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House of Representatives
Committee on Finance
Friday, February 23, 2018
11:00 a.m.
Conference Room 308

To: Representative Sylvia Luke, Chair
Re: H.B. No. 1911, H.D. 2, Relating to Health

Dear Chair Luke, Vice-Chair Cullen, and Members of the Committee,

My name is Kerry M. Komatsubara and I am the Advocacy Director for AARP Hawaii. AARP is a membership organization of people age fifty and over with about 150,000 members in Hawaii. AARP advocates for issues that matter to Hawaii families, including the high cost of long-term care; access to affordable, quality health care for all generations; and serving as a reliable information source on issues critical to people over the age of fifty.

AARP Hawaii believes further study is needed before imposing new restrictions on Aging-In-Place facilities (AIPs) and home health & home care service providers. Subjecting AIPs and home health & home care agencies to new inspection and transfer requirements of the Department of Health could lead to unintended consequences, including having long-term care recipients in these AIPs to be displaced against their wishes and/or long-term care recipients losing their choice to have home health & care services provided to them at their place of residence. We believe more discussion is needed to fully understand the impacts of legislation on the supply and cost of long-term care facilities and services.

We bring to this Committee's attention that there is much confusion since AIPs are really facilities where the services are delivered to care recipients in their place of residence by home health agencies (HHA) and home care agencies (HCA).

HHA's are licensed pursuant to Section 431-11, HRS, and which are subject to DOH Rules, specifically Title 11, Chapter 97, HAR.

HCA's licensing statute is in Section 321-14.8, HRS, which was initially enacted in 2009 and DOH was given five years to adopt rules to implement the HCA licensing program. DOH was unable to adopt rules within the five years and the 2014 Legislature enacted another law to give DOH five more years (up to June 30, 2019) to adopt implementing rules. DOH has failed to adopt rules to implement the HCA licensing program for the past nine years, and therefore HCA's cannot obtain licensed status through no fault of their own. Furthermore, Section 321-14.8 "drops dead" on June 30, 2019, and it is uncertain as to the impact of the repeal of Section 321-14.8 on the home care service industry come June 30, 2019.

Thank you for the opportunity to present this testimony on H.B. No. 1911, H.D. 2.

AARP
Real Possibilities



THE QUEEN'S HEALTH SYSTEMS

To: The Honorable Sylvia Luke, Chair
The Honorable Ty J.K. Cullen Vice Chair
Members, Committee on Finance

Paula Yoshioka

From: Paula Yoshioka, Vice President, The Queen's Health Systems

Date: February 22, 2018

Hrg: House Committee on Finance Hearing; Friday, February 23, 2018 at 11:00AM in Room 308

Re: **Comments on HB 1911 HD2, Relating to Health**

My name is Paula Yoshioka and I am a Vice President at The Queen's Health Systems (Queen's). We would like to provide **comments** on HB 1911 HD2, Relating to Health. This bill was introduced with the intent of assisting the Department of Health (DOH) with investigating care facilities reported to be operating without an appropriate certificate or license issued by the Department.

At Queen's we are committed to providing care for all the people of Hawaii. While we support the intent of this measure to protect individuals from receiving sub-standard care, we echo the comments raised by the Healthcare Association of Hawaii (HAH) on the current draft of the bill. Specifically, there are some definitions and provisions in the current draft that we would appreciate more clarity on. For example, the definition of "home care facilities home agencies" on page 2, lines 7-8 is not well-defined. Further, the legislation as currently written would repeal the current home care agency licensing section in HRS § 321-14.8 and replaces it with a new section that may prohibit individuals from arranging private home care services for a loved one in their home (page 2, section (b), lines 15-18). The home care aid registry design and sustainability should also be considered further (page 3, lines 6-7).

We look forward to working with the legislature and other stakeholders on these and other sections and appreciate the continued focus on ensuring patient safety.

Thank you for your time and attention to this important issue.



February 23, 2018 at 11:00 AM
Conference Room 308

House Committee on Finance

To: Chair Sylvia Luke
Vice Chair Ty J.K. Cullen

From: Paige Heckathorn
Senior Manager, Legislative Affairs
Healthcare Association of Hawaii

Re: **Submitting Comments**
HB 1911 HD 2, Relating to Health

The Healthcare Association of Hawaii (HAH), established in 1939, serves as the leading voice of healthcare on behalf of 170 member organizations who represent almost every aspect of the health care continuum in Hawaii. Members include acute care hospitals, skilled nursing facilities, home health agencies, hospices, assisted living facilities and durable medical equipment suppliers. In addition to providing access to appropriate, affordable, high quality care to all of Hawaii's residents, our members contribute significantly to Hawaii's economy by employing over 20,000 people statewide.

The Healthcare Association of Hawaii would like to thank the committee for the opportunity to provide **comments** on HB 1911 HD 2, which was introduced with the intent of allowing the Hawaii Department of Health to better investigate complaints against care homes operating without a license. We are appreciative that the previous committees resolved our concerns regarding the penalties against facilities that transfer or discharge patients to unlicensed homes. We must honor patient choice, and the reality is that patients, their caregivers, or their families do sometimes choose to receive care in an unlicensed setting. Ensuring that providers are not unfairly punished for this choice is important. Further, we appreciate that the "double penalty" of both fines and administrative proceedings was eliminated—we believe the fines alone are sufficient and necessary to achieve the goal of penalizing licensed facilities.

The inclusion of more definitions is also much appreciated, including the definition of community-based care home. However, there are some provisions in the current draft that we would appreciate more clarity on. For example, the legislation as currently written would repeal the current home care agency licensing section in HRS § 321-14.8 and replaces it with a new section that may prohibit individuals from arranging private home care services for a loved one in their home (page 2, section (b), lines 15-18). The home care aid registry design and sustainability should also be considered further (page 3, lines 6-7). We look forward to working with the legislature and other stakeholders on these and other sections, and appreciate the continued focus on ensuring patient safety. Thank you for your consideration of these comments.

Phone: (808) 521-8961 | Fax: (808) 599-2879 | HAH.org | 707 Richards Street, PH2 - Honolulu, HI 96813

Affiliated with the American Hospital Association, American Health Care Association, National Association for Home Care and Hospice, American Association for Homecare and Council of State Home Care Associations

HB-1911-HD-2

Submitted on: 2/22/2018 8:57:01 AM

Testimony for FIN on 2/23/2018 11:00:00 AM

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| annie | ARCA | Support | No |

Comments:

Am strongly supporting this house bill 1911 for the betterment, safety and good quality of life for all our elderly people. Mahalo

From: Ruth Raza RN BSN
President Big Island Adult Residential
Care Home-Expanded ARCH

To: Committee on Finance
Representative Sylvia Luke- Chair

Re: HB 1911-Relating to Health for Unlicensed Care Home
Date: February 23, 2018

My name is Ruth Raza and I have been a Registered Nurse for over 20 years, a Caregiver over 10 years and currently President of Big Island Adult Residential Care Home-Expanded ARCH association. Our organization is fully in support for this bill.

We Licensed Care Home operators went through a lot just to acquire a licensed from Department of Health. We have oversight and monitoring to ensure the safety and well being of our Kupuna. We maintain and abide many requirements to uphold the law. Unlicensed care homes are not subject to annual inspections, staffing requirements, criminal background checks, building and fire code requirements, substitute caregiver requirements, resident rights requirements, CPR certification, TB clearance, housing design and preservation requirements, confidentiality requirements, medical record requirements, billing and financial requirements, medication pass requirements (especially regarding the use of anti-psychotic medications), and the right of the resident to access the services of the long term care ombudsman when the resident or responsible person needs advocate and doesn't know where to turn.
Thank you for the opportunity to testify.

Ruth Raza
President BIARCH

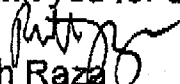
**From: Ruth Raza RN BSN
President Big Island Adult Residential
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**To: Committee on Finance
Representative Sylvia Luke- Chair**

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We Licensed Care Home operators went through a lot just to acquire a licensed from Department of Health. We have oversight and monitoring to ensure the safety and well being of our Kupuna. We maintain and abide many requirements to uphold the law. Unlicensed care homes are not subject to annual inspections , staffing requirements, criminal background checks, building and fire code requirements, substitute caregiver requirements, resident rights requirements, CPR certification, TB clearance, housing design and preservation requirements, confidentiality requirements, medical record requirements, billing and financial requirements, medication pass requirements (especially regarding the use of anti-psychotic medications), and the right of the resident to access the services of the long term care ombudsman when the resident or responsible person needs advocate and doesn't know where to turn. Thank you for the opportunity to testify.

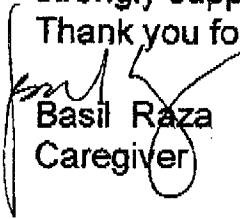

**Ruth Raza
President BIARCH**

From: Basil Raza
Caregiver, Big Island Adult Residential
Care Home-Expanded ARCH

To: Committee on Finance
Representative Sylvia Luke- Chair

Re: HB 1911-Relating to Health for Unlicensed Care Home
Date: February 23, 2018

My name is Basil Raza and I have been a Caregiver over 10 years. I strongly support the HB 1911.
Thank you for the opportunity to testify.



Basil Raza
Caregiver

House Committee on Finance
Rep. Sylvia Luke, Chair
Rep. Ty J.K. Cullen, Vice Chair

H.B. 1911 HD2 Relating to Health
Conference Room 308, 11:00 a.m.
February 23, 2018

*Testimony of John G. McDermott, LSW, ACSW, M.Div.
State Long Term Care Ombudsman*

Position: The Office of the Long Term Care Ombudsman **strongly supports** this measure.

Good morning, Chair Luke, Vice Chair Cullen and members of the Committee,

My name is John G. McDermott and I have been the State Long Term Care Ombudsman (LTCO) since August of 1998. The LTCO Program is both federally and state mandated, receives federal and state funding, and is housed in the Executive Office on Aging.

We advocate for [mostly] seniors living in licensed nursing homes, licensed assisted living facilities (ALFs), licensed adult residential care homes (ARCHs), licensed expanded ARCHs (E-ARCH) and certified community care foster family homes (CCFFHs). Note: With the CCFFHs it's the case manager who is required to be licensed.

As of January 12, 2018, the breakdown was 48 nursing homes with 4,456 beds, 17 ALFs with 2,683 beds, 481 ARCHs with 2,599 beds and 1,153 CCFFHs with 2,919 beds. That grand total for the State of Hawaii was 1,699 facilities with 12,657 beds.

Because these residents often suffer from dementia and can have many other physical and mental limitations which make them so vulnerable, the State has always required that facilities caring for these people be licensed or certified. It's the right thing to do.

These facilities are monitored by the Department of Health's Office of Healthcare Assurance (OHCA). They have annual inspections. In 2019 those inspections will also be *unannounced*, as is required by federal law for our nursing homes. Inspection reports are required to be posted on the DOH website. There are staffing requirements, criminal background check requirements, building and fire code requirements, substitute caregiver requirements, Resident Rights requirements, knowledge of CPR requirements, TB clearance requirements, reading and speaking English requirements, housing design and self-preservation requirements, confidentiality requirements, medical records requirements, billing and financial record requirements, medication pass requirements (especially regarding the use of anti-psychotic medications), infection control requirements, waste removal requirements, and I'm sure many more that I'm not remembering at the moment. And, not to be forgotten, there is the right of the resident to access the services of the Long-Term Care Ombudsman when the resident or responsible person needs an advocate and doesn't know where to turn.

I think we would all agree these are good and essential regulations, NOT frivolous, because they protect our most vulnerable kupuna. Unfortunately, the public ...and maybe some members of the Press ... don't understand NONE of these consumer protections exist if someone chooses to move into an *Ageing in Place Home*. You are totally on your own, exchanging all those consumer protections for an *unenforceable promise* to do a good job. "Trust us."

The proponents of the *Aging in Place Home* movement have been very clever in misappropriating a term we are all familiar with. "Aging in Place" is something we all want to do but that term is intended to mean aging in my OWN home, not someone else's home. Installing grab bars in the bathroom, replacing a bathtub with a shower, installing a ramp in place of stairs to get into the home, having bedrooms on the ground floor, even installing a call bell system - in your OWN home - is what most mean by "aging in place." When you move into someone else's home – not related to you - and you pay a fee for the care provided - that by definition is a "care home" and in Hawaii, like almost every other state, care homes must be licensed. This is a business and, like most businesses, they need to be licensed and inspected.

Some have tried to argue this model helps resolve the shortage of affordable housing for our seniors. I disagree. Any senior who can afford to "rent" [just] a room for \$4,000 to \$5,000/month would have no problem finding a place to live. This model actually exacerbates the housing shortage situation. If 4 or 5 seniors are all "renting" bedrooms in the same house for \$4,000/month, that one house is now pulling in \$20,000/month! What landlord would rent a house to a family for \$4,000/month if s/he can now get \$20,000/month?

I would also agree with the ARCHs and CCFFHs who claim the *Aging in Place Homes* are unfair competition. Why would a caregiver subject herself and her family to annual inspections, the Ombudsman dropping in unannounced, having to pay for all the requirements and costs of running a licensed business - if they can drop out of the regulatory system and call herself or himself an *Aging in Place Home* and get away with it? *What message are we sending to all those good caregivers following the rules?* If the Legislature is unable to stop this trend, more licensed facilities will drop out and this will place more seniors at risk.

On January 22nd I walked into Don Quixote on Kaheka Street and taped to the door of the nail salon is a sign proudly declaring "all our staff are licensed." That's how it should be. For our *Aging in Place Homes*, their sign would have to read "none of our homes are licensed." Shouldn't protecting our seniors be at least as important as protecting our fingernails?! The residents I am responsible for need to be protected and that's why I am asking that the Legislature insist that all *Aging in Place Homes* come into compliance with the law and become licensed like everyone else. Mahalo.

Thank you for this opportunity to testify.

John G. McDermott, LSW, ACSW, M.Div
State Long Term Care Ombudsman

HB-1911-HD-2

Submitted on: 2/22/2018 9:07:32 AM

Testimony for FIN on 2/23/2018 11:00:00 AM

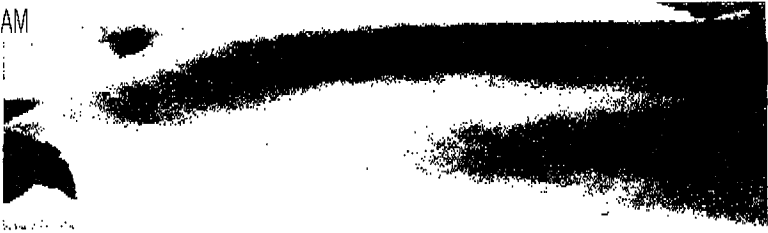
| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| yolanda collo | Individual | Support | No |

Comments:

**I STRONGLY SUPPORT THE BILL FOR THE SAFETY AND WELL-BEING OF OUR
FRAIL AGED.**

My name is Jessie Gacula and I have been a Caregiver over 30 years. I strongly support the HB 1911.
Thank you for the opportunity to testify.


Jessie Gacula
Gacula ARCH



February 21, 2018

My name is Elisa Cabal. I am a care home operator for over 20 years now.

I support HB 1911 house bill, Unlicensed Care home.

Thank you,

Elisa Cabal



HB-1911-HD-2

Submitted on: 2/21/2018 5:20:21 PM

Testimony for FIN on 2/23/2018 11:00:00 AM

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| Susan Govier | Individual | Oppose | No |

Comments:

To Chairman Sylvia Luke and Committee Members:

Vote NO on HB 1911, "Relating to Health"

This bill is not about better care for people, it is about protecting current licensed and certified care businesses from competition for private pay clients.

New and different models of care are needed so private pay consumers have different CHOICES.

The new and different models of care should not be conflated with our current system of providing care and should not be either licensed or certified which is redundant--we already have licensed and certified.

Please note alluding to clients as "vulnerable" is misleading. Clients needing medical or other assistance are NOT incompetent to make decisions about that care or if they are incompetent, that client has a competent person acting for them.

I am a retired Registered Nurse. I have colleagues who have licensed nursing homes and certified care homes as their business. I support them. Our community needs them for Medicaid and private pay clients.

I also support the new and different models of care without licensing or certification.

I do not like the choices currently available for my care if I need care in the future. I want more choices. I do not need the state to license and certify my choices ultimately restricting my right to choose what is best for me.

Along with expanded choices, I need and support requiring accurate, honest information about EVERY choice.

Please do not restrict my right to choose either licensed/certified or not licensed/certified care by falling for this bill designed to protect the currently licensed/certified care providers/home operators from competition for private pay clients.

We need more choices not more licensed/certified providers

Vote NO on HB 1911

Thank you,

Mrs. Susan Kane Govier (R.N.)

Aiea, HI

19 Feb 2018

Testimony: HB 1911, Relating to Health

For hearing: Friday 23 Feb., 2018

Vote NO on HB 1911

We need more choices not more licensed/certified care facilities.

This bill is not about better care for people, it is about protecting current licensed and certified care businesses from competition for private pay clients.

New and different models of care are needed so private pay consumers have different CHOICES.

The new and different models of care should not be conflated with our current system of providing care and should not be either licensed or certified which is redundant--we already have licensed and certified.

Please note alluding to clients as "vulnerable" is misleading. Clients needing medical or other assistance are NOT incompetent to make decisions about that care or if they are incompetent, that client has a competent person acting for them.

I am a retired Registered Nurse. I have colleagues who have licensed nursing homes and certified care homes as their business. I support them. Our community needs them for Medicaid and private pay clients.

I also support the new and different models of care without licensing or certification.

I do not like the choices currently available for my own care if I need care in the future.

I want more choices.

I do not need the state to license and certify all of my choices ultimately restricting my right to choose what is best for me.

Along with expended choices, I need and support requiring accurate, honest information about EVERY choice.

Please, do not restrict my right to choose either licensed/certified or not licensed/certified care by falling for this bill designed to protect the currently licensed/certified care providers/home operators from competition for private pay clients.

We need more choices not more licensed/certified providers.

Vote NO on HB 1911

Thank you,

Mrs. Susan Kane Govier (R.N.)

Aiea, HI

808-282-4289

Govierj001@hawaii.rr.com

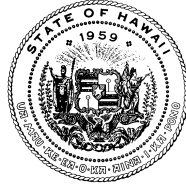
HB-1911-HD-2

Submitted on: 2/22/2018 3:10:02 PM

Testimony for FIN on 2/23/2018 11:00:00 AM

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| Marylo Farinas | Individual | Support | No |

Comments:



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

LATE

**Testimony in OPPOSITION to H.B. 1911, HD2
RELATING TO HEALTH.**

REPRESANTATIVE SYLVIA LUKE, CHAIR
HOUSE COMMITTEE ON FINANCE

Hearing Date: Friday, February 23, 2018

Room Number: 308

1 **Fiscal Implications:** None known.

2 **Department Testimony:** Thank you for the opportunity to testify in OPPOSITION of this
3 measure. The Department prefers H.B. 1911 HD1 or the similar senate version SB2586 SD1.

4 H.B. 1911 HD1 was intended to seek to protect the public and consumers by authorizing
5 the Department of Health (DOH) to investigate care facilities reported to be operating without an
6 appropriate certificate or license issued by the Department. H.B. 1911 HD1 would have
7 provided the Department a right of entry to conduct investigations and establishes penalties for
8 violations and for patient referral or transfer to uncertified or unlicensed care facilities.

9 H.B. 1911. HD2 narrows the definitions of adult residential care homes (ARCH),
10 expanded ARCH (E-ARCH), community-based care homes, and adult day care centers and
11 requires them to be licensed if they “provide home health care.” Community-based care homes
12 would appear to include community care foster family homes (CCFFH). These homes and
13 facilities do not provide home health care as defined in Chapter 97 Home Health Agencies,
14 Hawaii Administrative Rules (HAR). This redefining would exclude virtually all care in an
15 ARCH and CCFFH and most of the care in an E-ARCH. By excluding those facilities, the bill
16 appears to allow them to not be licensed. The Department cannot support this provision.

1 The Department OPPOSES establishing a home care aide registry. Home care aides, in
2 the context of this measure, are employees of a home care agency. The Department will ensure
3 the credentials of the home care aide as part of the home care agency licensure process. As a
4 result, it will be the home care agency's responsibility to ensure the non-clinical skills,
5 knowledge, and abilities of its non-clinical employees before assigning them to clients based on
6 client needs.

7 The Department OPPOSES establishing and maintaining an online forum on which
8 licensed residential care homes may post vacancies. An online forum for this purpose amounts
9 to advertising for private patients to occupy private beds in a private residential care home for a
10 private fee. This is a private function better left to the private industry, and should not be a
11 government function. As a result, the Department also OPPOSES convening a task force to
12 discuss an online forum with stakeholders.

13 For the above reasons, the Department prefers H.B. 1911 HD1 or its similar Senate
14 version S.B. 2586 SD1.

15 Thank you for the opportunity to testify in OPPOSITION of this bill.

LATE

HB-1911-HD-2

Submitted on: 2/22/2018 5:13:49 PM

Testimony for FIN on 2/23/2018 11:00:00 AM

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------------|---------------------|---------------------------|---------------------------|
| Dr. Nancy Atmospera-Walch | Individual | Support | No |

Comments:

Aloha Honorable Representatives!

Attached is my written testimony of HB 1911 HD2. I am humbly asking all of you to support this Bill for the sake of Patient Safety which will cover all of us, but most especially the most vulnerable population, the Aged, Blind and Disabled.

Respectfully yours,

Dr. NancyvAtmospera-Walch

LATE

HB-1911-HD-2

Submitted on: 2/22/2018 5:25:29 PM

Testimony for FIN on 2/23/2018 11:00:00 AM

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| WANNETTE GAYLORD | Individual | Support | No |

Comments:

House Finance Committee

Friday, February 23, 2018

11:00 a.m.

Conference Room 308

LATE

To: Chair Luke, Vice-Chair Cullen and Members of the House Finance Committee

Re: H.B. 1911, H.D. 2 Relating to Health

My name is Gary Hironaka and I am the owner of a recently formed non-profit organization called Comprehensive Innovations for Senior Services. We are a group that advocates for measures that will bring new innovations for senior options in a safe, sustainable, and efficiently affordable manner.

I am testifying on H.B. 1911, H.D. 2 which:

- Requires home care agencies to be certified or licensed by the Department of Health (DOH);
- Authorizes DOH to inspect home care agencies and establish a home care registry;
- Authorizes DOH to establish procedures to investigate and resolve complaints against home care agencies;
- Authorizes DOH to enter a care facility when investigating a facility or home; and
- Imposes criminal penalty for the intentional operation of an unlicensed community-based foster family home, adult foster family home, adult day care center, or home care agency.

I am submitting testimony in support of this measure. I have read through the bill and understand that it is a work in progress. The points move in the right direction and I support the licensing and inspection of home care agencies.

Thank you for the opportunity to present this testimony.

ADULT FOSTER HOMECARE

ASSOCIATION OF HAWAII

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

LATE

February 23, 2018

RE: **HB 1911 - Testimony in STRONG SUPPORT** – FIN 2/23/18 – Rm. 308 11:00 a.m.

Dear Chair Luke, Vice Chair Cullen, and Members of the Committee:

We **STRONGLY SUPPORT** HB 1911 increased enforcement and state oversight of unlicensed care homes, which are a threat to our Kupuna and disabled. We do not object to family caregivers, but we must increase oversight over those who care for multiple patients who are non-family members for compensation.

Over the last two years, we have received an increasing number of reports from our clients and from prospective clients about “private pay” care homes that offer the services our members provide at lower costs. These unlicensed “private” homes have no oversight whatsoever and no quality assurance. Families who are looking for care for their Kupuna are often emotional and desperate. Many times, the unlicensed homes will not honor the promised price knowing that Kupuna and their families have little choice.

Unlike unlicensed homes, our members proudly operate community care foster family homes and are subject to both announced and unannounced inspections by the Department of Health. We also have case managers, fully certified Registered Nurses, that are licensed and regulated by the State of Hawaii to ensure quality of care.

As we have consistently maintained, **WE CARE ABOUT OUR KUPUNA!** We have come before the Legislature in the past. Some people have characterized us as greedy, but **WE SIMPLY WANT THE BEST FOR OUR KUPUNA.** Although we understand the financial plight that caregivers have been pushed, we must enforce the rules against these unlicensed homes. It's already hard for us financially. More and more will let their licenses expire and contract “privately” to get more money.

Therefore, we **STRONGLY SUPPORT** HB 1911.

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.

LATE

HB-1911-HD-2

Submitted on: 2/22/2018 9:39:48 PM
Testimony for FIN on 2/23/2018 11:00:00 AM

| Submitted By | Organization | Testifier Position | Present at Hearing |
|--------------|---|--------------------|--------------------|
| Menchie | Adult Foster Homecare Association of Hawaii | Support | No |

Comments:

February 23, 2018

RE: **HB 1911 – Testimony in STRONG SUPPORT** – FIN 2/23/18 – Rm. 308 11:00 a.m.

Dear Chair Luke, Vice Chair Cullen, and Members of the Committee:

We STRONGLY SUPPORT HB 1911.

I have been a caregiver for less than 10 years. Following the rules and regulations of the state of Hawaii. Paying my licensing fees, taxes and insurance. Being over seen by department of health. Case managers and families of our clients. We have rules we must follow. I am asking you to make these fly by night private pay homes to be accountable for anything and everything they do. Just as we are held to a standard by the State.

These types of homes are unchecked, unregulated and not held accountable. All too often we hear of a family that have had an experience with these types of care-homes. They are not monitored, there is no quality of care, and most of all there is no recourse a family has against a home that has no license. Other than costly court and attorney fees.

We in the care home community would like you to uphold these business to the same standards we have adopted. This is a job we love to do. we love caring for our Kupuna and we love doing business in the State of Hawaii. We pay our fair share of taxes and have plenty of bills to pay. We follow the rules as the State has set forth and all we are asking for is a fair playing field. So, in closing I Strongly support this bill and hope your will see your way to get it passed.

Therefore, we STRONGLY SUPPORT HB 1911.

Very truly yours,

Menchie Dawang

Executive Secretary

Adult Foster HomeCare Association of Hawaii

LATE

HB-1911-HD-2

Submitted on: 2/22/2018 10:18:47 PM
Testimony for FIN on 2/23/2018 11:00:00 AM

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|-----------------------|---------------------------|---------------------------|
| Maile Harada | Maile Case Management | Oppose | No |

Comments:

This bill should be stopped! It is a violation of a person's civil rights. I am totally opposed to this bill.

HB1911.HD2- RELATING TO HEALTH

LATE

DATE: February 23, 2018

TIME: 11:00AM

PLACE: CONFERENCE ROOM 308

STATE CAPITOL 415 SOUTH BERETANIA STREET

Committee on Finance

Rep. Sylva Luke, Chair

Rep. TY J.K. Cullen, Vice Chair

And Members of the Committee

Good Morning Chair, and Vice Chair, and members:

My name is Lilia Fajotina, I have been a carehome administrator for 20 years.

I Strongly Support HB1911.HD2. I believed any person who open an adult family home or private home and provide healthcare to elderly or disabled individual who are unrelated to the caregiver family by blood, marriage or anybody without licensed shall be guilty of misdemeanor and that person shall be fine or punished.

The unlicensed facilities don't have government oversight for safety and consumer protection. Also, this unlicensed facilities are undermining the government, not only because they are not following rules and regulating by the state, but they also be evading tax obligations. Everyone, needs to be fair and equal as we all work together in caring for our kupuna.

Thank you, for allowing me to testify.

Lilia Fajotina

(Carehome Administrator)

LATE

HB-1911-HD-2

Submitted on: 2/23/2018 11:43:36 AM

Testimony for FIN on 2/23/2018 11:00:00 AM

| Submitted By | Organization | Testifier Position | Present at Hearing |
|--------------------------|---------------------|---------------------------|---------------------------|
| Maria Corazon E. Cariaga | Individual | Support | No |

Comments:

I'm in support for this HB1911. Thank you for allowing me to submit my testimonies.

LATE

HB-1911-HD-2

Submitted on: 2/23/2018 11:49:44 AM

Testimony for FIN on 2/23/2018 11:00:00 AM

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| Maria E. Cariaga | Individual | Support | No |

Comments:

I'm in support for the HB1911. Thank you for allowing me to submit my testimonies.



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LATE

From: Lolita Ching, MSN, RN
President/Owner of Quality Case Management, Inc.
President of the Filipino Nurses Organization of Hawaii

To: Representative Sylvia Luke, Chair
Vice-Chair Cullen
Members of the Committee

RE: HB 1911 HD2: Relating to Health

Date: February 23, 2018

My name is Lolita E. Ching and I've been a Registered Nurse for 40 years and 18 years as a Community Case Manager in the State of Hawaii. Based on the statement and presentation of this bill, **I am and together with my staff, we are fully in support for this bill.**

We believe ,together with my 9 staff, that we have the moral and ethical duty to provide to our vulnerable KUPUNAs, the aged, the blind and disabled the care that they deserve. We must ensure that their safety, health and welfare is the priority while living outside of their own homes. As a family member, lay person or health care providers, we refused to be driven by a person without a driver's license, albeit be defended by a paralegal secretary in front of the circuit court. We demand that our vehicle is driven by a licensed driver or being defended by an Attorney. So then, why are our vulnerable KUPUNAS being placed in an illegal home? Wake up and do not be like an OSTRICH where the head is buried in the sand for quite some time. As a family member exercise your right that your love one is being cared by a licensed home under the guidelines and oversight of various State Department/ Agency. It is just a matter of time. DO NOT WAIT until some harm or negative event occurs to our KUPUNA while living in an unlicensed home. BE PROACTIVE. Your live one relies on your love and judgement to do the right thing. Be HONEST and MAINTAIN YOUR INTEGRITY. DOING THE RIGHT THING EVEN IF NO ONE IS WATCHING. Placing your love one in an UNLICENSED HOME is dangerous due to **NO oversight by the people or professional health care providers who follow the LAW.**

Currently, Foster Home and Adult Residential Care Home Caregivers are just waiting for the final decision of this bill. In the event that this bill is delayed for approval, we will see more these caregivers becoming a non- licensed. Where are we going to place our Medicaid clients, what would happen to them? Delaying this bill for further discussion as what Mr. Kerry Komatsubara is asking will further proliferate these unlicensed homes. I encouraged your committee to support and approve this Bill for the safety, health, and welfare of our Kupunas.



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This is now the time to show and act upon for our vulnerable Kupunas. Thank you for reading and accepting my testimony.

Respectfully yours,

Lolita Ching, MSN, RN

Kimberly Ong, RN

Juliet Raymundo, RN

Angel Gaerland, RN

Christian Gaerland, RN

Leitisha Padeken

Jo Faraon

Katrina Agliam

Jaymelene Nicholas