

Honolulu, Hawaii

APR 25 2019

RE: S.B. No. 1240
S.D. 1
H.D. 1
C.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirtieth State Legislature
Regular Session of 2019
State of Hawaii

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

Sirs:

Your Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House of Representatives in S.B. No. 1240, S.D. 1, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO MEDICAID WAIVER,"

having met, and after full and free discussion, has agreed to recommend and does recommend to the respective Houses the final passage of this bill in an amended form.

The purpose of this measure is to:

- (1) Make permanent Act 21, Special Session Laws of Hawaii 2009, which requires the Department of Health to license home care agencies; and
- (2) Add an exemption to the Department of Health home care agency licensing requirements for Medicaid waiver provider providing services exclusively to participants in the Medicaid Home and Community-Based Services Waiver for individuals with intellectual and developmental disabilities (HCBS I/DD waiver).



Your Committee on Conference finds that pursuant to federal requirements to safeguard the health, safety, and rights of HCBS I/DD waiver participants, the State has implemented numerous standards, policies, and procedures pertaining to HCBS I/DD waiver program staff training and supervision. One of the state-mandated safeguards requires all personal care services to be performed by people who have the training equivalent to the basic nurse aide course. However, your Committee on Conference notes that because the HCBS I/DD waiver program provides several types of non-medical personal care services, requiring nurse aide training for all providers of services is burdensome and may impact access to services for HCBS I/DD waiver participants. Your Committee on Conference further finds that, given the extensive oversight of HCBS I/DD provider agencies already in place to comply with federal requirements, providing a narrow exemption for agencies that have been approved by the Department of Human Services Med-QUEST Division ensures HCBS I/DD waiver participants receive services from qualified HCBS I/DD waiver provider agencies without unnecessary delay or increased costs.

Your Committee on Conference has amended this measure by:

- (1) Deleting language that would have made Act 21, Special Session Laws of Hawaii 2009 permanent;
- (2) Changing the effective date to July 1, 2019; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

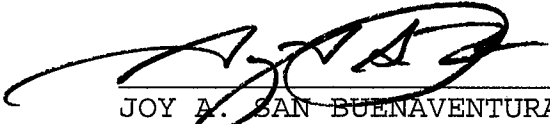
As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 1240, S.D. 1, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 1240, S.D. 1, H.D. 1, C.D. 1.



Respectfully submitted on behalf
of the managers:

ON THE PART OF THE HOUSE

ON THE PART OF THE SENATE



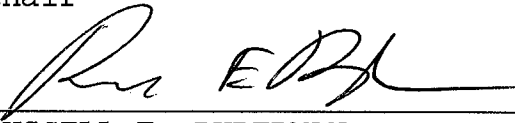
JOY A. SAN BUENAVENTURA
Co-Chair



ROSALYN H. BAKER
Chair



NADINE K. NAKAMURA
Co-Chair



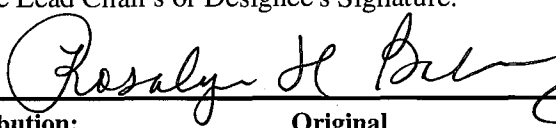
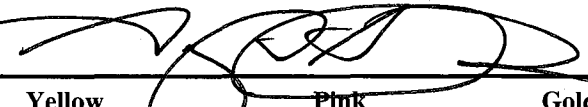
RUSSELL E. RUDERMAN
Co-Chair



Hawai'i State Legislature

CCR 18

Record of Votes of a
Conference Committee

Bill / Concurrent Resolution No.: SB 1240, SD 1, HD 1					Date/Time: <i>10:39am 4-23-2019</i>				
<input checked="" type="checkbox"/> The recommendation of the House and Senate managers is to pass with amendments (CD).									
<input type="checkbox"/> The Committee is reconsidering its previous decision.									
<input type="checkbox"/> The recommendation of the Senate Manager(s) is to AGREE to the House amendments made to the Senate Measure					<input type="checkbox"/> The recommendation of the House Manager(s) is to AGREE to the Senate amendments made to the House Measure.				
Senate Managers	A	WR	N	E	House Managers	A	WR	N	E
BAKER, Rosalyn H., Chr.	✓				SAN BUENAVENTURA, Joy A., Co-Chr.	✓			
RUDERMAN, Russell E., Co-Chr.	✓				NAKAMURA, Nadine K., Co-Chr.	✓			
FEVELLA, Kurt				✓	WARD, Gene	✓			
TOTAL	2	-	-	1	TOTAL	3	-	-	-
A = Aye		WR = Aye with Reservations			N = Nay		E = Excused		
Senate Recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted					House Recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Senate Lead Chair's or Designee's Signature: 					House Lead Chair's or Designee's Signature: 				
Distribution:		Original	Yellow	Pink			Goldenrod		
		File with Conference Committee Report	House Clerk's Office	Senate Clerk's Office			Drafting Agency		