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STATE OF HAWAII
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P. O. Box 339
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January 25, 2018

TO: The Honorable Representative John M. Mizuno, Chair
House Committee on Health and Human Services

FROM: Pankaj Bhanot, Director

SUBJECT: **HB 1759 – RELATING TO THE ELDERLY**

Hearing: Thursday, January 25, 2018, 9:00 a.m.
Conference Room 329, State Capitol

DEPARTMENT'S POSITION: The Department of Human Services (DHS) supports this measure. We defer to the department of the Attorney General regarding the appropriate statutory language to meet the legal standards for a class A felony.

PURPOSE: The purpose of the bill is to provide an additional mechanism to protect the elderly against financial exploitation by making the financial exploitation of an elder by a caregiver a class A felony. DHS supports the intent of this bill to provide for criminal penalties for caregivers who financially exploit elders under their care and supervision, and for whom the caregiver had accepted responsibility to provide services to ensure the elder's health, safety, and welfare.

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

HB-1759

Submitted on: 1/22/2018 10:56:31 PM

Testimony for HHS on 1/25/2018 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Scott Foster		Support	No

Comments:

Mahalo,

Scott Foster, Chair

The Kupuna Caucus of the Democratic Party of Hawai`i

HB-1759

Submitted on: 1/24/2018 7:18:29 PM

Testimony for HHS on 1/25/2018 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Jim Cisler	Individual	Support	No

Comments:

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Will upload
HB 1759

January 25, 2018

Hawaii State Legislature
415 South Beretania Street
Honolulu, Hawaii 96813

RE: SUPPORT FOR HB 1759-Relating to Elderly Abuse (HHS, JUD)

Dear Sir

I am writing this letter because I believe the Adult Protective Services (APS) needs to be accountable for their actions. If this has been the procedure in the past, it needs to be amended. The elderly couple I use as my reference, has been unjustly dealt with by an employee of this agency.

This elderly couple, the man is in his 90's and his wife who was in her late 80's, had no children but a large extended family unit. They worked hard in their youth and had a two-story large home with a duplex cottage on their property, in fee. They had jewelry on the property and cash for their home needs. There was no illness and no physician directive to remove them from their home. They did not want to leave their home. It took a noise complaint from the couple on the premises to ultimately remove this couple from all of their possessions. These assets would have gone to auction to pay for the expenses of living in a facility; a facility they did not want to live at; but had no alternatives allowed to them.

This couple on the property had free rent. They were the landscaper and housekeeper. This elderly couple were not destitute, which probably motivated this agent to move this family and be able to buy their possessions--- for personal reasons. How they would have lost their possessions is the focal point for needing a felonious measure to assure the protection of kupuna. This incident should not happen when the agency has the responsibility of protecting the Kupuna.

It is hurtful to think this could happen to my elderly family members who I know worked hard all their lives to get what they have. It is extremely hurtful to think my children would not have been consulted and this procedure happened to me. Please support HB 1759.

Mahalo

Jojo Tanimoto
Resident of Kawaihae

