



STATE OF HAWAII
DEPARTMENT OF HEALTH
P. O. Box 3378
Honolulu, HI 96801-3378
doh.testimony@doh.hawaii.gov

**Testimony in OPPOSITION to H.B. 1764
RELATING TO HEALTH.**

REPRESENTATIVE JOHN M. MIZUNO, CHAIR
HOUSE COMMITTEE ON HEALTH & HUMAN SERVICES

Hearing Date: Wednesday, January 31, 2018 Room Number: 329

1 **Fiscal Implications:** None identified other than shifting of operating costs from one Department
2 of Health regulatory program to another.

3 **Department Testimony:** Thank you for the opportunity to testify in OPPOSITION to this bill.

4 It is unclear what benefits there would be to consolidate the widely diverse inspection,
5 licensing and certification functions into a single office within the Department of Health.
6 Currently, the great majority of inspection and licensing and certification activities reside in the
7 Office of Health Care Assurance (OHCA). The other certification programs on homes is under
8 the Developmental Disabilities Division (DDD) which certify Developmental Disabled (DD)
9 adult foster homes and the Alcohol Drug Abuse Division (ADAD) which certifies twelve (12) of
10 the twenty-seven (27) special treatment facilities (STF) currently licensed by OHCA.

11 Certification for the DD adult foster homes is required for government payment for
12 services, and ensures compliance with the Medicaid Final Rule on Community Integration for
13 Home and Community Based Services. The Final Rule has very specific requirements for any
14 setting where a person who receives services paid for through a 1915(c) Medicaid waiver
15 program. All services provided in the adult foster homes are paid for through the State's 1915(c)
16 waiver for people with Intellectual and Developmental Disabilities through a service called

1 Residential Habilitation. DDD is currently aligning its administrative rules for these settings to
2 measure compliance with the Final Rule on HCBS settings.

3 Similarly, the ADAD certification allows STFs to also comply with ADAD program
4 criteria and to receive ADAD funds. It is in addition to state licensing but the certification is not
5 a STF licensing requirement. The proposed bill is unclear under which DOH program the
6 licensing activities would be consolidated, but it is presumed to be the OHCA. The bill is also
7 unclear on whether the intent is for DD foster homes to become licensed instead of certified and
8 on the intent for consolidating the licensing and certification processes for ADAD homes.

9 The bill would also require that all survey (inspection) staff conduct inspections on all
10 types of facilities. However, funding sources would present a problem. OHCA conducts federal
11 certification inspections on behalf of the U.S. Centers for Medicare and Medicaid Services
12 (CMS) and receives federal funds for those activities. The federal funds are for specific surveyor
13 positions and those surveyors would be precluded from conducting surveys on other non-federal
14 facilities.

15 Currently, the respective certification activities of the DD Division and ADAD combine
16 well with other specialized functions performed in their respective programs. Certification
17 experts have ongoing dialogue with their respective programs in order to satisfy the programs'
18 overall statutory and regulatory requirements aimed at serving clients with special care needs.
19 Changing this structure at this time will be disruptive and would cause negative impacts to
20 clients, patients, and the community at large while not contributing to OHCA's success or
21 accruing to the benefit of the department or to the public.

22 Thank you for the opportunity to testify on this bill.

ADULT FOSTER HOMECARE ASSOCIATION OF HAWAII

P.O. Box 970092, Waipahu, Hawai'i 96797

January 30, 2018

Maribel Tan
President
*Adult Foster Homecare
Association of Hawaii*

RE: **HB1764 – Testimony in Support** – HHS 1/31/18 – Rm. 329 9:30 a.m.

Dear Chair Mizuno, Vice Chair Kobayashi, and Members of the Committees:

We **support HB1764** to consolidate all inspection and licensing activities for certain state-licensed or state-certified facilities into a single office and to requires employees performing surveys or inspections for licensing or certification to be trained and accredited to inspect and certify all facilities within the office's jurisdiction.

In our experience as Community Care Foster Family Homes (foster homes), this measure would make the process more efficient and contribute positively to the quality of care of our clients.

We want the best outcome for our clients, who we consider part of our family. A sense of being part of a family is vital to any human being.

For these reasons, we **support** HB 1764.

Very truly yours,

Maribel Tan
President

About AFHA

The Adult Foster Home Association of Hawaii (AFHA) is the industry trade association of providers under the Community Care Foster Family Home program under the Department of Human Services, State of Hawaii. With a membership of almost 750 providers, AFHA's mission is to promote the interests of providers as well as resident clients. AFHA members provide 24-hour care to resident clients 7 days a week, 365 days a year.

Representative John M. Mizuno, Chair
Representative Bertrand Kobayashi, Vice Chair

LATE

Committee on Health and Human Services

From: Ruthie Agbayani, Vice President, United Caregivers of Hawaii
Date: Wednesday, January 31, 2018, 9:00 a.m., Conference Room 329
Subject: Support for HB 1764, Relating to Health

Aloha! My name is Ruthie Agbayani; my family and I have been Community Care Foster Family Home (CCFFH) providers since 1998. We are certified by Community Ties of America (CTA), the State of Hawaii Department of Health's agency on certification and licensure under the Office of Health Care Assurance (OHCA), to care for up to three clients in our home, providing a family-like environment for the aging, rather than institutional nursing home settings. CCFFH is a program for Medicaid recipients, but private pay individuals can also be accepted into this program.

Aside from my family and business obligations, I volunteer my time in advocacy and lobbying with the United Caregivers of Hawaii (UCH). The mission of UCH is for caregivers, families, and communities to work together to achieve the common purpose of outstanding quality care for our kupuna.

We strongly support HB 1764, Relating to Health, which requires the Department of Health to consolidate all inspection and licensing activities for certain state-licensed or state-certified facilities into a single office, and requires employees performing surveys or inspections for licensing or certification to be trained and accredited to inspect and certify all facilities within the office's jurisdiction.

OHCA performs all state licensing activities on healthcare facilities, agencies and organizations in Hawaii. The office conducts onsite surveys, state licensing inspections and certifications statewide.

Conducting licensure inspections will require additional staffing. New staff and surveyors will need to be trained. We urge the committee to work with the Department of Health in determining the budget and funds needed to enforce consolidated licensing and certifications.

Everything needs to be fair and equal as we all work together in caring for our kupuna, setting statewide industry standards, and making patient safety and public safety ultimate priorities.

We urge the committee to pass HB 1764. Thank you for this opportunity to submit my testimony online.

HB-1764

Submitted on: 1/30/2018 3:41:55 PM

Testimony for HHS on 1/31/2018 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Maria Corazon E. Cariaga	Big Island Adult foster home operators	Support	No

Comments:

It would be better to have one department only to certify -recertify, and license-relicensing

of all the HOME & COMMUNITY BASE SERVICES SETTINGS as well as the big facilities to eliminate duplication of job and to save million of dollars from the department in charged of appointing qualified workers to handle this job. Thank you for allowing me to submit my testimonies.

LATE

HB-1764

Submitted on: 1/31/2018 12:05:20 AM
Testimony for HHS on 1/31/2018 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Elsa P. Talavera	All Island Case Management Corporation	Support	No

Comments:

I strongly support this bill. All employees who is doing the inspection and licensing must be trained and pass the accreditation. The surveyors will be doing an across the board evaluation and tools and not to be left alone for their own interpretations. Thank you.

Elsa P. Talavera, RN

All Island Case Management Corporation

LATE

HB-1764

Submitted on: 1/31/2018 5:20:20 AM

Testimony for HHS on 1/31/2018 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Maria E. Cariaga	CCFFH	Support	No

Comments:

Good morning I strongly support this HB1764 to avoid duplication of services. Thank you for allowing to submit my testimony.

LATE

HB-1764

Submitted on: 1/30/2018 8:03:07 PM

Testimony for HHS on 1/31/2018 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Helen Sumoba Sapla	Big Island Adult Foster Home Organization	Support	No

Comments:

HB-1764

Submitted on: 1/30/2018 5:20:30 PM

Testimony for HHS on 1/31/2018 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Marissa Gaspar	BIAFHO	Support	No

Comments:

LATE

HB-1764

Submitted on: 1/30/2018 6:15:39 PM
Testimony for HHS on 1/31/2018 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Javier Mendez-Alvarez		Support	No

Comments: