

Honolulu, Hawaii

MAR 23 2018

RE: H.B. No. 1812
H.D. 3
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Twenty-Ninth State Legislature
Regular Session of 2018
State of Hawaii

Sir:

Your Committee on Human Services, to which was referred H.B. No. 1812, H.D. 3, entitled:

"A BILL FOR AN ACT RELATING TO HEALTH,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Authorize a surrogate of a patient to be a Medicaid authorized representative for the patient; and
- (2) Specify the duties and obligations of the surrogate as a Medicaid authorized representative.

Your Committee received testimony in support of this measure from the Hawaii Health Systems Corporation, Healthcare Association of Hawaii, Aloha Nursing Rehab Centre, Kaiser Permanente, The Queen's Health Systems, One Kalakaua Senior Living, and O'ahu County Committee on Legislative Priorities of the Democratic Party of Hawai'i. Your Committee received comments on this measure from the Department of Human Services.

Your Committee finds that, in 2017, the Department of Human Services implemented new procedures to allow an appointed surrogate to act as a patient's authorized representative to make health care decisions related to Medicaid, including the decision



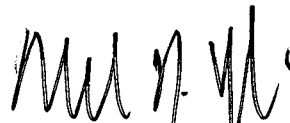
to apply for Medicaid benefits. However, the Department suspended the option for a surrogate to act as an individual's Medicaid authorized representative after determining specific issues needed to first be addressed and clarified. Allowing a surrogate to apply and enroll for Medicaid benefits on a patient's behalf will ensure a patient will have the opportunity to access and receive necessary healthcare services.

Your Committee has amended this measure by:

- (1) Clarifying that a surrogate acting as a Medicaid authorized representative of a patient may also submit and execute a Medicaid application on the patient's behalf;
- (2) Clarifying that the surrogate may only access Medicaid records of the patient on whose behalf the surrogate is acting; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Human Services that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1812, H.D. 3, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1812, H.D. 3, S.D. 1, and be referred to your Committee on Judiciary.

Respectfully submitted on
behalf of the members of the
Committee on Human Services,



JOSH GREEN, Chair



