

STAND. COM. REP. NO.

582

Honolulu, Hawaii

February 15, 2019

RE: H.B. No. 582
H.D. 2

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirtieth State Legislature
Regular Session of 2019
State of Hawaii

Sir:

Your Committee on Consumer Protection & Commerce, to which was referred H.B. No. 582, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO HEALTH,"

begs leave to report as follows:

The purpose of this measure is to adequately address the various issues concerning the elderly and disabled and the community healthcare industry while ensuring consumer protection for Hawaii's elderly and disabled care recipients by:

- (1) Requiring that adult day care centers be licensed or certified by the Department of Health;
- (2) Specifying that any person who intentionally operates a community-based foster family home, adult foster home, or adult day care center without a license shall be guilty of a misdemeanor;
- (3) Repealing amendments made in Act 184, Session Laws of Hawaii 2016, regarding licensing of adult residential care homes that have yet to take effect;
- (4) Requiring either the University of Hawaii or a neutral third party to maintain a forum for vacancies at any state-licensed care facility;

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- (5) Establishing fees in unspecified amounts for licensure, relicensure, certification, and recertification of adult residential care homes, expanded adult residential care homes, developmental disabilities domiciliary homes, community care foster family homes, adult day care centers, adult foster homes for developmentally disabled individuals, and other homes;
- (6) Requiring the Department of Health to report on the fees and any problems collecting those fees;
- (7) Establishing a Caregiver and Case Manager Compensation Task Force to develop minimum compensation rates for caregivers and address other compensation issues; and
- (8) Establishing fees in unspecified amounts for certificates of approval.

United Group of Home Operators, O'ahu County Committee on Legislative Priorities of the Democratic Party of Hawai'i, Big Island Adult Residential Carehome, and two individuals testified in support of this measure. The Department of Health and an individual testified in opposition. The Department of Human Services provided comments.

Your Committee has amended this measure by:

- (1) Authorizing the Department of Health to conduct unannounced visits for the inspection for relicensing of adult residential care homes, expanded adult residential care homes, and adult day care centers; and
- (2) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 582, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 582, H.D. 2.



Respectfully submitted on
behalf of the members of the
Committee on Consumer
Protection & Commerce,



ROY M. TAKUMI, Chair



