

STAND. COM. REP. NO.

229

Honolulu, Hawaii

FEB 12 , 2021

RE: H.B. No. 227
H.D. 1

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirty-First State Legislature
Regular Session of 2021
State of Hawaii

Sir:

Your Committee on Health, Human Services, & Homelessness, to which was referred H.B. No. 227 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, Alliance of Professional Primary Care Administrators, Adult Foster Homecare Association of Hawaii, and nine individuals. Your Committee received comments on this measure from the Department of Human Services.

2021-1451 HB227 HD1 HSCR HMSO



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. Licensed care home operators and other persons are still referring or transferring patients to unlicensed care homes and facilities, unbeknownst to the patient. This illegal practice has cost some patients thousands of dollars due to denied insurance reimbursements and endangers patients' health and safety since unlicensed care homes and facilities do not have to follow required health and consumer protection regulations. Your Committee further finds that enforcement activities require long and arduous hours from the State and are a critical component of the State's regulatory efforts to ensure the health, safety, and welfare of Hawaii's kupuna.

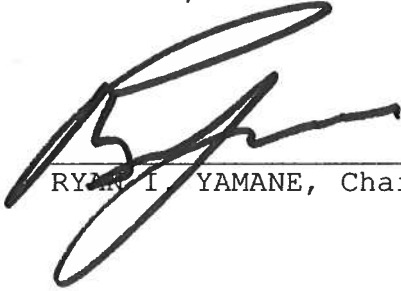
Your Committee has amended this measure by:

- (1) Clarifying that the prohibition on the knowing transfer or referral of patients to uncertified or unlicensed care facilities applies to persons, corporations, or other entities in the health care or human services community; and
- (2) Changing the effective date to July 1, 2060, to encourage further discussion.

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. 227, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 227, 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 I. YAMANE, Chair



