

---

---

## HOUSE RESOLUTION

REQUESTING THAT THE DEPARTMENT OF HEALTH CREATE A WORKING GROUP  
TO STUDY UNLICENSED CARE FACILITY ISSUES.

1 WHEREAS, Hawaii is one of the most expensive states for  
2 elder care; and

3  
4 WHEREAS, due to the high cost of elder care, Hawaii  
5 residents often face difficult economic decisions when choosing  
6 care for elderly or vulnerable adults; and

7  
8 WHEREAS, it is important to protect the health, safety,  
9 civil rights, and rights of choice for elderly or vulnerable  
10 adults who are receiving home health care or home care in care  
11 facilities or residences; and

12  
13 WHEREAS, unlicensed care facilities have the potential to  
14 be a health risk to elderly or vulnerable adults, and the issue  
15 requires further investigation and study in order to protect the  
16 consumer interest; now, therefore,

17  
18 BE IT RESOLVED by the House of Representatives of the  
19 Twenty-ninth Legislature of the State of Hawaii, Regular Session  
20 of 2018, that the Director of Health is requested to convene a  
21 working group to study issues related to unlicensed care  
22 facilities; and

23  
24 BE IT FURTHER RESOLVED that the Director of Health or the  
25 Director's designee is requested to convene the first meeting of  
26 the working group no later than ninety days prior to the  
27 convening of the Regular Session of 2019, and the working group  
28 is requested to elect a chairperson from among its members; and

29  
30 BE IT FURTHER RESOLVED that the working group comprise the  
31 following members:

32  
33 (1) The Director of Health or the Director's designee;



# H.R. NO. 65

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41

- (2) A representative of the Department of Commerce and Consumer Affairs;
- (3) A representative of the American Association of Retired Persons;
- (4) A representative of an advocacy group for the elderly that is not the American Association of Retired Persons;
- (5) A representative of an advocacy group for unlicensed care facilities; and
- (6) A representative of an advocacy group for licensed care facilities; and

BE IT FURTHER RESOLVED that the working group is requested to:

- (1) Study the issue of ensuring the safety of elderly or vulnerable adults in care facilities;
- (2) Study the issue of how long it takes for the Department of Health to process care home licensure applications;
- (3) Define what a "care home" is and then differentiate those facilities from all other care facilities;
- (4) Study issues relating to investigating, including gaining entry into, a care home when the Department of Health receives a complaint about the care home;
- (5) Study the issue of ensuring the safety of elderly or vulnerable adults during a transfer from one care facility to another care facility;
- (6) Discuss the establishment of a "quality assurance committee" for care facilities to monitor and evaluate elderly or vulnerable adult care and to identify,



# H.R. NO. 65

1 study, and correct deficiencies in elderly or  
2 vulnerable adult care;

3  
4 (7) Define what constitutes an "environment of care" and  
5 "living environment"; and  
6

7 (8) Study how to differentiate levels of care; and  
8

9 BE IT FURTHER RESOLVED that the Department of Health shall  
10 provide administrative support for the working group; and  
11

12 BE IT FURTHER RESOLVED that the chairperson of the working  
13 group shall provide written notice of the convening of the  
14 working group to the Chairpersons of the House and Senate  
15 Standing Committees with primary jurisdiction over consumer  
16 protection issues; and  
17

18 BE IT FURTHER RESOLVED that no later than twenty days prior  
19 to the convening of the Regular Session of 2020, the working  
20 group shall submit a report that includes its findings and  
21 recommendations, including any proposed legislation, to the  
22 Legislature; and  
23

24 BE IT FURTHER RESOLVED that certified copies of this  
25 Resolution be transmitted to the Director of Health, the  
26 Director of Commerce and Consumer Affairs, and the American  
27 Association of Retired Persons.  
28  
29  
30

OFFERED BY: \_\_\_\_\_

*T. Stale*

*John M. [Signature]*

MAR 07 2018

