

Honolulu, Hawaii

FEB 08 , 2022

RE: H.B. No. 1746
H.D. 1

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirty-First State Legislature
Regular Session of 2022
State of Hawaii

Sir:

Your Committee on Health, Human Services, & Homelessness, to which was referred H.B. No. 1746 entitled:

"A BILL FOR AN ACT RELATING TO HEALTH,"

begs leave to report as follows:

The purpose of this measure is to:

- (1) Clarify the group of professionals who are prohibited from knowingly referring or transferring patients to an uncertified or unlicensed care facility;
- (2) Repeal the provision that a landlord, under specified conditions, shall not be deemed to be providing home care services or operating a care facility that requires a license; and
- (3) Require the Department of Health to prioritize complaint allegations based on severity for investigations of state-licensed or state-certified care facilities.

Your Committee received testimony in support of this measure from the Department of Health. Your Committee received testimony in opposition to this measure from the Hawaii Substance Abuse Coalition. Your Committee received comments on this measure from the Department of Human Services.



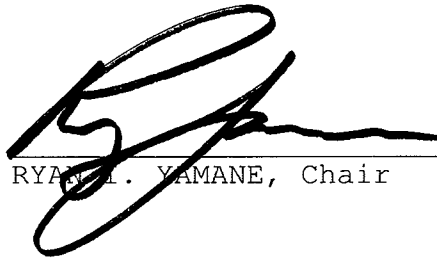
Your Committee finds that the prevalence of unlicensed care homes and facilities in the State continues to pose significant health and consumer protection issues for Hawaii's elderly and vulnerable populations. This measure aims to safeguard the public, protect aged and vulnerable persons, and ensure quality of care by requiring and enforcing the requirement that all residential care homes and other health care facilities, agencies, and organizations be licensed.

Your Committee has amended this measure by:

- (1) Clarifying that the Department of Health may impose an administrative penalty, rather than a fine, for knowingly referring or transferring of a patient to an unlicensed care home, agency, or facility;
- (2) Changing the effective date to July 1, 2060, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Health, Human Services, & Homelessness that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1746, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1746, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Respectfully submitted on
behalf of the members of the
Committee on Health, Human
Services, & Homelessness,



RYAN M. YAMANE, Chair



