

Honolulu, Hawaii

February 9, 2018

RE: H.B. No. 2279
H.D. 1

Honorable Scott K. Saiki
Speaker, House of Representatives
Twenty-Ninth State Legislature
Regular Session of 2018
State of Hawaii

Sir:

Your Committee on Health & Human Services, to which was referred H.B. No. 2279 entitled:

"A BILL FOR AN ACT RELATING TO HEALTH,"

begs leave to report as follows:

The purpose of this measure is to improve the quality of care provided to the elderly and disabled in state-licensed care facilities by:

- (1) Expanding the Department of Health's authority to conduct unannounced visits to include community-based care homes and adult day care centers;
- (2) Requiring community-based foster family homes, adult foster homes, and adult day care centers to be licensed and to face penalties for intentionally operating without a license;
- (3) Repealing sections 3 and 4 of Act 184, Session Laws of Hawaii 2016, relating to inspections of all adult residential care homes for purposes of clarity and consistency;



- (4) Requiring the Department of Health to maintain an online forum on which all state-licensed care facilities may publicly post vacancy information;
- (5) Convening a working group within the Department of Health to discuss and provide feedback on the implementation and maintenance of the online forum and report its findings to the Legislature;
- (6) Appropriating funds to the Department of Health for the purpose of maintaining the online forum;
- (7) Implementing fees to be collected by the Department of Health for licensing, relicensing, certification, and recertification of adult care facilities and for case managers having purview of these facilities with the fees to be expended to support the operations of licensing, relicensing, certifications, and recertification;
- (8) Requiring the Department of Health to ensure compensation minimums for caregivers and case managers for each type of facility in this measure;
- (9) Requiring the Department of Health to pay interest on late payments owed to care facilities and to report to the Legislature on the status of the implementation of this process;
- (10) Requiring the Department of Health to adopt rules setting standards of conditions and competence for all community-based care homes or facilities licensed or certified under the Department; and
- (11) Requiring the Department of Health to adopt rules regarding the approval time of the granting or denying of new or renewal applications for certificates as well as fees related to this process.

Blue Water Resources, Case Management Professionals, Inc., and several concerned individuals submitted testimony in support of this measure. The Department of Health submitted testimony in opposition to this measure. Kokua Council submitted comments.



Your Committee has amended this measure to limit its scope by deleting the provisions enumerated in (1), (7), (8), (9), (10), and (11) above, to focus upon the following:

- (1) Permitting the Department of Health to maintain an online forum for posting of vacancies by State-licensed care facilities;
- (2) Appropriating funds to maintain the online forum;
- (3) Convening a working group to report to the Legislature about implementation and maintenance of the online forum; and
- (4) Requiring community-based foster family homes, adult foster homes, and adult day care centers to be licensed and to face penalties for intentionally operating without a license.

In addition, this measure has been amended to change the effective date to July 1, 3000, to encourage further discussion, and to make technical nonsubstantive changes for the purposes of style, clarity, and consistency.

As affirmed by the record of votes of the members of your Committee on Health & Human Services that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2279, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2279, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

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


JOHN M. MIZUNO Chair



