

THE SENATE  
HOUSE OF REPRESENTATIVES  
THE THIRTIETH LEGISLATURE  
INTERIM OF 2019

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NOTICE OF MEETING

DATE:      Tuesday, November 26, 2019  
TIME:      10:00 a.m.  
PLACE:      Conference Room 309  
                 State Capitol  
                 415 South Beretania Street

A G E N D A

The Senate Committee on Commerce, Consumer Protection and Health and the House Committees on Health and Human Services & Homelessness will be reviewing polices to address the "Silver Tsunami," which refers to the significant number of elderly in Hawaii who now comprise 21.5% of the population. Nearly one in four Hawaii residents is aged 60 or older.

The Committees will hear from the Legislature's Kupuna Caucus as well as the State Attorney General's Office, the Department of Health, other departments and community organizations. A major point of interest for the briefing is the growing number of unlicensed, illegal community care homes in the State. In January 2018, the Department of Health fined a former licensed community care home operator \$325,000 which then closed, became unlicensed and began using a so-called "aging-in-place" model. Hawaii has approximately 1,700 licensed legal long-term care facilities serving 12,300 residents. In a prior briefing in 2018 before the Health and Human Services Committee, the Department of Health reported that 76 community care foster family homes closed in 2016 and another 74 community care foster family homes closed in 2017 without citing a reason. Many unlicensed "aging-in-place" models are proliferating throughout the State. The rise of unlicensed community care homes has grown significantly within the last three years.

The purpose of this briefing will be to assess the actual impact of unlicensed community care homes in Hawaii, the consumer protection concerns for Hawaii's kupuna and disabled, and the adverse effect it may have on the long-term healthcare system.

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Currently, these "aging-in-place" models have no Department of Health oversight, do not allow department personnel to enter or inspect their homes, are not licensed by the Department of Health, do not carry liability insurance and are not regulated. Community care homes and medical facilities licensed by the Department of Health are subjected to:

1. Criminal background checks of all employees
2. Be licensed by the Department of Health after fulfilling all safety and insurance requirements
3. Annual inspections by the Department of Health
4. Unannounced inspections by the Department of Health
5. Liability insurance for the patients
6. Vehicle insurance for the patients
7. Building and fire code requirements
8. Medical records requirements
9. Billing and financial records requirements
10. Medication pass requirements
11. TB clearance
12. Housing and self-preservation requirements
13. The right of the resident to access the services of the long-term care ombudsman
14. Must allow the Department of Health to go onsite to visit the patient or the conditions of the home

The following organizations have been invited to participate in the briefing:

State Department of Health  
State Department of the Attorney General  
State Executive Office on Aging  
State Long Term Care Ombudsman  
Center on the Family, University of Hawaii at Manoa  
Caring Across Generations  
Community Ties of America  
Community Case Managers  
Community Caregiver Organizations  
Adult Day Care Organizations  
Kokua Council  
Kupuna Caucus  
Policy Advisory Board for Elder Affairs

At the end of the briefing, the Committees will discuss policy for consideration before the 2020 legislative session and address any recommendations by the presenters.

No public testimony will be accepted.

If you require special assistance or auxiliary aids and/or services to participate in the meeting (i.e., sign language interpreter or wheelchair accessibility), please contact the Committee Clerk at 586-6050 to make a request for arrangements at least 24 hours prior to the meeting. Prompt requests help to ensure the availability of qualified individuals and appropriate accommodations.

For further information, please call the Committee Clerk at 586-6050.

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Rep. John M. Mizuno  
Chair

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Senator Rosalyn H. Baker  
Chair

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Rep. Joy A. San Buenaventura  
Chair

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Rep. Scott K. Saiki  
Speaker of the House

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Senator Ronald D. Kouchi  
President of the Senate