



STATE OF HAWAII  
DEPARTMENT OF HEALTH  
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**Testimony in OPPOSITION to H.B. 2692 HD1  
RELATING TO COMMUNITY CASE FOSTER FAMILY HOMES.**

REPRESENTATIVE ROY M. TAKUMI, CHAIR  
HOUSE COMMITTEE ON CONSUMER PROTECTION & COMMERCE

Hearing Date: Thursday, February 13, 2020      Room Number: 329

1    **Fiscal Implications:** None known.

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

3            This bill would change the minimum age of care workers in community care foster  
4 family homes (CCFFH) and increase the number of hours that primary caregivers could be  
5 absent from a CCFFH as long as a substitute caregiver is present. The minimum age is  
6 undetermined and the number of allowable absent hours would increase from 28 hours per week  
7 to 50 hours per week and from five (5) hours per day to 23 hours per day.

8            There is no preamble in the bill to identify what problem will be solved or what the  
9 Legislative intent is, so the reason for these amendments are unknown.

10           The Department is opposed to lowering the minimum age of care workers. CCFFHs are  
11 residential care homes that provide care to nursing level residents without immediate backup  
12 care workers such as are available in skilled nursing facilities or hospitals. The current minimum  
13 age of 21 is more commensurate with someone with the care-giving training, skills, experience,  
14 and maturity to provide care without immediate backup. From a healthcare delivery and  
15 consumer protection standpoint, the Department asks that the minimum age not be amended.

1           Regarding absences of the primary caregiver, the Department is not opposed to changes  
2 but believes that the matter of personnel and staffing of CCFFH's is better in administrative rules  
3 rather than in statute. The administrative rules currently contain a section on personnel and  
4 staffing.

5           As a result, the Department offers the following amendments beginning on page 1, line  
6 11 through page 2, line 19 to delete language that is more appropriately suited in administrative  
7 rules:

8 **Offered Amendments:** (4) Requirements for primary and substitute caregivers caring for three  
9 clients in community care foster family homes, ~~including:~~

10 ~~(A) Mandating that primary and substitute caregivers be twenty one years of age or older;~~

11 ~~(B) Mandating that primary and substitute caregivers complete a minimum of twelve hours of~~  
12 ~~continuing education every twelve months or at least twenty four hours of continuing education~~  
13 ~~every twenty four months;~~

14 ~~(C) Allowing the primary caregiver to be absent from the community care foster family home for~~  
15 ~~no more than [twenty eight] fifty hours in a calendar week, not to exceed [five] twenty three~~  
16 ~~hours per day; provided that the substitute caregiver is present in the community care foster~~  
17 ~~family home during the primary caregiver's absence;~~

18 ~~(D) Where the primary caregiver is absent from the community care foster family home in~~  
19 ~~excess of the hours as prescribed in subparagraph (C), mandating that the substitute caregiver be~~  
20 ~~a certified nurse aide; and~~

21 ~~(E) Mandating that the substitute caregiver have, at a minimum, one year prior work experience~~  
22 ~~as a caregiver in a community residential setting or in a medical facility.~~

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