

STATE OF HAWAII
DEPARTMENT OF HUMAN SERVICES

P. O. Box 339
Honolulu, Hawaii 96809-0339

March 15, 2015

MEMORANDUM

TO: The Honorable Dee Morikawa, Chair
House Committee on Human Services

FROM: Rachael Wong, DrPH, Director

SUBJECT: S.B. 276 SD 2 - RELATING TO ELDER AND VULNERABLE ADULTS

Hearing: Thursday, March 19, 2015; 9:00 a.m.
Conference Room 329, State Capitol

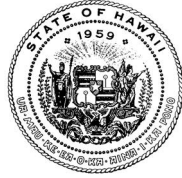
PURPOSE: The purpose of this measure is to create the Hawaii Kupuna Trust Fund, which comprises public and private funding to meet the outstanding and future needs of the elder and vulnerable adult population.

DEPARTMENT'S POSITION: This bill proposes to create a mechanism by which funds will be made available for the prevention of abuse, neglect, and financial exploitation of elders and vulnerable adults, and to plan for the future care needs for this population. The Department of Human Services (DHS) supports the intent of the measure as long as its passage does not replace or adversely impact priorities indicated in the Executive Budget. DHS will lend its support as a co-lead agency along with the Executive Office on Aging, and in selecting a department designee to serve as an advisory board member.

The DHS defers to the Department of Health regarding its administrative needs to execute the legislative intent of this measure.

Thank you for the opportunity to provide testimony on this bill.

DAVID Y. IGE
GOVERNOR OF HAWAII



TERRI BYERS
DIRECTOR

VIRGINIA PRESSLER, M.D.
DIRECTOR OF HEALTH

STATE OF HAWAII
EXECUTIVE OFFICE ON AGING
NO. 1 CAPITOL DISTRICT
250 SOUTH HOTEL STREET, SUITE 406
HONOLULU, HAWAII 96813-2831
eoa@doh.hawaii.gov

Testimony in OPPOSITION to SB276
RELATING TO ELDER AND VULNERABLE ADULTS

REPRESENTATIVE DEE MORIKAWA, CHAIR
HOUSE COMMITTEE ON HUMAN SERVICES

Hearing Date: March 19, 2015, 9:00am Room Number: 329

1 **Office Testimony:** The Executive Office on Aging (EOA), an attached agency to the
2 Department of Health is in opposition to this measure. The measure is well intended to provide
3 for elders and vulnerable adults by strengthening the service and supports intended for the
4 elderly and vulnerable adults through the award of grants by the Hawaii Kupuna trust fund.
5 However, the intent may be duplicative to the ongoing work of the Executive Office on Aging.
6 Prevention of elder abuse, financial exploitation, assistance to vulnerable adults with
7 transportation and housing concerns, are current issues being addressed by the Older Americans
8 Act of 1965 and our Kupuna Care program. The State of Hawaii has a four year State Plan 2011-
9 2015 that has 5 goals. Goal #5 is to ensure the rights of older adults and prevent their abuse,
10 neglect, and financial exploitation.

11 The concern for the Executive Office on Aging is that this Trust Fund will establish a duplicative
12 stand-alone system which will either mirror the work currently being done by the Executive
13 Office on Aging and its network or it potentially will offer a means to circumvent the current
14 system of long term services and supports. Either approach may invalidate the work of the
15 Executive Office on Aging.

16 The Executive Office on Aging (EOA) is the State Unit of Aging serving as the leader relative to
17 aging issues throughout the State. EOA is responsible for carrying out a wide range of functions
18 related to advocacy, planning, coordination, interagency linkages, information sharing,
19 brokering, monitoring and evaluation, designed to lead to the development or enhancement of

1 comprehensive and coordinated community based systems in, or serving, communities
2 throughout the State. These systems are designed to assist older adults in leading independent,
3 meaningful, and dignified lives in their own homes and communities for as long as possible.

4 In turn, the Area Agencies on Aging (AAAs) serve as the leaders relative to issues in the
5 designated planning and service areas. In the State of Hawaii these AAAs are divided among the
6 four counties namely the County of Kauai, Agency on Elderly Affairs; the City and County of
7 Honolulu, Elderly Affairs Division; the County of Maui, Maui County Office on Aging; and the
8 County of Hawaii, Hawaii County Office of Aging.

9 The AAAs ensure that they contract with providers of services to address the needs of older
10 adults such as supportive services such as transportation, congregate and home delivered meals,
11 in-home services, elder abuse services, family caregiver services, and health maintenance
12 services.

13 In addition, the Executive Office on Aging has developed its Aging and Disability Resource
14 Center to ensure a seamless approach for older adults, persons with disabilities, and family
15 caregivers to have the full range of options that are available, are provided objective information
16 and assistance, are empowered to make informed decisions about their long term supports, and
17 have access to all public and private long term-care programs and support services.

18 EOA feels that the directives for the Board of Trustees set forth in this measure duplicates the
19 work of the EOA and creates parallel systems.

20 The functions of the Board for the Trust Funds have similar functions to that of the Director of
21 the Executive Office on Aging. For example, the first function of the Director of EOA pursuant
22 to HRS §349-3 General functions, duties and power of the director are:

23 (1) Serve as the principal official in state government solely responsible for the performance,
24 development, and control of programs, policies, and activities on behalf of elders. The Trust
25 Board will have a similar role as stated on “Page 8, line 15, item (d) states, “The board, in
26 collaboration with the department shall develop a strategic plan for strengthening elderly and

1 vulnerable adult care in the state. This is just one example of the parallel similarities between the
2 function of EOA and its Director and the measures addressed in this Bill for the Trustee Board.

3 **Recommendation:** We respectfully request that a parallel system is not created and that support
4 be given to strengthen our current aging network by supporting measures such as SB964 so that
5 the Executive Office on Aging can carry out its functions to support older adults in Hawaii.

6 Thank you for the opportunity to testify.



March 19, 2015

House Committee on Human Services
Representative Dee Morikawa, Chair

Re: **SB 276, SD 2 RELATING TO ELDER AND VULNERABLE ADULTS**

Chair Morikawa, Vice Chair Kobayashi, and members of the committee:

AARP is a membership organization of people fifty and over with nearly 150,000 members in Hawaii alone. AARP advocates for issues that matter to Hawaii families, including the high cost of long-term care; access to affordable, quality health care for all generations; providing the tools needed to save for retirement; and serving as a reliable information source on issues critical to people over the age of fifty.

AARP Hawaii supports SB 276, SD 2, Relating to Elder and Vulnerable Adults. This bill would create the kupuna trust fund, which comprises public and private funding for meeting the outstanding and future needs of the elder and vulnerable adult population.

Our support for this bill is based in part on the understanding that its purpose is to raise funds that can supplement the public funding of senior services. It does not create entirely new services. We would not support any efforts to take resources away from existing public funding of senior services, and we do not believe that is the intent of this bill.

We support the purpose of the trust fund to strengthen elderly and vulnerable adult care by the award of grants for purposes that include but are not limited to:

- The prevention of elder vulnerable adult abuse and neglect;
- The prevention of financial exploitation of the elderly and vulnerable adults;
- The prevention of injuries to the elderly and vulnerable adults that are caused by falling;
- The assistance of residents of elderly housing;
- The assistance of the elderly and vulnerable adults with transportation and mobility needs;
- The promotion of aging and disability resource centers; and
- The meeting of future needs of the elderly and vulnerable adults.

Thank you for the opportunity to testify.



TESTIMONY BY WESLEY K. MACHIDA
DIRECTOR, DEPARTMENT OF BUDGET AND FINANCE
STATE OF HAWAII
TO THE HOUSE COMMITTEE ON HUMAN SERVICES
ON
SENATE BILL NO. 276, S.D. 2

March 19, 2015

RELATING TO ELDER AND VULNERABLE ADULTS

Senate Bill No. 276, S.D. 2, proposes to create a new chapter called Hawaii Kupuna Trust Fund to meet the outstanding and future needs of the elder and vulnerable adult population. The intent is to strengthen elderly and vulnerable adult care by the award of grants from the trust fund for the purposes which include, but is not limited to, prevention of elder abuse and neglect, prevention of financial exploitation and assistance of residents of elderly housing.

As a matter of general policy, the Department of Budget and Finance does not support the creation of any trust fund which does not meet the definition of a trust fund as defined by Section 37-62, HRS, and does not demonstrate the capacity to be financially self-sustaining. In regards to Senate Bill No. 276, S.D. 2, although the purpose of the bill is well-intentioned, it is difficult to determine whether the Kupuna Trust Fund meets the definition of a trust fund and will be self-sustaining.