The signature is written in a cursive, flowing style.

Jacylyn Harris, MSN, APRN

To: Finance Committee Chair, Representative Sylvia Luke
Date: 30 March 2016
Re: SB 2384 - Relating to Care Facilities

Aloha Chair Luke and Committee Members:

My name is Ruth Raza. I am a care Home Operator (Adult Residential Care Homes - ARCHes) in SB2384 was referred to your Committee for hearing soon. I strongly OPPOSE the bill in particular the section regarding care homes.

Currently, HRS 321-15.6 has this provision: **"Annual inspections for relicensing shall be conducted with notice, unless otherwise determined by the department."** I herby respectfully ask the Chair and Members to retain the language. In addition, for transparency and for the welfare and protection of our Kupuna, the above-mentioned HRS already allows the office of Health Care Assurance (OHCA) to conduct **unannounced visits** at any intervals at its discretion to confirm correction of deficiencies and/or to investigate complaints for suspicion of neglect and abuse.

According to data and statistics gathered and published by the DHS Adult Protective and Community Service Board, in 2014, there were 168 confirmed cases of abuse and neglect from 1,104 reports. Out of those reports, there were 445 relatives and perpetrators (44%), and staff of caring facilities was reported at 15% with 152 cases. Furthermore, data showed 13 incident (1%) happened in arcs and 5 (0%) happened in E-ARCHes. Obviously, the numbers do not indicate that we need a legislation to warrant an unannounced relicensing/recertification visits. On the CCFHs side (family foster homes), the numbers are a little bit higher, but with tighter OVERSIGHT and ACCOUNTABILITY to all individuals involved with the care of an elderly, those numbers should go down.

Annual relicensing survey **WITHOUT NOTICE** does not prevent abuse or neglect in any care facility. Annual survey for relicensing is primarily for administrative purposes to make sure that the care home is complying with the list of requirements or the care home is in compliance with Chapter 100.1.

According to DOH's testimony submitted at the Health Committee hearing, the only reason cited was "To maximize the readiness of the care homes or dispensaries for an inspection by the Department. This will be consistent with all other relicensing inspections of health care facilities under the regulatory responsibility of the OHCA, and is seen as an improved safeguard for the public. " It is a little difficult to make comparison between care homes and other healthcare facilities. Most care facilities are "Mom & Pop industry" where the operator has many tasks to do aside from caregiving.

The current practice for the annual relicensing visit is OHCA sends notice to the care home operator regarding an oncoming annual relicensing inspection. The notice says "a certain day of the month but it does not announce the exact date. "The reason OHCA has promulgated this system to allow the care home operator to be present during the inspections. There are many reasons that the care home operator could be out of the house at any given time; such as bringing residents to their medical appointments, picking up medications, buying provisions and supplies for the residents, outings for residents, and for once in a while trip to the emergency room. In addition, care home operators have also personal appointments and errands. OHCA requires that the primary caregiver, the care home operator, and the residents must be present during the annual relicensing inspections.

I believe the current system is working well, and the care home industry does not need another piece of legislation to ratify the reason cited by the Department for an unannounced relicensing visit.

Please retain the language in the statute, **"Annual inspections for relicensing shall be conducted with notice, unless otherwise determined by the department."**

Mahalo for your support and consideration.

Sincerely,


Care Home Operator

To: Finance Committee Chair, Representative Sylvia Luke
Date: 30 March 2016
Re: SB 2384 – Relating to Care Facilities

Aloha Chair Luke and Committee Members:

My name is *Evelyn Valdez* I am a Care Home Operator (Adult Residential Care Homes – ARCHes) in SB2384 was referred to your Committee for hearing soon. I strongly OPPOSE the bill in particular the section regarding care homes.

Currently, HRS 321-15.6 has this provision: **“Annual inspections for relicensing shall be conducted with notice, unless otherwise determined by the department.”** I hereby respectfully ask the Chair and Members to retain the language. In addition, for transparency and for the welfare and protection of our Kupuna, the above-mentioned HRS already allows the Office of Health Care Assurance (OHCA) to conduct unannounced visits at any intervals at its discretion to confirm correction of deficiencies and/or to investigate complaints for suspicion of neglect and abuse.

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I believe the current system is working well, and the care home industry does not need another piece of legislation to justify the reason cited by the Department for an unannounced relicensing visit.

Please retain the language in the statute, **“Annual inspections for relicensing shall be conducted with notice, unless otherwise determined by the department.”**

Mahalo for your support and consideration.

Sincerely,

Evelyn Valdez
Care Home Operator

To: Finance Committee Chair, Representative Sylvia Luke
 Date: 30 March 2016
 Re: SB 2384 – Relating to Care Facilities

Aloha Chair Luke and Committee Members:

My name is *OFFELIA SIMPLICIANO* I am a Care Home Operator (Adult Residential Care Homes – ARCHes) in SB2384 was referred to your Committee for hearing soon. I strongly OPPOSE the bill in particular the section regarding care homes.

Currently, HRS 321-15.6 has this provision: **“Annual inspections for relicensing shall be conducted with notice, unless otherwise determined by the department.”** I hereby respectfully ask the Chair and Members to retain the language. In addition, for transparency and for the welfare and protection of our Kupuna, the above-mentioned HRS already allows the Office of Health Care Assurance (OHCA) to conduct unannounced visits at any intervals at its discretion to confirm correction of deficiencies and/or to investigate complaints for suspicion of neglect and abuse.

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Please retain the language in the statute, "Annual inspections for relicensing **shall be conducted with notice**, unless otherwise determined by the department."

Mahalo for your support and consideration.

Offelia C. Simpliciano
 Sincerely,

OFFELIA C. SIMPLICIANO
 Care Home Operator

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, March 31, 2016 3:43 PM
To: FINTestimony
Cc: hsapla@yahoo.com
Subject: *Submitted testimony for SB2384 on Apr 1, 2016 15:00PM*

SB2384

Submitted on: 3/31/2016

Testimony for FIN on Apr 1, 2016 15:00PM in Conference Room 308

Submitted By	Organization	Testifier Position	Present at Hearing
Jocelyn de la Cruz	Individual	Oppose	No

Comments:

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SB2384

Submitted on: 3/31/2016

Testimony for FIN on Apr 1, 2016 15:00PM in Conference Room 308

Submitted By	Organization	Testifier Position	Present at Hearing
Rmeo Salom SR. Big Island Foster Home	Individual	Oppose	No

Comments:

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SB2384

Submitted on: 3/31/2016

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Submitted By	Organization	Testifier Position	Present at Hearing
Edna Salom	Individual	Oppose	No

Comments:

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SB2384

Submitted on: 3/31/2016

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Submitted By	Organization	Testifier Position	Present at Hearing
Olivia Santos, Big Island ARCH	Individual	Oppose	No

Comments:

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SB2384

Submitted on: 3/31/2016

Testimony for FIN on Apr 1, 2016 15:00PM in Conference Room 308

Submitted By	Organization	Testifier Position	Present at Hearing
Francisca Dalere , Big Island ARCH	Individual	Oppose	No

Comments:

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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From: mailinglist@capitol.hawaii.gov
Sent: Thursday, March 31, 2016 3:46 PM
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Cc: hsapla@yahoo.com
Subject: *Submitted testimony for SB2384 on Apr 1, 2016 15:00PM*

SB2384

Submitted on: 3/31/2016

Testimony for FIN on Apr 1, 2016 15:00PM in Conference Room 308

Submitted By	Organization	Testifier Position	Present at Hearing
Genevie Tuliao, Care Home Big Island	Individual	Oppose	No

Comments:

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SB2384

Submitted on: 3/31/2016

Testimony for FIN on Apr 1, 2016 15:00PM in Conference Room 308

Submitted By	Organization	Testifier Position	Present at Hearing
Carlina Fernandez	Individual	Oppose	No

Comments:

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SB2384

Submitted on: 3/31/2016

Testimony for FIN on Apr 1, 2016 15:00PM in Conference Room 308

Submitted By	Organization	Testifier Position	Present at Hearing
Conchita Acosta, Big Island ARCH	Individual	Oppose	No

Comments:

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SB2384

Submitted on: 3/31/2016

Testimony for FIN on Apr 1, 2016 15:00PM in Conference Room 308

Submitted By	Organization	Testifier Position	Present at Hearing
Florentina Saldares, Big Island ARCH	Individual	Oppose	No

Comments:

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SB2384

Submitted on: 3/31/2016

Testimony for FIN on Apr 1, 2016 15:00PM in Conference Room 308

Submitted By	Organization	Testifier Position	Present at Hearing
Charing Justo, Big Island ARCH	Individual	Oppose	No

Comments:

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SB2384

Submitted on: 3/31/2016

Testimony for FIN on Apr 1, 2016 15:00PM in Conference Room 308

Submitted By	Organization	Testifier Position	Present at Hearing
Jopher Salom (Big Island Foster Home)	Individual	Oppose	No

Comments:

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Big Island Adult Foster Home Operators
67 Hokuani St.
HILO HI 96720

Re: SB2384 SD1 – Testimony in Opposition

NOTICE OF HEARING

DATE: Friday, April 01, 2016

TIME: 3:00 p.m.

PLACE: Conference Room 338

State Capitol

415 South Beretania Street

To: The Honorable Chair Rep. Sylvia Luke, Vice Chair Rep. Scott Y. Nishimoto,
and Committee Members of Finance

My name is JEFFERY ARELLANO from a Community Care Foster Family Home provider. I strongly oppose **SB2384 SD1** for the bill relating to the unannounced annual visits and inspections for State-licensed or certified State-care facilities for Relicensing or Recertification which includes Community Care Foster Family Homes, Adult Residential Care Homes. CCFHs have already Case Managers to supervise clients in our homes, aside from the CTA (Community Ties of America) who does their unannounced visits any day of the year and anytime of the day. Unannounced visits or inspections is not an option or assurance on quality of care for our clients. Time management is so efficient on what we do as caregivers. We have scheduled follow up check-up or Doctor's appointments for our clients, blood work every certain dates, and many more.

HRS 321-15.6 has been in existence, I am respectfully asking the Committee to retain the language of the statute "**Annual inspections for relicensing shall be conducted with notice, unless otherwise determined by the department.**"

Thank you for the opportunity to submit testimony opposing the intent of **SB2384 SD1**.

Mahalo for your Attention,

Jeffery Arellano

BIG ISLAND ADULT FOSTER HOME OPERATOR

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, March 31, 2016 3:55 PM
To: FINTestimony
Cc: hsapla@yahoo.com
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SB2384

Submitted on: 3/31/2016

Testimony for FIN on Apr 1, 2016 15:00PM in Conference Room 308

Submitted By	Organization	Testifier Position	Present at Hearing
Nelia Blanco, Big Island ARCH	Individual	Oppose	No

Comments:

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SB2384

Submitted on: 3/31/2016

Testimony for FIN on Apr 1, 2016 15:00PM in Conference Room 308

Submitted By	Organization	Testifier Position	Present at Hearing
Ligaya Fernandez, Adult Foster Home Big Island	Individual	Oppose	No

Comments:

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SB2384

Submitted on: 3/31/2016

Testimony for FIN on Apr 1, 2016 15:00PM in Conference Room 308

Submitted By	Organization	Testifier Position	Present at Hearing
Myrna Bautista (Big IslandARCH)	Individual	Oppose	No

Comments:

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SB2384

Submitted on: 3/31/2016

Testimony for FIN on Apr 1, 2016 15:00PM in Conference Room 308

Submitted By	Organization	Testifier Position	Present at Hearing
Lee Paranada Jr., Big Island ARCH	Individual	Oppose	No

Comments:

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LATE

SB2384

Submitted on: 3/31/2016

Testimony for FIN on Apr 1, 2016 15:00PM in Conference Room 308

Submitted By	Organization	Testifier Position	Present at Hearing
Ligaya Cacpal. AdultFoster Home Big Island	Individual	Oppose	No

Comments:

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From: mailinglist@capitol.hawaii.gov
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SB2384

Submitted on: 3/31/2016

Testimony for FIN on Apr 1, 2016 15:00PM in Conference Room 308

Submitted By	Organization	Testifier Position	Present at Hearing
Dino Cacpal, Big Island Adult Foster Home	Individual	Oppose	No

Comments:

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SB2384

Submitted on: 3/31/2016

Testimony for FIN on Apr 1, 2016 15:00PM in Conference Room 308

Submitted By	Organization	Testifier Position	Present at Hearing
Divina Eder, Big Island Foster Home	Individual	Oppose	No

Comments:

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SB2384

Submitted on: 3/31/2016
Testimony for FIN on Apr 1, 2016 15:00PM in Conference Room 308

Submitted By	Organization	Testifier Position	Present at Hearing
Norma Camper, Big Island Adult Foster Home	Individual	Oppose	No

Comments:

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LATE

SB2384

Submitted on: 3/31/2016

Testimony for FIN on Apr 1, 2016 15:00PM in Conference Room 308

Submitted By	Organization	Testifier Position	Present at Hearing
Apple Salom, Big Island Foster Home	Individual	Oppose	No

Comments:

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SB2384

Submitted on: 3/31/2016

Testimony for FIN on Apr 1, 2016 15:00PM in Conference Room 308

Submitted By	Organization	Testifier Position	Present at Hearing
Victoria Llasus Baker, Big Island Adult FosterHome	Individual	Oppose	No

Comments:

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SB2384

Submitted on: 3/31/2016

Testimony for FIN on Apr 1, 2016 15:00PM in Conference Room 308

Submitted By	Organization	Testifier Position	Present at Hearing
Fely Moniz (Big IslandARCH)	Individual	Oppose	No

Comments:

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SB2384

Submitted on: 3/31/2016

Testimony for FIN on Apr 1, 2016 15:00PM in Conference Room 308

Submitted By	Organization	Testifier Position	Present at Hearing
Robert de la Cruz (Big Island Foster Home)	Individual	Oppose	No

Comments:

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Subject: *Submitted testimony for SB2384 on Apr 1, 2016 15:00PM*

SB2384

Submitted on: 3/31/2016

Testimony for FIN on Apr 1, 2016 15:00PM in Conference Room 308

Submitted By	Organization	Testifier Position	Present at Hearing
Royal Solmerin, Big Island Adult Foster Home	Individual	Oppose	No

Comments:

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To: Representative Sylvia Luke, Finance Committee Chair

Date: April 1, 2016 3:00 PM House Conf. Rm. 308

Re: SB 2384 SD1 HD1 – Relating to Licensing Inspections



Aloha Chair Luke, Vice Chair Nishimoto and Finance Committee Members,

My name is Wannette Gaylord, the president of ARCA (Alliance of Residential Care Administrators) and a hands on care home operator. My written and in person testimony is in strong OPPOSITION to SB 2384 SD1 HD1, specifically to the **Annual Relicensing Inspections** being Unannounced.

The current statute already allows for any number of **unannounced visits** at **any time**, 24 hours a days, 7 days a week, 365 days a year. We **welcome** the Department of Health into our **private homes** at **their will** anytime to maintain our transparency and credibility with the general public. So why does the Department of Health need to do annual relicensing inspections (these inspections are facilitated to check for administrative discrepancies) without notice? **They** claim the purpose of these unannounced visits is to provide for “an improved safeguard for the public”.

Also, the current statute includes that Annual Relicensing Inspections would be “**WITH**” notice. I would like to clarify what is meant by, “with notice”.

The Department of Health sends the operator a letter approximately one month in advance of the inspection month notifying them of the specific month and the day of the week that they “**may**” show up for their annual relicensing inspection. This ensures that the care home operator is present during the inspection. Not taking residents to their medical appointments, picking up medications or shopping for food for both the residents and or their own families.

I am humbly requesting that your Committee put back the language of the existing HRS 321-15.6 “Annual inspections for relicensing shall be conducted “**WITH**” notice, unless otherwise determined by the department.”

Please kokua our small, family owned businesses that provide affordable long term care solutions for our frail and elderly kupuna. Without our homes, we would have even a larger homeless problem.

Mahalo for giving me the time to share my mana’o about how to malama our kupuna. I love what I do for a living, everyone should be so blessed to be a 24 hour a day, 7 days a week caregiver.

Wannette Gaylord

LATE

3/31/16

Rep. Sylvia Luke, Chair, House Finance Committee

Rep. Scott Nishimoto, Vice Chair, House Finance Committee

Re: Support for SB2384, SD1, HD1

Chair Luke and Vice-Chair Nishimoto:

I am a geriatric physician from Kaua'i and a member of PABEA. I am writing with my personal support for SB2384 – Relating to Licensing Inspections.

I have served on state and national task forces on elder abuse and neglect, long term care industry best practices, and national policy work groups for long term care. I have been a Certified Medical Director with the American Medical Directors Association (long term care medicine society) and have also worked closely with the State of Maine's Long Term Care Ombudsman program for over 20 years.

I was very surprised and disappointed to find that Hawaii is the ONLY state that requires its licensing agency to "announce" or give warning for any on-site inspections of long term care facilities. Not only is this unwise public policy (as evidenced by the other 49 states allowing this), but also it does a grave dis-service to our most frail and vulnerable citizens who live in long term care facilities.

As I understand it, the only serious arguments against allowing unannounced inspections are from the Dept. of Health as it does not have an adequate budget to perform these needed duties, and from the long term care facilities who do not want this visibility. Let me ask if you would like a facility that cares for your loved one to be able to "tidy up" and prepare for any visit by an inspector? No, you would like inspectors to see the real situation in every nursing home and care home – because that is what your mother would experience on a day to day basis. Even the long term care physicians groups support unannounced inspections because we all want excellent care for our most vulnerable citizens – each hour of the day, each day of the week, and each week of the month.

Please bring Hawaii's long term care licensing system up to a standard that we can be proud of, and one that will protect our most vulnerable.

Laurel Coleman MD

Geriatric Medicine, Kaua'i

Member, PABEA

LATE

To: Finance Committee Chair, Representative Sylvia Luke
 Date: 30 March 2018
 Re: SB 2384 – Relating to Care Facilities

Aloha Chair Luke and Committee Members:

My name is Debara Castro. I am a Care Home Operator (Adult Residential Care Homes – ARCHes) in SB2384 was referred to your Committee for hearing soon. I strongly OPPOSE the bill in particular the section regarding care homes.

Currently, HRS 321-15.6 has this provision: **“Annual inspections for relicensing shall be conducted with notice, unless otherwise determined by the department.”** I hereby respectfully ask the Chair and Members to retain the language. In addition, for transparency and for the welfare and protection of our Kupuna, the above-mentioned HRS already allows the Office of Health Care Assurance (OHCA) to conduct **unannounced visits** at any intervals at its discretion to confirm correction of deficiencies and/or to investigate complaints for suspicion of neglect and abuse.

According to data and statistics gathered and published by DHS Adult Protective and Community Services Board, in 2014, there were 168 confirmed cases of abuse and neglect from 1,104 reports. Out of those reports, there were 445 relatives as perpetrators (44%), and staff of caring facility was reported at 15% with 152 cases. Furthermore, data showed 13 incidents (1%) happened in ARCHes and 5 (0 %) happened in E-ARCHes. Obviously, the numbers do not indicate that we need a legislation to warrant an unannounced relicensing/recertification visits. On the GCFFHs side (family foster homes), the numbers are a little bit higher, but with tighter OVERSIGHT and ACCOUNTABILITY to all individuals involved with the care of an elderly, those numbers should go down.

Annual relicensing survey **WITHOUT NOTICE** does not prevent abuse or neglect in any care facility. Annual survey for relicensing is primarily for administrative purposes to make sure that the care home is complying with the list of requirements or the care home is in compliance with Chapter 100.1.

According to DOH's testimony submitted at the Health Committee hearing, the only reason cited was: "To maximize the readiness of the care homes or dispensaries for an inspection by the Department. This will be consistent with all other relicensing inspections of health care facilities under the regulatory responsibility of the OHCA, and is seen as an improved safeguard for the public." It is a little difficult to make comparison between care homes and other healthcare facilities. Most care facilities are "Mom & Pop industry" where the operator has many tasks to do aside from caregiving.

The current practice for the annual relicensing visit is OHCA sends notice to the care home operator regarding an upcoming annual relicensing inspection. The notice says "a certain day of the month but it does not announce the exact date." The reason OHCA has promulgated this system to allow the care home operator to be present during the inspection. There are many reasons that the care home operator could be out the house at any given time; such as bringing residents to their medical appointments, picking up medications, buying provisions and supplies for the residents, outings for residents, and once in a while a trip to the emergency room. In addition, care home operators have also personal appointments and errands. OHCA requires that the primary caregiver, the care home operator, and the residents must be present during the annual relicensing inspection.

I believe the current system is working well, and the care home industry does not need another piece of legislation to justify the reason cited by the Department for an unannounced relicensing visit.

Please retain the language in the statute, **“Annual inspections for relicensing shall be conducted with notice, unless otherwise determined by the department.”**

Mahalo for your support and consideration.

Sincerely,


 Debara Castro
 Care Home Operator

LATE

Date: March 31, 2016

To: Representative Sylvia Luke, Chair
Committee on Finance

Representative Scott Nishimoto, Vice Chair
Committee on Finance

From: Suzie Schulberg

Hearing: Friday, April 1, 2016, 3:00pm
Conference Room 308, State Capitol

Subject: SB 2384, SD1, HD1 Relating to Licensing Inspections

Position: I **strongly support** SB 2384, SD1, HD1 which requires the Department of Health to conduct unannounced visits and relicensing or recertification inspections for state-licensed care facilities.

Chair Luke, Vice Chair Nishimoto and Members of the House Finance Committee,

Thank you for allowing me this opportunity to provide testimony. My name is Suzie Schulberg and I have worked in the Long Term Care Industry in Honolulu since January 2001.

As you are aware, SB 2384, SD1, HD1 requires the Department of Health to conduct unannounced visits and relicensing inspections for state-licensed care facilities [and medical marijuana dispensaries.] The need for unannounced visits and relicensing inspections is paramount in order to maximize the effectiveness of the inspections for care homes. The unannounced visits would be consistent with other relicensing inspections of health care facilities under the regulatory responsibility of the Office of Health Care Assurance, are an important safeguard for the public and ensures the facilities are providing a high standard of quality on a day-to-day basis.

Thank you for giving me the opportunity to submit testimony.



Committee on Finance
Representative Sylvia Luke, Chair
Representative Scott Nishimoto, Vice Chair
State Capitol Conference Room 308
Friday, April 1, 2016 at 3 p.m.

Re: SB2384 SD1 HD1 Relating to Licensing Inspections

AARP Hawaii is a membership organization for people 50 and older with 150,000 members in Hawaii. We support consumer protections that help people to age safely at home and in community settings.

By 2032 (just 17 years from now) residents age 65+ will represent more than 20.7 percent of the state's population (331,000 people). At the same time, there will be fewer family caregivers available to provide care, with the number of available caregivers dwindling to just 3 potential unpaid caregivers to 1 older adult in need of care.

The state's licensed care facilities are a critical part of Hawaii's long-term care infrastructure. Adult Residential Care Homes provide a more affordable alternative to elder care than nursing home care in a home-like setting. Most facilities provide quality care. However, as Hawaii's need for long-term care options grows and the number of facilities grows, it is important that the state has measures in place to ensure the safety of consumers.

We support investing in measures to improve quality of care, increase access to care, and enforce consumer protections in Hawaii's state-licensed care facilities so that we can protect the safety and well being of Hawaii's most vulnerable citizens and ensure viable long-term care choices for Hawaii residents.

Re: SB2384 SD1 - testimony in opposition

NOTICE OF HEARING

DATE: FRIDAY, APRIL 01, 2016

TIME: 3:00 PM

PLACE: CONFERENCE ROOM 308

STATE CAPITOL

415 SOUTH BERETANIA STREET

**TO: THE Honorable Chair Rep. Sylvia Luke, Vice Chair
Rep. Scott Y. Nishimoto, and Committee Members of
Finance:**

My name is *Maneta Reyes* I
am a **Community Care Foster Family Home provider. I
strongly oppose SB2384 SD1** for me the bill relating to
unannounced annual visits and inspections for State licensed
or certified State-care facilities for Relicensing or
Recertification which includes Community Care Foster Family
Homes, Adult Residential Care Homes. CCFFH have already
Case Managers to supervise clients in our homes, aside from
CTA (Community Ties of America) who does their
unannounced visits any day of the year and anytime of the
day. Unannounced visits or inspections is not an option or
assurance on quality of care for the clients. Time
management is so efficient on what we do as caregivers. We
have scheduled follow up check up or Doctors appointments

for our clients, blood works every certain dates, and many more.

HRS 321-15.6 has been in existence, I am respectfully asking the Committee to retain the language of the statute **"ANNUAL INSPECTIONS FOR RELICENSING SHALL BE CONDUCTED WITH NOTICE, UNLESS OTHERWISE DETERMINED BY THE DEPARTMENT."**

Thank you for the opportunity to submit testimony opposing the intent of **SB2384 SD1**.

Mahalo for your attention,

A handwritten signature in black ink, reading "Magenta D. Reyes". The signature is written in a cursive style with a long, sweeping underline.

Re: SB2384 SD1 - testimony in opposition

NOTICE OF HEARING

DATE: FRIDAY, APRIL 01, 2016

TIME: 3:00 PM

PLACE: CONFERENCE ROOM 308

STATE CAPITOL

415 SOUTH BERETANIA STREET

**TO: THE Honorable Chair Rep. Sylvia Luke, Vice Chair
Rep. Scott Y. Nishimoto, and Committee Members of
Finance:**

My name is *Marites Domingo* |
I am a **Community Care Foster Family Home provider. I strongly oppose SB2384 SD1** for me the bill relating to unannounced annual visits and inspections for State licensed or certified State-care facilities for Relicensing or Recertification which includes Community Care Foster Family Homes, Adult Residential Care Homes. CCFFH have already Case Managers to supervise clients in our homes, aside from CTA (Community Ties of America) who does their unannounced visits any day of the year and anytime of the day. Unannounced visits or inspections is not an option or assurance on quality of care for the clients. Time management is so efficient on what we do as caregivers. We have scheduled follow up check up or Doctors appointments

for our clients, blood works every certain dates, and many more.

HRS 321-15.6 has been in existence, I am respectfully asking the Committee to retain the language of the statute **"ANNUAL INSPECTIONS FOR RELICENSING SHALL BE CONDUCTED WITH NOTICE, UNLESS OTHERWISE DETERMINED BY THE DEPARTMENT."**

Thank you for the opportunity to submit testimony opposing the intent of **SB2384 SD1**.

Mahalo for your attention,

Marites L. Jimingo

Re: SB2384 SD1 - testimony in opposition

NOTICE OF HEARING

DATE: FRIDAY, APRIL 01, 2016

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PLACE: CONFERENCE ROOM 308

STATE CAPITOL

415 SOUTH BERETANIA STREET

**TO: THE Honorable Chair Rep. Sylvia Luke, Vice Chair
Rep. Scott Y. Nishimoto, and Committee Members of
Finance:**

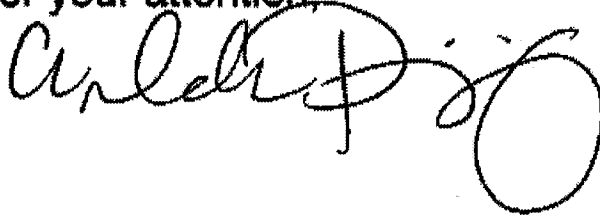
My name is Erlinda Paguirigan I
**am a Community Care Foster Family Home provider. I
strongly oppose SB2384 SD1** for me the bill relating to
unannounced annual visits and inspections for State licensed
or certified State-care facilities for Relicensing or
Recertification which includes Community Care Foster Family
Homes, Adult Residential Care Homes. CCFFH have already
Case Managers to supervise clients in our homes, aside from
CTA (Community Ties of America) who does their
unannounced visits any day of the year and anytime of the
day. Unannounced visits or inspections is not an option or
assurance on quality of care for the clients. Time
management is so efficient on what we do as caregivers. We
have scheduled follow up check up or Doctors appointments

for our clients, blood works every certain dates, and many more.

HRS 321-15.6 has been in existence, I am respectfully asking the Committee to retain the language of the statute **"ANNUAL INSPECTIONS FOR RELICENSING SHALL BE CONDUCTED WITH NOTICE, UNLESS OTHERWISE DETERMINED BY THE DEPARTMENT."**

Thank you for the opportunity to submit testimony opposing the intent of **SB2384 SD1**.

Mahalo for your attention,

A handwritten signature in black ink, appearing to read "Anle P. J. O.", written in a cursive style.

Re: SB2384 SD1 – Testimony in Opposition

NOTICE OF HEARING

DATE: Friday, April 01, 2016

TIME: 3:00 p.m.

PLACE: Conference Room 308
State Capitol
415 South Beretania Street

To: The Honorable Chair Rep. Sylvia Luke, Vice Chair Rep. Scott Y. Nishimoto,
and Committee Members of Finance

My name is LOUIS KAPELA, I am a Community Care Foster Family Home provider. I strongly oppose SB2384 SD1 or the bill relating to the unannounced annual visits and inspections for State-licensed or certified State-care facilities for Relicensing or Recertification which includes – Community Care Foster Family Homes, Adult Residential Care Homes. CCFH have already Case Managers to supervise clients in our homes, aside from the CTA (Community Ties of America) who does their unannounced visits any day of the year and anytime of the day. Unannounced visits or inspections is not an option or assurance on quality of care for our clients. Time management is so efficient on what we do as caregivers. We have scheduled follow up check-up or Doctor's appointments for our clients, blood work every certain dates, and many more.

HRS 321-15.6 has been in existence, I am respectfully asking the Committee to retain the language of the statute "Annual inspections for relicensing shall be conducted with notice, unless otherwise determined by the department."

Thank you for the opportunity to submit testimony opposing the intent of SB2384 SD1.

Mahaio for your Attention,

Re: SB2384 SD1 – Testimony In Opposition

NOTICE OF HEARING

DATE: Friday, April 01, 2016
TIME: 3:00 p.m.
PLACE: Conference Room 308
State Capitol
415 South Beretania Street

To: The Honorable Chair Rep. Sylvia Luke, Vice Chair Rep. Scott Y. Nishimoto,
and Committee Members of Finance

My name is VANDRA B KAPULA, I am a Community Care Foster Family Home provider. I strongly oppose SB2384 SD1 or the bill relating to the unannounced annual visits and inspections for State-licensed or certified State-care facilities for Relicensing or Recertification which includes – Community Care Foster Family Homes, Adult Residential Care Homes. CCFHH have already Case Managers to supervise clients in our homes, aside from the CTA (Community Ties of America) who does their unannounced visits any day of the year and anytime of the day. Unannounced visits or inspections is not an option or assurance on quality of care for our clients. Time management is so efficient on what we do as caregivers. We have scheduled follow up check-up or Doctor's appointments for our clients, blood work every certain dates, and many more.

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Thank you for the opportunity to submit testimony opposing the intent of SB2384 SD1.

Mahalo for your Attention,

Re: SB2384 SD1 – Testimony in Opposition

NOTICE OF HEARING

DATE: Friday, April 01, 2016

TIME: 3:00 p.m.

PLACE: Conference Room 308

State Capitol

415 South Beretania Street

**To: The Honorable Chair Rep. Sylvia Luke, Vice Chair Rep. Scott Y. Nishimoto,
and Committee Members of Finance**

My name is Rachel Castro, I am a Community Care Foster Family Home provider. I strongly oppose **SB2384 SD1** or the bill relating to the unannounced annual visits and inspections for State-licensed or certified State-care facilities for Relicensing or Recertification which includes – Community Care Foster Family Homes, Adult Residential Care Homes. CCFH have already Case Managers to supervise clients in our homes, aside from the CTA (Community Ties of America) who does their unannounced visits any day of the year and anytime of the day. Unannounced visits or inspections is not an option or assurance on quality of care for our clients. Time management is so efficient on what we do as caregivers. We have scheduled follow up check-up or Doctor's appointments for our clients, blood work every certain dates, and many more.

HRS 321-15.6 has been in existence, I am respectfully asking the Committee to retain the language of the statue "Annual inspections for relicensing shall be conducted with notice, unless otherwise determined by the department."

Thank you for the opportunity to submit testimony opposing the intent of **SB2384 SD1**.

Mahalo for your Attention,

*Rachel Castro
Castro Adult Foster Care Home
882 Kupulao Rd.
Hilo, HI 96720*

Re: SB2384 SD1 – Testimony in Opposition

NOTICE OF HEARING

DATE: Friday, April 01, 2016

TIME: 3:00 p.m.

PLACE: Conference Room 308

State Capitol

415 South Beretania Street

To: The Honorable Chair Rep. Sylvia Luke, Vice Chair Rep. Scott Y. Nishimoto,
and Committee Members of Finance

My name is GRACE JADULANG, I am a Community Care Foster Family Home provider. I strongly oppose SB2384 SD1 or the bill relating to the unannounced annual visits and inspections for State-licensed or certified State-care facilities for Relicensing or Recertification which includes – Community Care Foster Family Homes, Adult Residential Care Homes. CCFH have already Case Managers to supervise clients in our homes, aside from the CTA (Community Ties of America) who does their unannounced visits any day of the year and anytime of the day. Unannounced visits or inspections is not an option or assurance on quality of care for our clients. Time management is so efficient on what we do as caregivers. We have scheduled follow up check-up or Doctor's appointments for our clients, blood work every certain dates, and many more.

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Thank you for the opportunity to submit testimony opposing the intent of SB2384 SD1.

Mahalo for your Attention,

Grace Jadul
JADULANG ADULT FOSTER
CARE HOME
HILO, HI 96720

Estelita Casino

Re: SB2384 SD1 - testimony in opposition

NOTICE OF HEARING

DATE: FRIDAY, APRIL 01, 2016

TIME: 3:00 PM

PLACE: CONFERENCE ROOM 308

STATE CAPITOL

415 SOUTH BERETANIA STREET

TO: THE Honorable Chair Rep. Sylvia Luke, Vice Chair Rep. Scott Y. Nishimoto, and Committee Members of Finance:

My name is *Estelita Casino* I am a Community Care Foster Family Home provider. I strongly oppose SB2384 SD1 for me the bill relating to unannounced annual visits and inspections for State licensed or certified State-care facilities for Relicensing or Recertification which includes Community Care Foster Family Homes, Adult Residential Care Homes. CCFFH have already Case Managers to supervise clients in our homes, aside from CTA (Community Ties of America) who does their unannounced visits any day of the year and anytime of the day. Unannounced visits or inspections is not an option or assurance on quality of care for the clients. Time management is so efficient on what we do as caregivers. We have scheduled follow up check up or Doctors appointments

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Mahalo for your attention,

Re: SB2384 SD1 - testimony in opposition

NOTICE OF HEARING

DATE: FRIDAY, APRIL 01, 2016

TIME: 3:00 PM

PLACE: CONFERENCE ROOM 308

STATE CAPITOL

415 SOUTH BERETANIA STREET

TO: THE Honorable Chair Rep. Sylvia Luke, Vice Chair Rep. Scott Y. Nishimoto, and Committee Members of Finance:

My name is *Anniva L. Acasio*

am a Community Care Foster Family Home provider. I strongly oppose SB2384 SD1 for me the bill relating to unannounced annual visits and inspections for State licensed or certified State-care facilities for Relicensing or Recertification which includes Community Care Foster Family Homes, Adult Residential Care Homes. CCFFH have already Case Managers to supervise clients in our homes, aside from CTA (Community Ties of America) who does their unannounced visits any day of the year and anytime of the day. Unannounced visits or inspections is not an option or assurance on quality of care for the clients. Time management is so efficient on what we do as caregivers. We have scheduled follow up check up or Doctors appointments

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Thank you for the opportunity to submit testimony opposing the intent of **SB2384 SD1.**

Mahalo for your attention,

Alana

BIG ISLAND ADULT FASTER HOME OPERATOR

Re: SB2384 SD1 – Testimony in Opposition

NOTICE OF HEARING

DATE: Friday, April 01, 2016

TIME: 3:00 p.m.

PLACE: Conference Room 308

State Capitol

415 South Beretania Street

To: The Honorable Chair Rep. Sylvia Luke, Vice Chair Rep. Scott Y. Nishimoto,
and Committee Members of Finance

My name is Rueda Ramos, I am a Community Care Foster Family Home provider. I strongly oppose SB2384 SD1 or the bill relating to the unannounced annual visits and inspections for State-licensed or certified State-care facilities for Relicensing or Recertification which includes – Community Care Foster Family Homes, Adult Residential Care Homes. CCFH have already Case Managers to supervise clients in our homes, aside from the CTA (Community Ties of America) who does their unannounced visits any day of the year and anytime of the day. Unannounced visits or inspections is not an option or assurance on quality of care for our clients. Time management is so efficient on what we do as caregivers. We have scheduled follow up check-up or Doctor's appointments for our clients, blood work every certain dates, and many more.

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Thank you for the opportunity to submit testimony opposing the intent of SB2384 SD1.

Mahaio for your Attention,

Re: SB2384 SD1 – Testimony In Opposition

NOTICE OF HEARING

DATE: Friday, April 01, 2016
TIME: 3:00 p.m.
PLACE: Conference Room 308
State Capitol
415 South Beretania Street

To: The Honorable Chair Rep. Sylvia Luke, Vice Chair Rep. Scott Y. Nishimoto,
and Committee Members of Finance

My name is Aileen Navalta, I am a Community Care Foster Family Home provider. I strongly oppose SB2384 SD1 or the bill relating to the unannounced annual visits and inspections for State-licensed or certified State-care facilities for Relicensing or Recertification which includes – Community Care Foster Family Homes, Adult Residential Care Homes. CCFFH have already Case Managers to supervise clients in our homes, aside from the CTA (Community Ties of America) who does their unannounced visits any day of the year and anytime of the day. Unannounced visits or inspections is not an option or assurance on quality of care for our clients. Time management is so efficient on what we do as caregivers. We have scheduled follow up check-up or Doctor's appointments for our clients, blood work every certain dates, and many more.

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Thank you for the opportunity to submit testimony opposing the intent of SB2384 SD1.

Mahalo for your Attention,

From: mailinglist@capitol.hawaii.gov
Sent: Friday, April 01, 2016 10:46 AM
To: FINTestimony
Cc: cariagacora@yahoo.com
Subject: Submitted testimony for SB2384 on Apr 1, 2016 15:00PM



SB2384

Submitted on: 4/1/2016

Testimony for FIN on Apr 1, 2016 15:00PM in Conference Room 308

Submitted By	Organization	Testifier Position	Present at Hearing
Frances Marie E. Cariaga	Individual	Oppose	No

Comments: I strongly oppose this SB2384 in regards to the intent of it. Thank you for reading my testimony .

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.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov

LATE

From: mailinglist@capitol.hawaii.gov
Sent: Friday, April 01, 2016 11:03 AM
To: FINTestimony
Cc: deborah.stone-walls@co.maui.hi.us
Subject: *Submitted testimony for SB2384 on Apr 1, 2016 15:00PM*

SB2384

Submitted on: 4/1/2016

Testimony for FIN on Apr 1, 2016 15:00PM in Conference Room 308

Submitted By	Organization	Testifier Position	Present at Hearing
Deborah Stone-Walls	Maui County Office on Aging	Support	No

Comments:

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.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov

LATE

To : State of Hawaii Legislature, House of Representatives, Committee on Finance

Date: April 1, 2016

Re: SB 2384 – Relating to Care Facilities

Aloha Chair Sylvia Luke, Vice Chair Scott Y. Nishimoto, and Finance Committee Members,

My name is Elena A. Galario, and I am a Care Home Operator in Waipahu, Hawaii. I am in strong opposition to the bill, SB 2384, in particular to the section regarding care homes.

Currently, community-based care facilities are governed by different regulations regarding unannounced visits and annual inspection for relicensing. The Department of Health (DOH) has jurisdiction over the Adult Residential Care Homes (ARCH) under the guidance of Hawaii Revised Statutes (HRS) Section 321-15.6. The Department of Human Services (DHS) has the jurisdiction over the foster family homes using the guidelines under Hawaii Administrative Rules Title 17, Chapter 1454. I am respectfully asking the Committee to retain the language of HRS § 321-15.6: “Annual inspections for relicensing shall be conducted with notice, unless otherwise determined by the department.”

The DOH supports SB 2384, in its current form. The DOH in its testimony submitted at the Health Committee hearing, cited the following reason why it supported the bill, “To maximize the readiness of the care home or dispensaries for an inspection by the Department. This will be consistent with all other relicensing inspections of health care facilities under the regulatory responsibility of the OHCA, and is seen as an improved safeguard for the public.” It is difficult to make the comparison between care homes and other health care facilities. Most care home facilities are of the “mom and pop industries”, are small businesses, and provide services to 1-6 residents, whereas health care facilities are “bigger” businesses, have many employees, and provide services to many clients.

The current practice of the DOH, through the Office of Health Care Assurance (OHCA), is to send a notice to the care home operator regarding an upcoming annual relicensing inspection. For example, the notice may state, “Your annual inspection will take place on a Tuesday in the month of June 2016.” The reason OHCA has utilized this system is to allow the care home operator to be present during the inspection. OHCA requires that the primary caregiver, the care home operator, and the residents be present during the annual relicensing inspection. There are many reasons why a care home operator may not be home on any given day, such as bringing the residents to their medical/dental appointments, picking up resident’s medications, buying provisions and supplies for the residents, planned outings for residents, and the rare trip to either an urgent care facility or the emergency room. In addition, the care home operators may not be present at the home due to their own personal appointments (medical or otherwise), errands, and in-services/continuing education classes.

The statute already has a provision for unannounced visits. OHCA can conduct announced visits at any intervals at its discretion to confirm correction of deficiencies and/or complaints for suspicion of neglect or abuse.

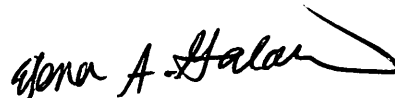
According to the data and statistics gathered and published by DHS Adult Protective and Community Services Board, in 2014, there were 1,104 reported cases of suspected abuse and/or neglect. Out of the 1,104 reported cases, there were 168 confirmed cases of abuse and/or neglect. Out of those reported cases, the perpetrators were listed as follows: 445 cases involved relatives (40.3%), and 152 cases involved care facilities staff members (13.7%). Furthermore, the data showed that of the reported suspected cases of abuse and/or neglect, 13 cases (1.1%) happened in ARCH facilities and 5 cases (0.4%) occurred in Expanded ARCH facilities. The statistics do not indicate that we need legislation to warrant an unannounced licensing/recertification visits. Annual relicensing without notice does not prevent abuse or neglect in any care facility. Annual survey for relicensing is primarily for administrative purposes to make sure that the care home is complying with the list of requirements or the care home is in compliance with Hawaii State Department of Health Chapter 100.1.

I believe that the current annual relicensing system is working well, and the care home industry does not need another piece of legislation to abide by, based upon the Department's provided reason for an unannounced relicensing visit.

Please retain the language in the HRS § 321-15.6, "Annual inspections for relicensing shall be conducted with notice, unless otherwise determined by the department."

Thank you for your time and your consideration.

Sincerely,



Elena A. Galario
Care Home Operator



From: mailinglist@capitol.hawaii.gov
Sent: Friday, April 01, 2016 11:11 AM
To: FINTestimony
Cc: cariagacora@yahoo.com
Subject: Submitted testimony for SB2384 on Apr 1, 2016 15:00PM

SB2384

Submitted on: 4/1/2016

Testimony for FIN on Apr 1, 2016 15:00PM in Conference Room 308

Submitted By	Organization	Testifier Position	Present at Hearing
Joane E. Cariaga	Individual	Oppose	No

Comments: I'm opposing the intent of the SB 2384. Thank you for this opportunity to submit my testimony.

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.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov

LATE

From: mailinglist@capitol.hawaii.gov
Sent: Friday, April 01, 2016 11:13 AM
To: FINTestimony
Cc: cariagacora@yahoo.com
Subject: Submitted testimony for SB2384 on Apr 1, 2016 15:00PM

SB2384

Submitted on: 4/1/2016

Testimony for FIN on Apr 1, 2016 15:00PM in Conference Room 308

Submitted By	Organization	Testifier Position	Present at Hearing
Grace Andress	Individual	Oppose	No

Comments: I strongly oppose the intent of the SB2384. Thank you for your attention

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.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov

Re: SB2384 SD1 - testimony in opposition

NOTICE OF HEARING

LATE

DATE: FRIDAY, APRIL 01, 2016

TIME: 3:00 PM

PLACE: CONFERENCE ROOM 308

STATE CAPITOL

415 SOUTH BERETANIA STREET

TO: THE Honorable Chair Rep. Sylvia Luke, Vice Chair Rep. Scott Y. Nishimoto, and Committee Members of Finance:

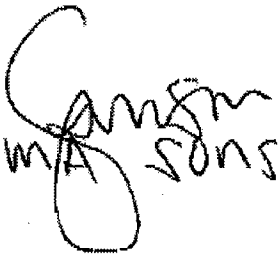
My name is **SOSUMA SONSON** I am a **Community Care Foster Family Home provider**. I **strongly oppose SB2384 SD1** for me the bill relating to unannounced annual visits and inspections for State licensed or certified State-care facilities for Relicensing or Recertification which includes Community Care Foster Family Homes, Adult Residential Care Homes. CCFFH have already Case Managers to supervise clients in our homes, aside from CTA (Community Ties of America) who does their unannounced visits any day of the year and anytime of the day. Unannounced visits or inspections is not an option or assurance on quality of care for the clients. Time management is so efficient on what we do as caregivers. We have scheduled follow up check up or Doctors appointments

for our clients, blood works every certain dates, and many more.

HRS 321-15.6 has been in existence, I am respectfully asking the Committee to retain the language of the statute **"ANNUAL INSPECTIONS FOR RELICENSING SHALL BE CONDUCTED WITH NOTICE, UNLESS OTHERWISE DETERMINED BY THE DEPARTMENT."**

Thank you for the opportunity to submit testimony opposing the intent of **SB2384 SD1**.

Mahalo for your attention,


SOSIMA SONSON

Re: SB2384 SD1 - testimony in opposition

NOTICE OF HEARING

DATE: FRIDAY, APRIL 01, 2016

LATE

TIME: 3:00 PM

PLACE: CONFERENCE ROOM 308

STATE CAPITOL

415 SOUTH BERETANIA STREET

TO: THE Honorable Chair Rep. Sylvia Luke, Vice Chair Rep. Scott Y. Nishimoto, and Committee Members of Finance:

My name is *Larry G. Quiabang* I am a **Community Care Foster Family Home provider. I strongly oppose SB2384 SD1** for me the bill relating to unannounced annual visits and inspections for State licensed or certified State-care facilities for Relicensing or Recertification which includes Community Care Foster Family Homes, Adult Residential Care Homes. CCFFH have already Case Managers to supervise clients in our homes, aside from CTA (Community Ties of America) who does their unannounced visits any day of the year and anytime of the day. Unannounced visits or inspections is not an option or assurance on quality of care for the clients. Time management is so efficient on what we do as caregivers. We have scheduled follow up check up or Doctors appointments

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Thank you for the opportunity to submit testimony opposing the intent of **SB2384 SD1.**

Mahalo for your attention,

Larry G. Quiabang
LQ's Foster Family Sucs.
74-5093 Kamakani St.
Kailua-Kona, HI 96740

Re: SB2384 SD1 - testimony in opposition

NOTICE OF HEARING

DATE: FRIDAY, APRIL 01, 2016

TIME: 3:00 PM

LATE

PLACE: CONFERENCE ROOM 308

STATE CAPITOL

415 SOUTH BERETANIA STREET

**TO: THE Honorable Chair Rep. Sylvia Luke, Vice Chair
Rep. Scott Y. Nishimoto, and Committee Members of
Finance:**

My name is *Marissa Gaspar* I
am a **Community Care Foster Family Home provider. I
strongly oppose SB2384 SD1** for me the bill relating to
unannounced annual visits and inspections for State licensed
or certified State-care facilities for Relicensing or
Recertification which includes Community Care Foster Family
Homes, Adult Residential Care Homes. CCFFH have already
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Thank you for the opportunity to submit testimony opposing the intent of **SB2384 SD1**.

Mahalo for your attention,

A handwritten signature in black ink, appearing to read 'm. g. p. a. r.', is written below the text 'Mahalo for your attention,'.

Re: SB2384 SD1 - testimony in opposition

NOTICE OF HEARING

DATE: FRIDAY, APRIL 01, 2016

TIME: 3:00 PM

LATE

PLACE: CONFERENCE ROOM 308

STATE CAPITOL

415 SOUTH BERETANIA STREET

**TO: THE Honorable Chair Rep. Sylvia Luke, Vice Chair
Rep. Scott Y. Nishimoto, and Committee Members of
Finance:**

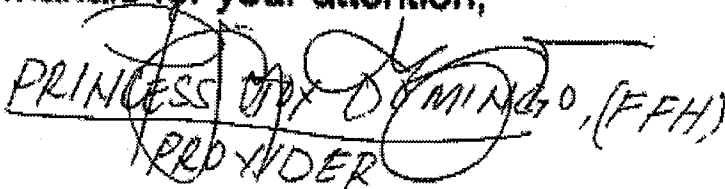
**My name is *PRINCESS JOY DOMINGO*. I
am a **Community Care Foster Family Home provider**. I
strongly oppose SB2384 SD1 for me the bill relating to
unannounced annual visits and inspections for State licensed
or certified State-care facilities for Relicensing or
Recertification which includes Community Care Foster Family
Homes, Adult Residential Care Homes. CCFH have already
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Thank you for the opportunity to submit testimony opposing the intent of **SB2384 SD1.**

Mahalo for your attention,


PRINCESS KAY DYMINGO, (FFH)
PROVIDER

Re: SB2384 SD1 - testimony in opposition

NOTICE OF HEARING

DATE: FRIDAY, APRIL 01, 2016

TIME: 3:00 PM

PLACE: CONFERENCE ROOM 308

STATE CAPITOL

415 SOUTH BERETANIA STREET

TO: THE Honorable Chair Rep. Sylvia Luke, Vice Chair Rep. Scott Y. Nishimoto, and Committee Members of Finance:

LATE

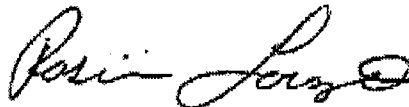
My name is *Rosita Lorenzo*
I am a **Community Care Foster Family Home provider. I strongly oppose SB2384 SD1** for me the bill relating to unannounced annual visits and inspections for State licensed or certified State-care facilities for Relicensing or Recertification which includes Community Care Foster Family Homes, Adult Residential Care Homes. CCFFH have already Case Managers to supervise clients in our homes, aside from CTA (Community Ties of America) who does their unannounced visits any day of the year and anytime of the day. Unannounced visits or inspections is not an option or assurance on quality of care for the clients. Time management is so efficient on what we do as caregivers. We have scheduled follow up check up or Doctors appointments

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Mahalo for your attention,



Re: SB2384 SD1 - testimony in opposition

NOTICE OF HEARING

DATE: FRIDAY, APRIL 01, 2016

LATE

TIME: 3:00 PM

PLACE: CONFERENCE ROOM 308

STATE CAPITOL

415 SOUTH BERETANIA STREET

**TO: THE Honorable Chair Rep. Sylvia Luke, Vice Chair
Rep. Scott Y. Nishimoto, and Committee Members of
Finance:**

**My name is
am a Community Care Foster Family Home provider. I
strongly oppose SB2384 SD1 for me the bill relating to
unannounced annual visits and inspections for State licensed
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Thank you for the opportunity to submit testimony opposing the intent of **SB2384 SD1.**

Mahalo for your attention,


BERNADETTE R. CARLSON

Re: SB2384 SD1 - testimony in opposition

NOTICE OF HEARING

DATE: FRIDAY, APRIL 01, 2016

TIME: 3:00 PM

LATE

PLACE: CONFERENCE ROOM 308

STATE CAPITOL

415 SOUTH BERETANIA STREET

TO: THE Honorable Chair Rep. Sylvia Luke, Vice Chair Rep. Scott Y. Nishimoto, and Committee Members of Finance:

My name is Evelyn Q. Isabelo, I am a Community Care Foster Family Home provider. I strongly oppose SB2384 SD1 for me the bill relating to unannounced annual visits and inspections for State licensed or certified State-care facilities for Relicensing or Recertification which includes Community Care Foster Family Homes, Adult Residential Care Homes. CCFFH have already Case Managers to supervise clients in our homes, aside from CTA (Community Ties of America) who does their unannounced visits any day of the year and anytime of the day. Unannounced visits or inspections is not an option or assurance on quality of care for the clients. Time management is so efficient on what we do as caregivers. We have scheduled follow up check up or Doctors

appointments for our clients, blood works every certain dates, and many more.

HRS 321-15.6 has been in existence, I am respectfully asking the Committee to retain the language of the statute **"ANNUAL INSPECTIONS FOR RELICENSING SHALL BE CONDUCTED WITH NOTICE, UNLESS OTHERWISE DETERMINED BY THE DEPARTMENT."**

Thank you for the opportunity to submit testimony opposing the intent of **SB2384 SD1**.

Mahalo for your attention,

Evelyn Q. Isabelo, CNA

Re: SB2384 SD1 - testimony in opposition

NOTICE OF HEARING

DATE: FRIDAY, APRIL 01, 2016

TIME: 3:00 PM

PLACE: CONFERENCE ROOM 308

STATE CAPITOL

415 SOUTH BERETANIA STREET

**TO: THE Honorable Chair Rep. Sylvia Luke, Vice Chair
Rep. Scott Y. Nishimoto, and Committee Members of
Finance:**

**My name is *EMILIE M. DOMINGO* I
am a Community Care Foster Family Home provider. I
strongly oppose SB2384 SD1 for me the bill relating to
unannounced annual visits and inspections for State licensed
or certified State-care facilities for Relicensing or
Recertification which includes Community Care Foster Family
Homes, Adult Residential Care Homes. CCFFH have already
Case Managers to supervise clients in our homes, aside from
CTA (Community Ties of America) who does their
unannounced visits any day of the year and anytime of the
day. Unannounced visits or inspections is not an option or
assurance on quality of care for the clients. Time
management is so efficient on what we do as caregivers. We
have scheduled follow up check up or Doctors appointments**

LATE

for our clients, blood works every certain dates, and many more.

HRS 321-15.6 has been in existence, I am respectfully asking the Committee to retain the language of the statute **"ANNUAL INSPECTIONS FOR RELICENSING SHALL BE CONDUCTED WITH NOTICE, UNLESS OTHERWISE DETERMINED BY THE DEPARTMENT."**

Thank you for the opportunity to submit testimony opposing the intent of **SB2384 SD1.**

Mahalo for your attention,

Adomingo
EMILIE M. DOMINGO
CAREGIVER

Re: SB2384 SD1 – Testimony in Opposition

LATE

NOTICE OF HEARING

DATE: Friday, April 01, 2016
TIME: 3:00 p.m.
PLACE: Conference Room 308
State Capitol
415 South Beretania Street

To: The Honorable Chair Rep. Sylvia Luke, Vice Chair Rep. Scott Y. Nishimoto,
and Committee Members of Finance

My name is JOSEPHINE GANSON UAL, I am a Community Care Foster Family Home provider. I strongly oppose SB2384 SD1 or the bill relating to the unannounced annual visits and inspections for State-licensed or certified State-care facilities for Relicensing or Recertification which includes – Community Care Foster Family Homes, Adult Residential Care Homes. CCFH have already Case Managers to supervise clients in our homes, aside from the CTA (Community Ties of America) who does their unannounced visits any day of the year and anytime of the day. Unannounced visits or inspections is not an option or assurance on quality of care for our clients. Time management is so efficient on what we do as caregivers. We have scheduled follow up check-up or Doctor's appointments for our clients, blood work every certain dates, and many more.

HRS 321-15.6 has been in existence, I am respectfully asking the Committee to retain the language of the statute "Annual inspections for relicensing shall be conducted with notice, unless otherwise determined by the department."

Thank you for the opportunity to submit testimony opposing the intent of SB2384 SD1.

Mahalo for your Attention,

Re: SB2384 SD1 – Testimony in Opposition

LATE

NOTICE OF HEARING

DATE: Friday, April 01, 2016
TIME: 3:00 p.m.
PLACE: Conference Room 308
State Capitol
415 South Beretania Street

To: The Honorable Chair Rep. Sylvia Luke, Vice Chair Rep. Scott Y. Nishimoto,
and Committee Members of Finance

My name is LIGAYA FERNANDEZ I am a Community Care Foster Family Home provider. I strongly oppose SB2384 SD1 or the bill relating to the unannounced annual visits and inspections for State-licensed or certified State-care facilities for Relicensing or Recertification which includes – Community Care Foster Family Homes, Adult Residential Care Homes. CCFFH have already Case Managers to supervise clients in our homes, aside from the CTA (Community Ties of America) who does their unannounced visits any day of the year and anytime of the day. Unannounced visits or inspections is not an option or assurance on quality of care for our clients. Time management is so efficient on what we do as caregivers. We have scheduled follow up check-up or Doctor's appointments for our clients, blood work every certain dates, and many more.

HRS 321-15.6 has been in existence, I am respectfully asking the Committee to retain the language of the statute "Annual inspections for relicensing shall be conducted with notice, unless otherwise determined by the department."

Thank you for the opportunity to submit testimony opposing the intent of SB2384 SD1.

Mahalo for your Attention,

Re: SB2384 SD1 -- Testimony In Opposition

LATE

NOTICE OF HEARING

DATE: Friday, April 01, 2016
TIME: 3:00 p.m.
PLACE: Conference Room 308
State Capitol
415 South Beretania Street

To: The Honorable Chair Rep. Sylvia Luke, Vice Chair Rep. Scott Y. Nishimoto,
and Committee Members of Finance

My name is FLORINA GANONCAL ANDRES, I am a Community Care Foster Family Home provider. I strongly oppose SB2384 SD1 or the bill relating to the unannounced annual visits and inspections for State-licensed or certified State-care facilities for Relicensing or Recertification which includes -- Community Care Foster Family Homes, Adult Residential Care Homes. CCFH have already Case Managers to supervise clients in our homes, aside from the CTA (Community Ties of America) who does their unannounced visits any day of the year and anytime of the day. Unannounced visits or inspections is not an option or assurance on quality of care for our clients. Time management is so efficient on what we do as caregivers. We have scheduled follow up check-up or Doctor's appointments for our clients, blood work every certain dates, and many more.

HRS 321-15.6 has been in existence, I am respectfully asking the Committee to retain the language of the statute "Annual inspections for relicensing shall be conducted with notice, unless otherwise determined by the department."

Thank you for the opportunity to submit testimony opposing the intent of SB2384 SD1.

Mahalo for your Attention.

Re: SB2384 SD1 – Testimony in Opposition

LATE

NOTICE OF HEARING

DATE: Friday, April 01, 2016
TIME: 3:00 p.m.
PLACE: Conference Room 308
State Capitol
415 South Beretania Street

To: The Honorable Chair Rep. Sylvia Luke, Vice Chair Rep. Scott Y. Nishimoto,
and Committee Members of Finance

My name is MYRNA GANSON CASE CARD I am a Community Care Foster Family Home provider. I strongly oppose SB2384 SD1 or the bill relating to the unannounced annual visits and inspections for State-licensed or certified State-care facilities for Relicensing or Recertification which includes – Community Care Foster Family Homes, Adult Residential Care Homes. CCFH have already Case Managers to supervise clients in our homes, aside from the CTA (Community Ties of America) who does their unannounced visits any day of the year and anytime of the day. Unannounced visits or inspections is not an option or assurance on quality of care for our clients. Time management is so efficient on what we do as caregivers. We have scheduled follow up check-up or Doctor's appointments for our clients, blood work every certain dates, and many more.

HRS 321-15.6 has been in existence, I am respectfully asking the Committee to retain the language of the statute "Annual inspections for relicensing shall be conducted with notice, unless otherwise determined by the department."

Thank you for the opportunity to submit testimony opposing the intent of SB2384 SD1.

Mahalo for your Attention.

Re: SB2384 SD1 - testimony in opposition

NOTICE OF HEARING

DATE: FRIDAY, APRIL 01, 2016

TIME: 3:00 PM

PLACE: CONFERENCE ROOM 308

STATE CAPITOL

415 SOUTH BERETANIA STREET

**TO: THE Honorable Chair Rep. Sylvia Luke, Vice Chair
Rep. Scott Y. Nishimoto, and Committee Members of
Finance:**

My name is

Marilyn Purganan

I am a Community Care Foster Family Home provider. I strongly oppose SB2384 SD1 for me the bill relating to unannounced annual visits and inspections for State licensed or certified State-care facilities for Relicensing or Recertification which includes Community Care Foster Family Homes, Adult Residential Care Homes. CCFFH have already Case Managers to supervise clients in our homes, aside from CTA (Community Ties of America) who does their unannounced visits any day of the year and anytime of the day. Unannounced visits or inspections is not an option or assurance on quality of care for the clients. Time management is so efficient on what we do as caregivers. We have scheduled follow up check up or Doctors appointments

LATE

EVELYN

for our clients, blood works every certain dates, and many more.

HRS 321-15.6 has been in existence, I am respectfully asking the Committee to retain the language of the statute **"ANNUAL INSPECTIONS FOR RELICENSING SHALL BE CONDUCTED WITH NOTICE, UNLESS OTHERWISE DETERMINED BY THE DEPARTMENT."**

Thank you for the opportunity to submit testimony opposing the intent of **SB2384 SD1.**

Mahalo for your attention,

A handwritten signature in black ink, appearing to read 'Lily Jacinto', written in a cursive style.



To: Finance Committee Chair, Representative Sylvia Luke
 Date: 20 March 2016
 Re: SB 2384 - Relating to Care Facilities

Aloha Chair Luke and Committee Members:

My name is GLORIA PEREZ. I am a Care Home Operator (Adult Residential Care Homes - ARCHes) in SB2384 was referred to your Committee for hearing soon. I strongly OPPOSE the bill in particular the section regarding care homes.

Currently, HRS 321-15.6 has this provision: "Annual inspections for relicensing shall be conducted with notice, unless otherwise determined by the department." I hereby respectfully ask the Chair and Members to retain the language. In addition, for transparency and for the welfare and protection of our Kupuna, the above-mentioned HRS already allows the Office of Health Care Assurance (OHCA) to conduct unannounced visits at any intervals at its discretion to confirm correction of deficiencies and/or to investigate complaints for suspicion of neglect and abuse.

According to data and statistics gathered and published by DHS Adult Protective and Community Services Board, in 2014, there were 168 confirmed cases of abuse and neglect from 1,104 reports. Out of those reports, there were 445 relatives as perpetrators (44%), and staff of caring facility was reported at 16% with 152 cases. Furthermore, data showed 13 incidents (1%) happened in ARCHes and 5 (0 %) happened in E-ARCHes. Obviously, the numbers do not indicate that we need a legislation to warrant an unannounced relicensing/recertification visits. On the CCFFHs side (family foster homes), the numbers are a little bit higher, but with tighter OVERSIGHT and ACCOUNTABILITY to all individuals involved with the care of an elderly, those numbers should go down.

Annual relicensing survey WITHOUT NOTICE does not prevent abuse or neglect in any care facility. Annual survey for relicensing is primarily for administrative purposes to make sure that the care home is complying with the list of requirements or the care home is in compliance with Chapter 100.1.

According to DCH's testimony submitted at the Health Committee hearing, the only reason cited was: "To maximize the readiness of the care homes or dispensaries for an inspection by the Department. This will be consistent with all other relicensing inspections of health care facilities under the regulatory responsibility of the OHCA, and is seen as an improved safeguard for the public." It is a little difficult to make comparison between care homes and other healthcare facilities. Most care facilities are "Mom & Pop industry" where the operator has many tasks to do aside from caregiving.

The current practice for the annual relicensing visit is OHCA sends notice to the care home operator regarding an upcoming annual relicensing inspection. The notice says "a certain day of the month but it does not announce the exact date." The reason OHCA has promulgated this system is to allow the care home operator to be present during the inspection. There are many reasons that the care home operator could be out the house at any given time; such as bringing residents to their medical appointments, picking up medications, buying provisions and supplies for the residents, outings for residents, and once in a while a trip to the emergency room. In addition, care home operators have also personal appointments and errands. OHCA requires that the primary caregiver, the care home operator, and the residents must be present during the annual relicensing inspection.

I believe the current system is working well, and the care home industry does not need another piece of legislation to justify the reason cited by the Department for an unannounced relicensing visit.

Please retain the language in the statute, "Annual inspections for relicensing shall be conducted with notice, unless otherwise determined by the department."

Mahalo for your support and consideration.

Sincerely,

Gloria Perez
 Care Home Operator

LATE

To: Finance Committee Chair, Representative Sylvia Luke
Date: 30 March 2016
Re: SB 2384 – Relating to Care Facilities

Aloha Chair Luke and Committee Members:

My name is *ROSALINDA OLIVAS*. I am a Care Home Operator (Adult Residential Care Homes – ARCHes) in SB2384 was referred to your Committee for hearing soon. I strongly OPPOSE the bill in particular the section regarding care homes.

Currently, HRS 321-15.6 has this provision: **“Annual inspections for relicensing shall be conducted with notice, unless otherwise determined by the department.”** I hereby respectfully ask the Chair and Members to retain the language. In addition, for transparency and for the welfare and protection of our Kupuna, the above-mentioned HRS already allows the Office of Health Care Assurance (OHCA) to conduct **unannounced visits** at any intervals at its discretion to confirm correction of deficiencies and/or to investigate complaints for suspicion of neglect and abuse.

According to data and statistics gathered and published by DHS Adult Protective and Community Services Board, in 2014, there were 168 confirmed cases of abuse and neglect from 1,104 reports. Out of those reports, there were 445 relatives as perpetrators (44%), and staff of caring facility was reported at 15% with 152 cases. Furthermore, data showed 13 incidents (1%) happened in ARCHes and 5 (0 %) happened in E-ARCHes. Obviously, the numbers do not indicate that we need a legislation to warrant an unannounced relicensing/recertification visits. On the CCFFHs side (family foster homes), the numbers are a little bit higher, but with tighter OVERSIGHT and ACCOUNTABILITY to all individuals involved with the care of an elderly, those numbers should go down.

Annual relicensing survey **WITHOUT NOTICE** does not prevent abuse or neglect in any care facility. Annual survey for relicensing is primarily for administrative purposes to make sure that the care home is complying with the list of requirements or the care home is in compliance with Chapter 100.1.

According to DOH's testimony submitted at the Health Committee hearing, the only reason cited was: "To maximize the readiness of the care homes or dispensaries for an inspection by the Department. This will be consistent with all other relicensing inspections of health care facilities under the regulatory responsibility of the OHCA, and is seen as an improved safeguard for the public." It is a little difficult to make comparison between care homes and other healthcare facilities. Most care facilities are "Mom & Pop industry" where the operator has many tasks to do aside from caregiving.

The current practice for the annual relicensing visit is OHCA sends notice to the care home operator regarding an upcoming annual relicensing inspection. The notice says "a certain day of the month but it does not announce the exact date." The reason OHCA has promulgated this system to allow the care home operator to be present during the inspection. There are many reasons that the care home operator could be out the house at any given time; such as bringing residents to their medical appointments, picking up medications, buying provisions and supplies for the residents, outings for residents, and once in a while a trip to the emergency room. In addition, care home operators have also personal appointments and errands. OHCA requires that the primary caregiver, the care home operator, and the residents must be present during the annual relicensing inspection.

I believe the current system is working well, and the care home industry does not need another piece of legislation to justify the reason cited by the Department for an unannounced relicensing visit.

Please retain the language in the statute, **“Annual inspections for relicensing shall be conducted with notice, unless otherwise determined by the department.”**

Mahalo for your support and consideration.

Sincerely,

Rosalinda Olivas

Care Home Operator

To: Finance Committee Chair, Representative Sylvia Luke
Date: 30 March 2016
Re: SB 2384 - Relating to Care Facilities

LATE

Aloha Chair Luke and Committee Members:

My name is *Purificacion Aguirre* I am a Care Home Operator (Adult Residential Care Homes - ARCHes) in SB2384 was referred to your Committee for hearing soon. I strongly OPPOSE the bill in particular the section regarding care homes.

Currently, HRS 321-15.6 has this provision: "Annual inspections for relicensing shall be conducted with notice, unless otherwise determined by the department." I hereby respectfully ask the Chair and Members to retain the language. In addition, for transparency and for the welfare and protection of our Kupuna, the above-mentioned HRS already allows the Office of Health Care Assurance (OHCA) to conduct unannounced visits at any intervals at its discretion to confirm correction of deficiencies and/or to investigate complaints for suspicion of neglect and abuse.

According to data and statistics gathered and published by DHS Adult Protective and Community Services Board, in 2014, there were 188 confirmed cases of abuse and neglect from 1,104 reports. Out of those reports, there were 446 relatives as perpetrators (44%), and staff of caring facility was reported at 15% with 152 cases. Furthermore, data showed 13 incidents (1%) happened in ARCHes and 5 (0 %) happened in E-ARCHes. Obviously, the numbers do not indicate that we need a legislation to warrant an unannounced relicensing/recertification visits. On the CCFHs side (family foster homes), the numbers are a little bit higher, but with tighter OVERSIGHT and ACCOUNTABILITY to all individuals involved with the care of an elderly, those numbers should go down.

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According to DOH's testimony submitted at the Health Committee hearing, the only reason cited was: "To maximize the readiness of the care homes or dispensaries for an inspection by the Department. This will be consistent with all other relicensing inspections of health care facilities under the regulatory responsibility of the OHCA, and is seen as an improved safeguard for the public." It is a little difficult to make comparison between care homes and other healthcare facilities. Most care facilities are "Mom & Pop industry" where the operator has many tasks to do aside from caregiving.

The current practice for the annual relicensing visit is OHCA sends notice to the care home operator regarding an upcoming annual relicensing inspection. The notice says "a certain day of the month but it does not announce the exact date." The reason OHCA has promulgated this system to allow the care home operator to be present during the inspection. There are many reasons that the care home operator could be out the house at any given time, such as bringing residents to their medical appointments, picking up medications, buying provisions and supplies for the residents, outings for residents, and once in a while a trip to the emergency room. In addition, care home operators have also personal appointments and errands. OHCA requires that the primary caregiver, the care home operator, and the residents must be present during the annual relicensing inspection.

I believe the current system is working well, and the care home industry does not need another piece of legislation to justify the reason cited by the Department for an unannounced relicensing visit.

Please retain the language in the statute, "Annual inspections for relicensing shall be conducted with notice, unless otherwise determined by the department."

Mahalo for your support and consideration.

Sincerely,

Purificacion Aguirre
Care Home Operator

Re: SB2384 SD1 – Testimony in Opposition

LATE

NOTICE OF HEARING

DATE: Friday, April 01, 2016
TIME: 3:00 p.m.
PLACE: Conference Room 308
State Capitol
415 South Beretania Street

To: The Honorable Chair Rep. Sylvia Luke, Vice Chair Rep. Scott Y. Nishimoto,
and Committee Members of Finance

My name is IMELDA PACRIS, I am a Community Care Foster Family Home provider. I strongly oppose SB2384 SD1 or the bill relating to the unannounced annual visits and inspections for State-licensed or certified State-care facilities for Relicensing or Recertification which includes – Community Care Foster Family Homes, Adult Residential Care Homes. CCFH have already Case Managers to supervise clients in our homes, aside from the CTA (Community Ties of America) who does their unannounced visits any day of the year and anytime of the day. Unannounced visits or inspections is not an option or assurance on quality of care for our clients. Time management is so efficient on what we do as caregivers. We have scheduled follow up check-up or Doctor's appointments for our clients, blood work every certain dates, and many more.

HRS 321-15.5 has been in existence, I am respectfully asking the Committee to retain the language of the statute "Annual inspections for relicensing shall be conducted with notice, unless otherwise determined by the department."

Thank you for the opportunity to submit testimony opposing the intent of SB2384 SD1.

Mahalo for your Attention,

Imelda Pacris

Re: SB2384 SD1 -- Testimony in Opposition

LATE

NOTICE OF HEARING

DATE: Friday, April 01, 2016
TIME: 3:00 p.m.
PLACE: Conference Room 308
State Capitol
415 South Beretania Street

To: The Honorable Chair Rep. Sylvia Luke, Vice Chair Rep. Scott Y. Nishimoto,
and Committee Members of Finance

My name is *Avelina Robiano*, I am a Community Care Foster Family Home provider. I strongly oppose SB2384 SD1 or the bill relating to the unannounced annual visits and inspections for State-licensed or certified State-care facilities for Relicensing or Recertification which includes – Community Care Foster Family Homes, Adult Residential Care Homes. CCFFH have already Case Managers to supervise clients in our homes, aside from the CTA (Community Ties of America) who does their unannounced visits any day of the year and anytime of the day. Unannounced visits or inspections is not an option or assurance on quality of care for our clients. Time management is so efficient on what we do as caregivers. We have scheduled follow up check-up or Doctor's appointments for our clients, blood work every certain dates, and many more.

HRS 321-15.6 has been in existence, I am respectfully asking the Committee to retain the language of the statute "Annual inspections for relicensing shall be conducted with notice, unless otherwise determined by the department."

Thank you for the opportunity to submit testimony opposing the intent of SB2384 SD1.

Mahalo for your Attention,

Avelina Robiano

Re: SB2384 SD1 – Testimony in Opposition

LATE

NOTICE OF HEARING

DATE: Friday, April 01, 2016
TIME: 3:00 p.m.
PLACE: Conference Room 308
State Capitol
415 South Beretania Street

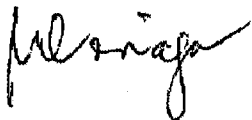
To: The Honorable Chair Rep. Sylvia Luke, Vice Chair Rep. Scott Y. Nishimoto,
and Committee Members of Finance

My name is Maria E. Cariaga, I am a Community Care Foster Family Home provider. I strongly oppose SB2384 SD1 or the bill relating to the unannounced annual visits and inspections for State-licensed or certified State-care facilities for Relicensing or Recertification which includes – Community Care Foster Family Homes, Adult Residential Care Homes. CCFFH have already Case Managers to supervise clients in our homes, aside from the CTA (Community Ties of America) who does their unannounced visits any day of the year and anytime of the day. Unannounced visits or inspections is not an option or assurance on quality of care for our clients. Time management is so efficient on what we do as caregivers. We have scheduled follow up check-up or Doctor's appointments for our clients, blood work every certain dates, and many more.

HRS 321-15.6 has been in existence, I am respectfully asking the Committee to retain the language of the statue "Annual inspections for relicensing shall be conducted with notice, unless otherwise determined by the department."

Thank you for the opportunity to submit testimony opposing the intent of SB2384 SD1.

Mahalo for your Attention,



Re: SB2384 SD1 – Testimony in Opposition

LATE

NOTICE OF HEARING

DATE: Friday, April 01, 2016
TIME: 3:00 p.m.
PLACE: Conference Room 308
State Capitol
415 South Beretania Street

To: The Honorable Chair Rep. Sylvia Luke, Vice Chair Rep. Scott Y. Nishimoto,
and Committee Members of Finance

My name is LUDIVINA EDER, I am a Community Care Foster Family Home provider. I strongly oppose SB2384 SD1 or the bill relating to the unannounced annual visits and inspections for State-licensed or certified State-care facilities for Relicensing or Recertification which includes – Community Care Foster Family Homes, Adult Residential Care Homes. CCFH have already Case Managers to supervise clients in our homes, aside from the CTA (Community Ties of America) who does their unannounced visits any day of the year and anytime of the day. Unannounced visits or inspections is not an option or assurance on quality of care for our clients. Time management is so efficient on what we do as caregivers. We have scheduled follow up check-up or Doctor's appointments for our clients, blood work every certain dates, and many more.

HRS 321-15.6 has been in existence, I am respectfully asking the Committee to retain the language of the statue "Annual inspections for relicensing shall be conducted with notice, unless otherwise determined by the department."

Thank you for the opportunity to submit testimony opposing the intent of SB2384 SD1.

Mahalo for your Attention,

Re: SB2384 SD1 – Testimony In Opposition

NOTICE OF HEARING

DATE: Friday, April 01, 2016

TIME: 3:00 p.m.

PLACE: Conference Room 308

State Capitol

415 South Beretania Street

LATE

To: The Honorable Chair Rep. Sylvia Luke, Vice Chair Rep. Scott Y. Nishimoto,
and Committee Members of Finance

My name is Randy Galzote, I am a Community Care Foster Family Home provider. I strongly oppose SB2384 SD1 or the bill relating to the unannounced annual visits and inspections for State-licensed or certified State-care facilities for Relicensing or Recertification which includes – Community Care Foster Family Homes, Adult Residential Care Homes. CCFH have already Case Managers to supervise clients in our homes, aside from the CTA (Community Ties of America) who does their unannounced visits any day of the year and anytime of the day. Unannounced visits or inspections is not an option or assurance on quality of care for our clients. Time management is so efficient on what we do as caregivers. We have scheduled follow up check-up or Doctor's appointments for our clients, blood work every certain dates, and many more.

HRS 321-15.6 has been in existence, I am respectfully asking the Committee to retain the language of the statue "Annual inspections for relicensing shall be conducted with notice, unless otherwise determined by the department."

Thank you for the opportunity to submit testimony opposing the intent of SB2384 SD1.

Mahalo for your Attention,

Randy Galzote (SCG)

Re: SB2384 SD1 – Testimony in Opposition

LATE

NOTICE OF HEARING

DATE: Friday, April 01, 2016

TIME: 3:00 p.m.

PLACE: Conference Room 308

State Capitol

415 South Beretania Street

To: The Honorable Chair Rep. Sylvia Luke, Vice Chair Rep. Scott Y. Nishimoto,
and Committee Members of Finance

My name is MARISOL GALZOTE, I am a Community Care Foster Family Home provider. I strongly oppose SB2384 SD1 or the bill relating to the unannounced annual visits and inspections for State-licensed or certified State-care facilities for Relicensing or Recertification which includes – Community Care Foster Family Homes, Adult Residential Care Homes. CCFFH have already Case Managers to supervise clients in our homes, aside from the CTA (Community Ties of America) who does their unannounced visits any day of the year and anytime of the day. Unannounced visits or inspections is not an option or assurance on quality of care for our clients. Time management is so efficient on what we do as caregivers. We have scheduled follow up check-up or Doctor's appointments for our clients, blood work every certain dates, and many more.

HRS 321-15.6 has been in existence, I am respectfully asking the Committee to retain the language of the statute "Annual inspections for relicensing shall be conducted with notice, unless otherwise determined by the department."

Thank you for the opportunity to submit testimony opposing the intent of SB2384 SD1.

Mahalo for your Attention,

Marisol Galzote (PCG)

Re: SB2384 SD1 – Testimony in Opposition

LATE

NOTICE OF HEARING

DATE: Friday, April 01, 2016
TIME: 3:00 p.m.
PLACE: Conference Room 308
State Capitol
415 South Beretania Street

To: The Honorable Chair Rep. Sylvia Luke, Vice Chair Rep. Scott Y. Nishimoto,
and Committee Members of Finance

My name is Norma Subia Lato I am a Community Care Foster Family Home provider. I strongly oppose SB2384 SD1 or the bill relating to the unannounced annual visits and inspections for State-licensed or certified State-care facilities for Relicensure or Recertification which includes – Community Care Foster Family Homes, Adult Residential Care Homes. CCFH have already Case Managers to supervise clients in our homes, aside from the CTA (Community Ties of America) who does their unannounced visits any day of the year and anytime of the day. Unannounced visits or inspections is not an option or assurance on quality of care for our clients. Time management is so efficient on what we do as caregivers. We have scheduled follow up check-up or Doctor's appointments for our clients, blood work every certain dates, and many more.

HRS 321-15.6 has been in existence, I am respectfully asking the Committee to retain the language of the statute "Annual inspections for relicensing shall be conducted with notice, unless otherwise determined by the department."

Thank you for the opportunity to submit testimony opposing the intent of SB2384 SD1.

Mahalo for your Attention.

Re: SB2384 SD1 – Testimony in Opposition

LATE

NOTICE OF HEARING

DATE: Friday, April 01, 2016
TIME: 3:00 p.m.
PLACE: Conference Room 308
State Capitol
415 South Beretania Street

To: The Honorable Chair Rep. Sylvia Luke, Vice Chair Rep. Scott Y. Nishimoto,
and Committee Members of Finance

My name is Cecilia Belmas I am a Community Care Foster Family Home provider. I strongly oppose SB2384 SD1 or the bill relating to the unannounced annual visits and inspections for State-licensed or certified State-care facilities for Relicensing or Recertification which includes – Community Care Foster Family Homes, Adult Residential Care Homes. CCFFH have already Case Managers to supervise clients in our homes, aside from the CTA (Community Ties of America) who does their unannounced visits any day of the year and anytime of the day. Unannounced visits or inspections is not an option or assurance on quality of care for our clients. Time management is so efficient on what we do as caregivers. We have scheduled follow up check-up or Doctor's appointments for our clients, blood work every certain dates, and many more.

HRS 321-15.6 has been in existence, I am respectfully asking the Committee to retain the language of the statute "Annual inspections for relicensing shall be conducted with notice, unless otherwise determined by the department."

Thank you for the opportunity to submit testimony opposing the intent of SB2384 SD1.

Mahalo for your Attention,

Cecilia Belmas

LATE

Date: March 31, 2016

Attn: Sylvia Luke, Chair, Committee on Finance

Measure Title: RELATING TO LICENSING INSPECTIONS.

Report Title: Licensing; State-licensed Care Facilities; State-certified Care Facilities; Unannounced Inspections

Description: Requires the department of health to conduct unannounced visits and relicensing or recertification inspections for state-licensed care facilities and unannounced inspections for license renewals for medical marijuana dispensaries. (SD1)

Bill: SB2384

Testimonial:

As a RN Case Manager for the Community Care Foster Family Home, I would like to call attention to several requirements that are different from the other care facilities.

1. All Caregivers are Certified Nurses Aids
 - a. Requirements to maintain Certified Nurses Aid licensure every two years of renewal.
2. Less Residents but with higher level of care.
 - a. Most of Clients are Intermediate level of care, thus requiring more care/assistance with Activities of Daily Living, Instrumental Activities of Daily Living, monitoring, and continuing MD visits for follow-up care for a variety of reasons.

Relicensing at present, when satisfies current requirements is for two years and if there is deficiencies then it is for one year should be continued.

I am agreeable to periodic unannounced visits, but for re-licensure, the Primary Caregiver would like to be present at time of inspection. The responsibility should not be placed on the Substitute Caregiver for detailed inspection for re-licensure with an unannounced inspection.

Please reconsider to retain the relicensure for inspection with notice to the Community Care Foster Family Home.

Sincerely yours,



Diane Pinao RN

Re: SB2384 SD1 – Testimony in Opposition

LATE

NOTICE OF HEARING

DATE: Friday, April 01, 2016
TIME: 3:00 p.m.
PLACE: Conference Room 308
State Capitol
415 South Beretania Street

To: The Honorable Chair Rep. Sylvia Luke, Vice Chair Rep. Scott Y. Nishimoto,
and Committee Members of Finance

My name is Estela Ellazar, I am a Expanded ARCH ~~Community Care Foster~~
Family Home provider. I strongly oppose SB2384 SD1 or the bill relating to the unannounced
annual visits and inspections for State-licensed or certified State-care facilities for Relicensing or
Recertification which includes – Community Care Foster Family Homes, Adult Residential Care
Homes. CCFH have already Case Managers to supervise clients in our homes, aside from the
CTA (Community Ties of America) who does their unannounced visits any day of the year and
anytime of the day. Unannounced visits or inspections is not an option or assurance on quality
of care for our clients. Time management is so efficient on what we do as caregivers. We have
scheduled follow up check-up or Doctor's appointments for our clients, blood work every
certain dates, and many more.

HRS 321-15.6 has been in existence, I am respectfully asking the Committee to retain
the language of the statue "Annual inspections for relicensing shall be conducted with notice,
unless otherwise determined by the department."

Thank you for the opportunity to submit testimony opposing the intent of SB2384 SD1.

Mahalo for your Attention,

Estela Ellazar
Provider BCARCH

Re: SB2384 SD1 – Testimony in Opposition

LATE

NOTICE OF HEARING

DATE: Friday, April 01, 2016

TIME: 3:00 p.m.

PLACE: Conference Room 308

State Capitol

415 South Beretania Street

To: The Honorable Chair Rep. Sylvia Luke, Vice Chair Rep. Scott Y. Nishimoto,
and Committee Members of Finance

My name is RUDILLA P. AGPON, I am a Community Care Foster Family Home provider. I strongly oppose SB2384 SD1 or the bill relating to the unannounced annual visits and inspections for State-licensed or certified State-care facilities for Relicensing or Recertification which includes – Community Care Foster Family Homes, Adult Residential Care Homes. CCFH have already Case Managers to supervise clients in our homes, aside from the CTA (Community Ties of America) who does their unannounced visits any day of the year and anytime of the day. Unannounced visits or inspections is not an option or assurance on quality of care for our clients. Time management is so efficient on what we do as caregivers. We have scheduled follow up check-up or Doctor's appointments for our clients, blood work every certain dates, and many more.

HRS 321-15.6 has been in existence, I am respectfully asking the Committee to retain the language of the statute "Annual inspections for relicensing shall be conducted with notice, unless otherwise determined by the department."

Thank you for the opportunity to submit testimony opposing the intent of SB2384 SD1.

Mahalo for your Attention,

Rudilla Agpon



From: mailinglist@capitol.hawaii.gov
Sent: Friday, April 01, 2016 11:26 AM
To: FINTestimony
Cc: cariagacora@yahoo.com
Subject: Submitted testimony for SB2384 on Apr 1, 2016 15:00PM

SB2384

Submitted on: 4/1/2016

Testimony for FIN on Apr 1, 2016 15:00PM in Conference Room 308

Submitted By	Organization	Testifier Position	Present at Hearing
Liberty Albano	Individual	Oppose	No

Comments: I'm opposing the intent of the SB2384. Thank you for the opportunity to submit my testimony.

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.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov

Re: SB2384 SD1 - testimony In opposition

LATE

NOTICE OF HEARING

DATE: FRIDAY, APRIL 01, 2016

TIME: 3:00 PM

PLACE: CONFERENCE ROOM 308

STATE CAPITOL

415 SOUTH BERETANIA STREET

**TO: THE Honorable Chair Rep. Sylvia Luke, Vice Chair
Rep. Scott Y. Nishimoto, and Committee Members of
Finance:**

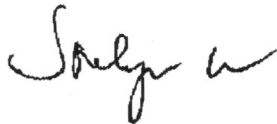
My name is Jocelyn Rosalia |
**am a Community Care Foster Family Home provider. I
strongly oppose SB2384 SD1** for me the bill relating to
unannounced annual visits and inspections for State licensed
or certified State-care facilities for Relicensing or
Recertification which includes Community Care Foster Family
Homes, Adult Residential Care Homes. CCFFH have already
Case Managers to supervise clients in our homes, aside from
CTA (Community Ties of America) who does their
unannounced visits any day of the year and anytime of the
day. Unannounced visits or inspections is not an option or
assurance on quality of care for the clients. Time
management is so efficient on what we do as caregivers. We
have scheduled follow up check up or Doctors appointments

for our clients, blood works every certain dates, and many more.

HRS 321-15.6 has been in existence, I am respectfully asking the Committee to retain the language of the statute "**ANNUAL INSPECTIONS FOR RELICENSING SHALL BE CONDUCTED WITH NOTICE, UNLESS OTHERWISE DETERMINED BY THE DEPARTMENT.**"

Thank you for the opportunity to submit testimony opposing the intent of **SB2384 SD1**.

Mahalo for your attention,

A handwritten signature in cursive script, appearing to read "Soelje W".

Re: SB2384 SD1 – Testimony in Opposition

LATE

NOTICE OF HEARING

DATE: Friday, April 01, 2016

TIME: 3:00 p.m.

PLACE: Conference Room 308

State Capitol

415 South Beretania Street

To: The Honorable Chair Rep. Sylvia Luke, Vice Chair Rep. Scott Y. Nishimoto,
and Committee Members of Finance

My name is Deanna GREIG I am a Community Care Foster Family Home provider. I strongly oppose ~~SB2384 SD1~~ or the bill relating to the unannounced annual visits and inspections for State-licensed or certified State-care facilities for Relicensing or Recertification which includes – Community Care Foster Family Homes, Adult Residential Care Homes. CCFH have already Case Managers to supervise clients in our homes, aside from the CTA (Community Ties of America) who does their unannounced visits any day of the year and anytime of the day. Unannounced visits or inspections is not an option or assurance on quality of care for our clients. Time management is so efficient on what we do as caregivers. We have scheduled follow up check-up or Doctor's appointments for our clients, blood work every certain dates, and many more.

HRS 321-15.6 has been in existence, I am respectfully asking the Committee to retain the language of the statue "Annual inspections for relicensing shall be conducted with notice, unless otherwise determined by the department."

Thank you for the opportunity to submit testimony opposing the intent of SB2384 SD1.

Mahalo for your Attention,

Re: SB2384 SD1 -- Testimony in Opposition

LATE

NOTICE OF HEARING

DATE: Friday, April 01, 2016
TIME: 3:00 p.m.
PLACE: Conference Room 308
State Capitol
415 South Beretania Street

To: The Honorable Chair Rep. Sylvia Luke, Vice Chair Rep. Scott Y. Nishimoto,
and Committee Members of Finance

My name is Maife Refundo, I am a Community Care Foster Family Home provider. I strongly oppose SB2384 SD1 or the bill relating to the unannounced annual visits and inspections for State-licensed or certified State-care facilities for Relicensing or Recertification which includes – Community Care Foster Family Homes, Adult Residential Care Homes. CCFH have already Case Managers to supervise clients in our homes, aside from the CTA (Community Ties of America) who does their unannounced visits any day of the year and anytime of the day. Unannounced visits or inspections is not an option or assurance on quality of care for our clients. Time management is so efficient on what we do as caregivers. We have scheduled follow up check-up or Doctor's appointments for our clients, blood work every certain dates, and many more.

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Thank you for the opportunity to submit testimony opposing the intent of SB2384 SD1.

Mahalo for your Attention,

Maife Refundo

From: mailinglist@capitol.hawaii.gov
Sent: Friday, April 01, 2016 12:09 PM
To: FINTestimony
Cc: cariagacora@yahoo.com
Subject: Submitted testimony for SB2384 on Apr 1, 2016 15:00PM



SB2384

Submitted on: 4/1/2016

Testimony for FIN on Apr 1, 2016 15:00PM in Conference Room 308

Submitted By	Organization	Testifier Position	Present at Hearing
Maria Corazon E. Cariaga	Individual	Oppose	No

Comments: I strongly oppose the intents of the SB2384 because I know that unannounced recertification and relicensing won't give any duality of care in servicing these needy citizens who resides with us as a family in our own private home. Our clients have their designated case managers to check on them monthly, besides the CTA who does visits randomly. We as providers have hectic schedules too like any other profession. So to have unannounced recertification is too much to handle. In fact we are helping the state from saving millions of dollars in sheltering these clients that we have comparing from a facility charged. Thank you for your attention and vetting me to submit my testimony online.

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.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov

From: mailinglist@capitol.hawaii.gov
Sent: Friday, April 01, 2016 12:11 PM
To: FINTestimony
Cc: cariagacora@yahoo.com
Subject: Submitted testimony for SB2384 on Apr 1, 2016 15:00PM

LATE

SB2384

Submitted on: 4/1/2016

Testimony for FIN on Apr 1, 2016 15:00PM in Conference Room 308

Submitted By	Organization	Testifier Position	Present at Hearing
Francisca Parayno	Individual	Oppose	No

Comments: Strongly oppose this SB 2384

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.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov

Re: SB2384 SD1 – Testimony in Opposition

LATE

NOTICE OF HEARING

DATE: Friday, April 01, 2016
TIME: 3:00 p.m.
PLACE: Conference Room 308
State Capitol
415 South Beretania Street

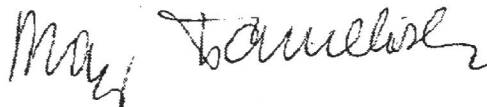
To: The Honorable Chair Rep. Sylvia Luke, Vice Chair Rep. Scott Y. Nishimoto,
and Committee Members of Finance

My name is MARGARET DANIELEWSKI, I am a Community Care Foster Family Home provider. I strongly oppose SB2384 SD1 or the bill relating to the unannounced annual visits and inspections for State-licensed or certified State-care facilities for Relicensing or Recertification which includes – Community Care Foster Family Homes, Adult Residential Care Homes. CCFH have already Case Managers to supervise clients in our homes, aside from the CTA (Community Ties of America) who does their unannounced visits any day of the year and anytime of the day. Unannounced visits or inspections is not an option or assurance on quality of care for our clients. Time management is so efficient on what we do as caregivers. We have scheduled follow up check-up or Doctor's appointments for our clients, blood work every certain dates, and many more.

HRS 321-15.6 has been in existence, I am respectfully asking the Committee to retain the language of the statue "Annual inspections for relicensing shall be conducted with notice, unless otherwise determined by the department."

Thank you for the opportunity to submit testimony opposing the intent of SB2384 SD1.

Mahalo for your Attention,



Re: SB2384 SD1 – Testimony in Opposition

LATE

NOTICE OF HEARING

DATE: Friday, April 01, 2016

TIME: 3:00 p.m.

PLACE: Conference Room 308

State Capitol

415 South Beretania Street

To: The Honorable Chair Rep. Sylvia Luke, Vice Chair Rep. Scott Y. Nishimoto,
and Committee Members of Finance

My name is Saithorn Heffron, I am a Community Care Foster Family Home provider. I strongly oppose SB2384 SD1 or the bill relating to the unannounced annual visits and inspections for State-licensed or certified State-care facilities for Relicensing or Recertification which includes – Community Care Foster Family Homes, Adult Residential Care Homes. CCFH have already Case Managers to supervise clients in our homes, aside from the CTA (Community Ties of America) who does their unannounced visits any day of the year and anytime of the day. Unannounced visits or inspections is not an option or assurance on quality of care for our clients. Time management is so efficient on what we do as caregivers. We have scheduled follow up check-up or Doctor's appointments for our clients, blood work every certain dates, and many more.

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Thank you for the opportunity to submit testimony opposing the intent of SB2384 SD1.

Mahalo for your Attention,



Re: SB2384 SD1 – Testimony in Opposition

LATE

NOTICE OF HEARING

DATE: Friday, April 01, 2016

TIME: 3:00 p.m.

PLACE: Conference Room 308
State Capitol
415 South Beretania Street

To: The Honorable Chair Rep. Sylvia Luke, Vice Chair Rep. Scott Y. Nishimoto,
and Committee Members of Finance

My name is Maria Margarita Velez I am a Community Care Foster Family Home provider. I strongly oppose SB2384 SD1 or the bill relating to the unannounced annual visits and inspections for State-licensed or certified State-care facilities for Relicensing or Recertification which includes – Community Care Foster Family Homes, Adult Residential Care Homes. CCFH have already Case Managers to supervise clients in our homes, aside from the CTA (Community Ties of America) who does their unannounced visits any day of the year and anytime of the day. Unannounced visits or inspections is not an option or assurance on quality of care for our clients. Time management is so efficient on what we do as caregivers. We have scheduled follow up check-up or Doctor's appointments for our clients, blood work every certain dates, and many more.

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Thank you for the opportunity to submit testimony opposing the intent of SB2384 SD1.

Maria Margarita Velez
Mahalo for your Attention.

LATE

Date: Friday April 1, 2016
Time: 3:00pm
Place: Conference, Room 308
State Capitol

Committee on Finance
Rep. Sylvia Luke, Chair
Rep. Scott Y. Nishimoto, Vice Chair
And Committee Members

RE: SB2384,SD1,HD1
(HSCR1278-16)

Good Afternoon Chair, Vice Chair and Committee members:

My name is Lilia Fajotina, Vice President of ARCA(Alliance of Residential Care Admiistrators).

I Strongly OPPOSE the bill in particular the section regarding care homes. I am respectfully asking the committee to please retain the language" ANNUAL INSPECTION FOR RLICENSING SHALL BE CONDUCTED WITH NOTICE, UNLESS OTHERWISE DETERMINED BY THE DEPARTMENT.

The current practice of the Department of Health through the Office of Health Care Assurance(OHCA) is to send notice to the care home operator regarding an upcoming annual relicensing inspection. The department has to give the certain day of the month but it does not announce the exact date. The reason of the Office of Health Care Assurance has promulgated this system to allow the care home operator to be present during the inspection. OHCA requires that the primary caregiver, the care home operator, and the residents must be present during the annual inspection.

The statute already has the provision for unannounced visits. Office of Health Care Assurance can conduct unannounced visit at any intervals at its discretion to confirm correction of deficiencies and/or to investigate complaints for suspicion of neglect and abuse.

In general, caregivers in all the community-based care facilities are providing excellent care to our aging and frail kupuna.

Thank you for allowing me to testify

Lilia Fajotina
Vice-President, ARCA

Date: Friday April 1, 2016
Time: 3:00pm
Place: Conference, Room 308
State Capitol

Committee on Finance
Rep. Sylvia Luke, Chair
Rep. Scott Y. Nishimoto, Vice Chair
And Committee Members

RE: SB2384,SD1,HD1
(HSCR1278-16)

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The statute already has the provision for unannounced visits. Office of Health Care Assurance can conduct unannounced visit at any intervals at its discretion to confirm correction of deficiencies and/or to investigate complaints for suspicion of neglect and abuse.

In general, caregivers in all the community-based care facilities are providing excellent care to our aging and frail kupuna.

Thank you for allowing me to testify

Lilia Fajotina
Vice-President, ARCA

To: The Honorable Chair, Vice Chair and Committee Members of Finance

Date: April 01, 2016 1500 AM Conference Rm. 308, State Capitol

Re: **SB 2384 S.D. 1 Relating to Licensing Inspections**

My name is Myriam Tabaniag, a Registered Nurse, owner and manager of 2 home-based Long Term facilities in Kaneohe, a Type I, 5-bed care home and a Type II, 8-bed care home, for 15 years now.

I understand the intent of SB 2384 S.D. 1 **BUT I STRONGLY OPPOSED TO THE SECTION OF THE BILL RELATING TO THE UNANNOUNCED ANNUAL RELICENSING OR RECERTIFICATION OF STATE- LICENSED CARE FACILITIES**, such as Adult Residential Care Homes; Expanded Adult Residential Care Homes, CCFFH homes, etc.

Section 321-15.6 of the Hawaii Revised Statutes states **"The Department shall conduct unannounced visits, other than the inspection for licensing, to every licensed adult residential care home and expanded adult residential care home on an annual basis and at such intervals as determined by the department to ensure the health, safety, and welfare of each resident. Unannounced visits may be conducted during or outside regular business hours..... Annual inspections for relicensing shall be conducted with notice, unless otherwise determined by the department.**

At the present time, both Adult Residential Care Homes and Expanded Adult Residential Care homes are already subjected with 1 or more unannounced visits per year at anytime. More if the Department found something during the unannounced visit that would warrant the consultant to revisit the care home, such as in cases of abuse and neglect, etc.

The Annual Inspection for relicensing is partly unannounced. The day and month are given but not the date. The notice usually read, "Any Tuesday in the month of May." Occasionally, there may be 5 Tuesdays in the month, so the Primary Care Giver will persevere to wait for that day, as no Primary Caregiver (PCG) would know which Tuesday of the month the Consultant would come. The survey entails reviews of the chart's Progress Notes, Medication Records, Nutrition (Intake and Output) Records, Monthly Weights, Doctor's visits, Incident Reports, Fire Drill Records, Fire Alarms Maintenance Records, Sprinkler System records, Refrigerator Temp. Log records, Menu Substitution Records, and many, many more. Most times, the Consultant will ask questions about the records, the plan of care and please remember that if the Case Manager, who is a part of the Team did not complete his or her job or work, it is the Primary Caregiver of the Home that will get the deficiencies. I've been told by many caregivers that the DOH Consultant may visit them a different day than what was written on the notice, or sometimes, the Consultants are also very busy doing unannounced visits when they are called to check possible cases of abuse and neglect, that they may not be able to come that month. There's always a possibility that the Consultant may come when the PCG is out with a resident who was taken to the ER for an emergency on inspection day. My practice is, I will not leave my resident while in the ER being treated. **It takes about 6 hours to complete a Survey in a 5-bed care home, 2 days for an 8-bed care home. With the partly unannounced annual inspections, almost all care home facilities still have a minimum of 2-8 pages of listed deficiencies.**

Relicensing inspection and survey will not ensure nor ascertain the physical, mental and emotional health, and welfare of the individual residents. The huge and beautiful building and the well decorated interior of the facility are just a plus. **What really counts and most important, and what the resident is actually paying for when he or she enters a facility is the quality of life and the quality of care that he or she receives.**

What's the sense of having a beautiful and well-decorated home; completed records because that's all what the PCG did the whole time to get a good survey but neglected to give or gone the extra mile to render the quality of care and the quality of life that the resident needed. I truly believe that the 6 hours to 2 days of unannounced annual inspection will NOT cut it as it won't show the many unrecorded activities, outings, restaurant visits, trips that we did for and with them that truly made them smile, laugh and contented with their lives.

I also believe in my heart that the care home industry is over regulated.

Unannounced Annual Relicensing or Recertification Inspections when the Primary Caregivers and owner of the care home facilities are not present in the home when being inspected by DOH Consultants may be infringing in the civil rights of the Residents as well as the Primary Caregivers especially if permission was not granted to enter the property. Annual Inspection include but not limited to the physical inspection of the whole house that may occasionally include the private bedrooms of the primary caregiver. It could also be **discriminatory**. Our personal choices are protected by the freedoms to express himself or herself and the **right to preserve personal privacy**.

Thank you for allowing me to testify.