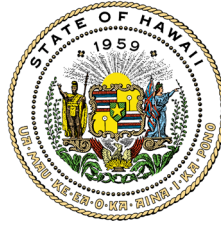


DAVID Y. IGE
GOVERNOR OF HAWAII

ELIZABETH A. CHAR, M.D.
DIRECTOR OF HEALTH



CAROLINE CADIRAO
DIRECTOR

Telephone
(808) 586-0100

Fax
(808) 586-0185

STATE OF HAWAII
EXECUTIVE OFFICE ON AGING
NO. 1 CAPITOL DISTRICT
250 SOUTH HOTEL STREET, SUITE 406
HONOLULU, HAWAII 96813-2831

Testimony COMMENTING on SB2676
Making an Appropriation for the Office of the Long-Term Care Ombudsman Program

COMMITTEE ON HUMAN SERVICES
SENATOR JOY A. SAN BUENAVENTURA, CHAIR
SENATOR LES IHARA JR., VICE CHAIR

Testimony of Caroline Cadirao
Director, Executive Office on Aging
Attached Agency to the Department of Health

Hearing Date: February 15, 2022
3:10 P.M.

Room Number: 225
Via Videoconference

1 **EOA's Position:** The Executive Office on Aging (EOA), an attached agency to the Department
2 of Health, is providing comments on SB2676, making an appropriation for the Office of the
3 Long-Term Care Ombudsman Program (LTCOP), a program of the EOA.

4 **Fiscal Implications:** This measure appropriates \$500,000 for fiscal year 2022-2023 for five
5 FTE long-term care ombudsman program specialist positions within the Executive Office on
6 Aging.

7 **Purpose and Justification:** The LTCOP is required by federal and state law to protect the
8 human and civil rights of residents in all long-term care settings. The Long-Term Care
9 Ombudsman is required to visit facilities quarterly, respond to complaints, engage in
10 investigations, provide information, assistance and referrals to long-term residents and their
11 families, facilitate family councils statewide, provide community education, and administer the
12 program.

1 Currently, LTCOP has 1 full-time State Ombudsman, 1 contracted Oahu Ombudsman, and 3
2 part-time contracted Ombudsmen for Kauai, Maui, Lanai, Molokai, and Hawaii island. These
3 contractors are trained Ombudsmen and have assisted to expand quarterly visits; however, they
4 do not replace the unmet needs that would be filled by full-time staff. In 1995, the Academy of
5 Medicine recommended one full-time Ombudsman for every two thousand residents. Hawaii has
6 12,895 residents in 1,779 facilities statewide. Based on these statistics, LTCOP should have 6.44
7 full-time long-term care Ombudsmen.

8 EOA conducted a comparison of other LTCOP in states of similar size.

- 9 • Maine population of 1.3 million = 13 full-time employees
- 10 • West Virginia population of 1.79 million = 11 full-time employees
- 11 • New Hampshire population of 1.36 million = 5 full-time employees

12 To meet the goal of quarterly visits and to advocate for the most vulnerable residents in all care
13 settings, LTCOP needs to conduct 28 visits a day statewide. Based on our current data with our
14 staff, contractors, and volunteers, we average four (4) visits a day.

15 COVID revealed the critical importance and need for the LTCOP. When nursing facilities,
16 community care homes and adult foster homes are closed to family members and visitors, the
17 Ombudsmen are allowed access to these facilities and are the eyes and ears for the families.

18 **Recommendation:** The Administration's budget includes 2 FTE permanent Ombudsmen for the
19 LTCOP. This bill will add five more FTE to the LTCOP. If the EOA budget and this measure
20 passes, there will be a total of 7 FTE Ombudsmen. We support the additional funding and
21 positions for this program provided that its enactment does not reduce or replace priorities with
22 the Administration's budget request.

23 Thank you for the opportunity to testify.

DAVID Y. IGE
GOVERNOR



CRAIG K. HIRAI
DIRECTOR

GLORIA CHANG
DEPUTY DIRECTOR

EMPLOYEES' RETIREMENT SYSTEM
HAWAII EMPLOYER-UNION HEALTH BENEFITS TRUST FUND
OFFICE OF THE PUBLIC DEFENDER

STATE OF HAWAII
DEPARTMENT OF BUDGET AND FINANCE
P.O. BOX 150
HONOLULU, HAWAII 96810-0150

ADMINISTRATIVE AND RESEARCH OFFICE
BUDGET, PROGRAM PLANNING AND
MANAGEMENT DIVISION
FINANCIAL ADMINISTRATION DIVISION
OFFICE OF FEDERAL AWARDS MANAGEMENT (OFAM)

WRITTEN ONLY
TESTIMONY BY CRAIG K. HIRAI
DIRECTOR, DEPARTMENT OF BUDGET AND FINANCE
TO THE SENATE COMMITTEE ON HUMAN SERVICES
ON
SENATE BILL NO. 2676

February 15, 2022
3:10 p.m.
Room 225 and Videoconference

**MAKING AN APPROPRIATION FOR THE OFFICE OF THE LONG-TERM CARE
OMBUDSMAN PROGRAM**

The Department of Budget and Finance (B&F) offers comments on this bill.

Senate Bill No. 2676 appropriates \$500,000 in general funds in FY 23 to the Executive Office on Aging to fund 5.00 full-time equivalent long-term care ombudsman program specialist positions within the Office of the Long-Term Care Ombudsman.

B&F notes that, with respect to the general fund appropriation in this bill, the federal Coronavirus Response and Relief Supplemental Appropriations Act requires that states receiving Elementary and Secondary School Emergency Relief (ESSER) II funds and Governor's Emergency Education Relief II funds must maintain state support for:

- Elementary and secondary education in FY 22 at least at the proportional level of the state's support for elementary and secondary education relative to the state's overall spending, averaged over FYs 17, 18 and 19; and
- Higher education in FY 22 at least at the proportional level of the state's support for higher education relative to the state's overall spending, averaged over FYs 17, 18 and 19.

Further, the federal American Rescue Plan (ARP) Act requires that states receiving ARP ESSER funds must maintain state support for:

- Elementary and secondary education in FY 22 and FY 23 at least at the proportional level of the state's support for elementary and secondary education relative to the state's overall spending, averaged over FYs 17, 18 and 19; and
- Higher education in FY 22 and FY 23 at least at the proportional level of the state's support for higher education relative to the state's overall spending, averaged over FYs 17, 18 and 19.

The U.S. Department of Education has issued rules governing how these maintenance of effort (MOE) requirements are to be administered. B&F will be working with the money committees of the Legislature to ensure that the State of Hawai'i complies with these ESSER MOE requirements.

Thank you for your consideration of our comments.

Mitchell D. Roth
Mayor



William H. Farr
Executive on Aging

County of Hawai'i OFFICE OF AGING

Aging and Disability Resource Center, 1055 Kino'ole Street, Suite 101, Hilo, Hawai'i 96720-3872
Phone (808) 961-8600 • Fax (808) 961-8603 • Email: hcoa@hawaiiantel.net
West Hawai'i Civic Center, 74-5044 Ane Keohokālole Highway, Kailua-Kona 96740
Phone (808) 323-4390 • Fax (808) 323-4398

February 14, 2022

Senator Joy A. San Buenaventura, Chair
Senator Les Ihara, Jr., Vice-Chair
Hawaii State Capitol
415 South Beretania Street
Honolulu, HI 96813

**Re: Support of SB2676, relating to MAKING AN APPROPRIATION FOR THE OFFICE OF THE
LONG-TERM CARE OMBUSMAN PROGRAM
3:10 P.M., February 15, 2022, Conference Room 225 & Videoconference**

Dear Senator San Buenaventura and Members of the Committee on Human Services:

Hawaii County Office of Aging (HCOA) supports the Kupuna Caucus initiative to appropriate funds to the office of the Long-Term Care Ombudsman (LTCOP) for five full-time (5.0 FTE) ombudsman specialist positions; one on Oahu, two on Hawaii Island, and one each on Kauai and Maui.

The National Academy of Medicine recommends an essential standard of one full-time ombudsman for every two thousand long-term care residents. As of 2021 Hawaii had a total of 1,779 long-term facilities state-wide that housed 12,895 residents. As current demographics indicate, Hawaii's older population has continued to increase, while LTCOP staffing has remained the same for over 40 years. Due to the lack of staffing, the LTCOP cannot meet the Federal minimum requirement of visiting each facility on a quarterly basis.

As a federally-mandated program, our LTCOP continues to remain at the bottom of the list in terms of staffing and funding across the country. The proposed appropriation of \$500,000 will only meet staffing standards set in 1995, and does not take into account federally mandated changes in the Older American Act title VII requirements. Passing the proposed appropriation is truly a step in the right direction.

Thank you for the opportunity to submit testimony in support of this appropriation.

Sincerely,

William "Horace" Farr
Executive on Aging
Hawaii County Office of Aging



*An Area Agency on Aging
Hawai'i County is an equal opportunity provider and employer.*

SB-2676

Submitted on: 2/14/2022 11:34:55 AM

Testimony for HMS on 2/15/2022 3:10:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
James Mariano	Testifying for Maui County Office on Aging	Support	No

Comments:

I am in support of this bill to add new positions to expand the Long-Term care ombudsman program. With the ever-increasing oversight and monitoring needed as people age, we are not keeping up with the workforce needed to ensure the safety of residents in institutional and custodial home settings. Volunteers cannot take the place of paid staff. We must create paid positions to send a message that we value these people and positions.

Thank you.



1001 Bishop Street | Suite 625 | Honolulu, HI 96813-2830
1-866-295-7282 | Fax: 808-536-2882
aarp.org/hi | aarphi@aarp.org | twitter.com/AARPHawaii
facebook.com/AARPHawaii

The State Legislature
The House Committee on Health, Human Services and Homelessness
Thursday, February 10, 2022
9:00 a.m.

TO: The Honorable Ryan Yamane, Chair
RE: Support for H.B. 1824 Relating to Long Term Care Ombudsman

Aloha Chair Yamane and Members of the Committee:

My name is Keali'i Lopez and I am the State Director for AARP Hawai'i. AARP is a membership organization of people age fifty and over, with over 140,000 members in Hawai'i.

AARP strongly supports H.B. 1824 which establishes and funds five permanent long-term care ombudsman program specialist positions to the office of the Long-Term Care Ombudsman. Having adequate staffing for this office is long overdue. Up to now, Hawaii has had only one full time ombudsman serving nearly 13,000 residents residing among the 1,779 facilities spread over 6 islands. This is not acceptable. In 1995, the National Institute of Medicine recommended a minimum of 1 full-time Ombudsman per every 2,000 residents. If this bill passes, Hawaii will finally meet that 1995 standard.

The COVID-19 pandemic has heightened awareness of our frailest residents' vulnerability. Because family and friends couldn't visit, activities and social interactions among long term care residents were negatively impacted. Unfortunately, facilities were short-staffed which exacerbated the situation, and many residents were left alone. The role of ombudsman is very critical in ensuring that residents are receiving proper care and attention. The ombudsman serves as the public's eyes and ears when visiting these facilities. Having access to the residents 24/7, the ombudsman becomes their advocate and can bring their concerns and complaints to the facility and appropriate state agencies' attention to be immediately addressed and resolved.

Please provide the additional staff so that each island will have at a full-time, permanent ombudsman specialist. Hawaii's long term care residents deserve immediate access to someone who can assist them.

Thank you very much for the opportunity to **support H.B. 1824**.

Sincerely,

A handwritten signature in black ink that reads "Keali'i S. Lopez". The signature is written in a cursive style.

Keali'i S. López
State Director



Kokua Council

The **Kokua Council** is one of Hawaii's oldest advocacy groups. Kokua Council seeks to empower seniors and other concerned citizens to be effective advocates in shaping the future and well-being of our community, with particular attention to those needing help in advocating for themselves.

**Senate
Committee on Human Services
Tuesday, February 15, 2022
3:10 p.m.**

To: Chair Senator Joy San Buenaventura
Re: SB2676, Making an appropriation for the Office of the Long-Term Care Ombudsman Program

Aloha Chair San Buenaventura, Vice-Chair Ihara, and Members of the Committee,

I am Lila Mower, president of Kokua Council which advocates, informs, and educates to improve laws, policies, and practices that impact the well-being of kupuna, their families, and our community.

Kokua Council **supports SB2676** which would fund five full-time Long Term Care Ombudsman positions.

Most of us prefer to spend our “golden” years at home (“aging in place”), however, circumstances do not always allow us our preference, and some of us must move into care facilities when we are most vulnerable.

As Hawaii’s population ages, the demand to ensure and enforce proper care in those facilities only grows. The LTC Ombudsman serves to fulfill that responsibility, promoting, protecting, and advocating for the health, safety, welfare, and rights of residents of care facilities.

However, the current program is inadequately funded, depending heavily on volunteers with limited staff and limited resources to cover Hawaii’s island population. Based on analysis from the National Academy of Sciences Institute of Medicine, Hawaii is presently in need of at least five more full-time Long Term Care Ombudsmen, a necessity which will be met by this measure.

Mahalo for the opportunity to testify on this measure.

Policy Advisory Board for Elder Affairs

Testimony to the Senate Committee on Human Services
Tuesday, February 15, 2022
3:10 p. m.
Via videoconference

Re: SB 2676, MAKING AN APPROPRIATION FOR THE OFFICE OF THE
LONG-TERM CARE OMBUDSMAN PROGRAM

Dear Chair San Buenaventura, Vice Chair Ihara, and Honorable Members of the Senate Committee on Human Services:

I am Gary Simon, Chair of the Policy Advisory Board for Elder Affairs (PABEA), which is an appointed board tasked with advising the Executive Office on Aging (EOA).

PABEA strongly supports SB 2676, which would appropriate funds to the Office of the Long-Term Care Ombudsman for 5.0 FTE ombudsman program specialist positions.

The role of ombudsman is critical in ensuring that residents are receiving quality, safe care and attention. The ombudsman serves as the public's eyes and ears when visiting these facilities. Having access to the residents twenty-four hours per day, seven days a week, the ombudsman is their advocate and can bring their concerns and complaints to the facility and appropriate state agencies' attention to be addressed immediately and resolved.

For decades, the Office of the Long-Term Care Ombudsman has been severely understaffed. Currently, Hawaii has only one full time ombudsman serving nearly 13,000 residents residing among the 1,779 facilities spread over 6 islands. Our elderly and frail residing in our long term care facilities deserve better from us. They deserve immediate access to someone who can assist them.

In 1995, the National Institute of Medicine recommended a minimum of one full-time ombudsman for every 2,000 residents. If this bill passes, Hawaii will finally meet that 1995 standard. Please provide the additional staff so that each island will have at a full-time, permanent ombudsman specialist.

We urge you to support SB 2676, and we urge you to recommend its passage.

On behalf of PABEA, I thank you for seriously considering the bill.

Very sincerely,



Gary Simon
Chair
Policy Advisory Board for Elder Affairs
No. 1 Capitol District
250 South Hotel Street, Suite 406
Honolulu, Hawaii 96813
Email garysimon@hawaii.rr.com



HAWAII LONG-TERM CARE
OMBUDSMAN
SOMEONE WHO CARES

e: john.mcdermott@doh.hawaii.gov

t: (808) 586-7268

Toll-free: 1-888-229-2231

www.hi-ltc-ombudsman.org

THE SENATE
THE THIRTY-FIRST LEGISLATURE
REGULAR SESSION OF 2022

COMMITTEE ON HUMAN SERVICES
Senator Joy A. San Buenaventura, Chair
Senator Les Ihara, Jr., Vice Chair

NOTICE OF HEARING

DATE: Tuesday, February 15, 2022
TIME: 3:10pm
PLACE: Conference Room 225 & Videoconference

Strong Support for SB2676

Aloha and Good Afternoon Chair San Buenaventura, Vice Chair Ihara, and committee members. My name is John G. McDermott and I have been the State Long-Term Care Ombudsman for the past 24 years. My responsibility is to be an advocate for anyone in the State living in a nursing home, assisted living facility, expanded or regular adult residential care home or a community care foster family home.

I am a staff of ONE with a Volunteer Coordinator - plus an Oahu Ombudsman we just hired pending approval. Yes, we have wonderful volunteers, but volunteers are not a substitute for staff. In this bill we are asking for 5 positions: a full-time, permanent "local" ombudsman for Kauai, for Maui, for the Hilo side and Kona side of Hawaii, and one more for Oahu. The Neighbor Islands should not have to wait for me to show up and come to their rescue.

In 1995 the *National Institute of Medicine* recommended a MINIMUM of 1 F/T Ombudsman per every 2,000 residents. We have almost 13,000 residents. If this bill passes, we will finally meet that 1995 standard which every other state achieved years ago.

We have 1,779 facilities spread over 6 islands. For me to visit every facility quarterly (the federal requirement) I must be at 30 facilities a day, every day.

We started as a Demonstration Project in 1975. We became federal law in 1978 and state law in 1979, so the Neighbor Islands have been waiting for their own "local" ombudsman for 43 years!

Adult Protective Services have staff. Office of the Public Guardian have staff. Hawaii Disability Rights Center have staff. Office of Health Care Assurance have staff. Office of the State Ombudsman have staff. The Long-Term Care Ombudsman Program also needs staff!

COVID made it very clear why having an ombudsman on each island is the right thing to do. There were no flights to the Neighbor Islands during the worst of this pandemic. Renting a car was difficult to find and expensive. I couldn't get to these facilities to check on our kupuna.

Because family and friends couldn't visit, many residents with dementia declined dramatically. An ombudsman has access to the residents 24/7. I need staff who will monitor what's happening – call bells being answered, folks being fed, bathed, dressed – some Activities so our kupuna are not left in bed all day staring at the walls because there is nothing to do, and the facility is short-staffed.

We DO NOT duplicate the role of APS or OHCA. APS has their own screening process. They focus on protecting individuals from imminent abuse and neglect, and if the complainant doesn't meet those requirements, there is no investigation. OHCA's focus is on annual inspections. Then they're gone. Facility staff know after the surveyors leave; they are in the clear for another year. OHCA will go in if they receive a complaint but when family/friends couldn't visit during COVID - and confused residents only became more confused and left in bed – who was expected to make the complaint to OHCA??

When I fly to a Neighbor Island, the TSA security protocols require I be at the airport 90 minutes before departure – that's roundtrip, 3 hours wasted. Add time for the flight itself. Add time to pick up the rental car and drive to the facilities. That leaves me less than 4 hours on the island. If I want to talk to as many residents as possible, I need to be in the facility at least 2 hours. So much WASTED time because I don't live on that island.

A *local* ombudsman is there for evening investigations when called for; there for family councils that meet on the weekends; there for senior fairs; there for multiple, timely, follow up visits if needed for a complaint investigation; there on a regular basis to establish a rapport and trust with the residents; there to recruit local volunteers; and there to explain the Program to the Mayor, the County Council members, the local media outlets, and local senior advocacy groups looking for guest speakers.

My kupuna are the most vulnerable. Many of them are alone. Family members have moved to another island or the mainland or died. They are afraid to complain for fear of retaliation. Everything we have we owe to them, but they seem to be forgotten, hidden in their LTC facilities, no longer able to speak for themselves.

Our Neighbor Island kupuna and their families have been waiting a long time. Please don't make them wait any longer. Mahalo and thank you for this opportunity to testify.



SB-2676

Submitted on: 2/14/2022 8:33:26 AM

Testimony for HMS on 2/15/2022 3:10:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Kathleen Wyatt	Individual	Support	Yes

Comments:

To The Committee on Human Services, Senator Joy A. San Buenaventura, Chair, Senator Les Ihara, Jr., Vice-Chair, and Members of the Committee:

This testimony is in strong support of SB2676, adding 5 Ombudsmen positions. As Mr. McDermott has stated, the standard for an ombudsman is for every 2,000 residents. Hawai'i has almost 13,000 residents, yet Mr. McDermott has been the sole ombudsman since the inception of the program. The focus of the program is to be an advocate for our vulnerable kupuna, who need a voice when conditions are not safe or comfortable for them. These vulnerable kupuna are living in nursing homes, care homes, ARCHs, assisted living facilities, and community care foster homes. In the majority of cases, these vulnerable kupuna have no one to speak for them, so they are at the mercy of the people who run these establishments.

Each island should have their own ombudsman, Kauai, Maui, two on the Big Island, and two for Oahu. Then, and only then, will Hawaii be meeting the standard that every other state has met for number of ombudsmen to advocate on the behalf of vulnerable kupuna. That begs the question, why has Hawaii not met this standard in 43 years? Knowing that Hawaii has the fastest growing senior population, it is unacceptable that there hasn't been adequate coverage for these folks. It is time for you to step up and meet the national standard and add the needed 5 positions so that we can protect our vulnerable kupuna. There can be no logical explanation as to why this hasn't been done already, so now is the time to fix this mistake. On behalf of our kupuna, I respectfully request that you pass this legislation for the good of the state and future vulnerable kupuna.

Senate
Committee on Human Services
Tuesday, February 15, 2022
3:10 PM
Conference Room 225 & Videoconference

SB 2676 Making an Appropriation for the Office of the Long-Term Care Ombudsman Program

Aloha Chair Joy A. San Buenaventura, Vice Chair Les Ihara, Jr. and Members of the Committee

I am writing this letter in strong support of this Kupuna Caucus initiative to appropriate funds to establish and fund permanent positions within the Office of the Long-Term Care Ombudsman.

My family was one of the many who lost a close loved one during COVID-19. Until mid-2020, my loved one lived independently at home until a simple fall required admission into a nursing home for rehabilitation. The initial statewide lockdown to prevent the spread of COVID-19 meant that family members could not visit to help with the adjustment to this new situation. Isolation from family, coupled with a recent diagnosis of dementia, led my loved one to become increasingly confused, refused to eat, and no longer recognized us when we tried to FACETIME. My loved one suffered >20% weight loss and passed away less than six months after the initial fall.

I wish I could say that we were the only family who suffered this experience but a survey conducted by the National Consumer Voice for Quality Long-Term Care found that 85% of family members noted a decline in the residents' physical abilities; 87% decline in physical appearance; and 91% reported their loved one's demeanor (mental status) had declined.

I wish that Long-Term Care Ombudsmen had not been barred from entering facilities by the Centers for Medicare and Medicaid Services (CMS) from March 13, 2020 until CMS eased visitation restrictions in September 2020. Long-Term Care Ombudsmen advocate for residents and family members and respond to complaints about the quality of care and ensure residents have a good quality of life in facilities, however, now that visits have restarted, it's impossible for a program with a staff of two to visit every facility statewide.

Please appropriate the necessary funding for the Long-Term Care Ombudsman Program so these much-needed services are available to all kupuna and other vulnerable citizens who are dependent on others for their care.

Thank you very much for the opportunity to submit my testimony in support of SB 2676.

Lynn Niitani

Aina Haina

Dolores Foley, PhD
1389 Akalani Loop
Kailua, Hawaii 96734

TO: The Honorable Senators MORIWAKI, ACASIO, CHANG, DECOITE,
IHARA, KEITH-AGARAN, KIM, LEE, MISALUCHA

RE: MAKING AN APPROPRIATION FOR THE OFFICE OF THE LONG-TERM CARE
OMBUDSMAN PROGRAM.

Aloha MORIWAKI, ACASIO, CHANG, DECOITE, IHARA, KEITH-AGARAN,
KEOHOKALOOLE, LEE, MISALUCHA, RHOADS

This testimony is in support of SB 2676

Appropriates funds to the Office of the Long-Term Care Ombudsman for 5.0 FTE
ombudsman program specialist positions.

Thank you very much for the opportunity to support SB 2676

Sincerely,

A handwritten signature in black ink that reads "Dolores Foley". The signature is written in a cursive, flowing style.

**Senator Joy A. San Buenaventura, Chair
Senator Les Ihara, Jr., Vice Chair
Committee on Human Services**

**Mae Fujii
Volunteer for Hawaii SHIP & SMP Hawaii
February 13, 2022**

SUPPORT FOR SB2676 for the LONG TERM CARE OMBUDSMAN PROGRAM

As a former volunteer for LTCOVP, since its inception in January, 2021, for almost 10 years, I would like to see increases in their professional staff, improved & more frequent weekly advocacy for the residents, a larger volunteer corps, and funding to support these needs on all of the islands.

As a weekly visitor to three east community long term care or senior residential facilities—Halemalamalama in Kullouou, Maunalani Heights in Honolulu, and Lunalilo Home in Hawaii Kai at different times—I met and served many residents who welcomed and appreciated my visits as their advocate, sometimes I was their only visitor. I became their eyes and ears, moreover, their “voices” to address their needs and complaints. I am still actively volunteering in two other EOA programs, and still maintain close relationships with the staff & members in the LTCOVP.

Advocacy is of great concern to me and my fellow silver-haired tsunami generation, who will be needing increased attention, services, and advocacy by the LTCOVP, when we can no longer live independently in our homes.

I humbly ask the distinguished members of the Human Services Committee for their favorable consideration and support of SB2676 for funding and expansion of staff and services to the long term care residents, who deserve only the best care and quality of life in their golden years.

**Respectfully submitted and mahalo nui loa,
Mae Fujii**

SB-2676

Submitted on: 2/14/2022 10:30:57 AM

Testimony for HMS on 2/15/2022 3:10:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
John A. H. Tomoso	Individual	Support	No

Comments:

02-14-22

RE: SB2676

Aloha,

I am in strong support of this Bill. Speaking of and from Maui, I know that the LTCO, which is a statewide mandate and function, has been and still is "woefully under-funded and understaffed." I do believe it is time to correct this inequity and incapacity.

Mahalo

John A. H. Tomoso+, MSW, ACSW

51 Ku'ula Street, Kahului, HI 96732-2906

john.a.h.tomoso@gmail.com, 808-280-1749

cc; Maui Aging Network, PABEA-LEG

SB-2676

Submitted on: 2/13/2022 7:00:48 PM

Testimony for HMS on 2/15/2022 3:10:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Diana Bethel	Individual	Support	No

Comments:

Aloha Chair San Buenaventura, Vice-Chair Ihara, and Members of the Committee,

I am writing in strong support of SB 2676 which appropriates funds to the Office of the Long-Term Care Ombudsman for 5 FTE ombudsman specialist positions.

When a friend told me about this bill, I was shocked to find out that Hawaii has only one ombudsman who has to monitor long-term care facilities on all the islands. Given that we have an aging population and over 1,700 long-term care facilities, it is impossible for one person to check on that many facilities.

If SB 2676 is passed and 5 F/T ombudsman positions are added to cover the other islands, Hawaii will FINALLY have the bare MINIMUM number of ombudsmen (at least one per 2,000) for our population of 13,000 elderly long-term care residents.

Please help show aloha for our elderly kupuna and pass SB 2676.

Mahalo,

Diana Bethel, Honolulu

Brent Freemont
Contracted Long Term Care Ombudsman
Maui County

Aloha, My name is Brent Freemont and I am the contract Ombudsman for Maui County, and live in Kula. The Ombudsman program is a valuable resource for our Kupuna and Maui County is made up of three islands to visit, currently I'm only contracted for 19 hours a week. There are three large Nursing Facilities, over 50 Community Family Foster Homes, and six ARCH assisted living facilities just on Maui Island. Currently, I am the only one visiting these facilities to advocate for our elders in these homes, and it is only part time. They need our full time support and I hope that you'll support Bill SB2676. On behalf of your Maui County Kupuna,
I thank you.

Brent Freemont
Maui County Ombudsman

SB-2676

Submitted on: 2/13/2022 7:07:44 PM

Testimony for HMS on 2/15/2022 3:10:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Jomel Duldulao	Individual	Support	No

Comments:

Strong support of SB2676

Aloha and Good Afternoon Chair San Buenaventura, Vice-Chair Ihara, and committee members.

RE: SB2676 MAKING AN APPROPRIATION FOR THE OFFICE OF THE LONG-TERM CARE OMBUDSMAN PROGRAM.

Aloha, my name is Jomel Duldulao and I am currently serving as a Long Term Care Ombudsman contractor in Oahu. I have been in this capacity for the past 12 months. The pandemic has truly hit our Kupuna and residents pretty hard. Many facilities I visit have restricted visitations which have led many of their residents to feel abandoned. The residents I have spoken to mentioned to me they miss seeing and holding their loved ones. The residents feel depressed and isolated. I have been making 5 facility visits a day on Oahu and it's not possible for me to meet the requirement of visiting every facility every quarter.

There are countless times when I visited a resident at a foster home and care home and the resident thanked me personally for coming by and talking to them and checking in on them. Many of the residents had never heard of the LTCO program and were grateful for the visit and asked me to come back again to check in with them.

Also, this past year a family member had initially called me to ask me to check in on their uncle who mentioned to them they were not happy and not eating well. I reassured the family member that I would give their uncle a call and also make a physical visit. I was able to have a wonderful talk with the Uncle and he explained to me some of the things that could be improved to help him feel more at home. With the Uncle's consent, I was able to have a constructive discussion with the caregiver. The caregiver wasn't aware and was open to making the changes to help the resident feel more at home. Uncle was so delighted about the changes and was grateful that he was able to enjoy some of the simple things, like hot dogs and spaghetti. I am just grateful that I was able to make his quality of life a little better.

It is crucial that every county have an ombudsman to represent and advocate for the many seniors and vulnerable residents.

There are roughly 10,000 residents living in long-term care settings on Oahu. To better serve and protect our most vulnerable Kupuna and residents **Please support SB2676**

Mahalo for giving me this opportunity to testify.

Respectfully,

Jomel Duldulao

Honolulu

SB-2676

Submitted on: 2/14/2022 8:27:22 AM

Testimony for HMS on 2/15/2022 3:10:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Sharon Young	Individual	Support	No

Comments:

Placing a loved one in the care of strangers has an element of the unknown. Will they be well cared for? Who can I ask if I have questions or concerns about their care? There are thousands of people in longterm care facilities. (might be one of us one day) I would hate to see anyone fall through the cracks just because the longterm care ombudsman program was short-staffed. Therefore, I support SB2676.

SB-2676

Submitted on: 2/13/2022 7:38:54 PM

Testimony for HMS on 2/15/2022 3:10:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Gerald Arens	Individual	Support	No

Comments:

I believe it is important step for the legislature to fund permanent staff positions within the office of the LTCOP. There are over 1,700 facilities with a total of over 8,000 total beds. The majority of these beds are occupied by our most vulnerable state treasures, our Kupuna. There are not enough Long-Term Care Ombudsman paid staff positions to be able to visit each of our state facilities on a quarterly basis. Adding five positions will ensure more effective oversight of the rights of all people in long term care facilities. Please pass and fund this bill to ensure the program can attract people interested in a long-term commitment to this worthy federally mandated and mostly unfunded program. Hawaii is the only state that only has one LTCOP position. It is not enough staff. Thank you.

SB-2676

Submitted on: 2/14/2022 8:08:21 AM

Testimony for HMS on 2/15/2022 3:10:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Esther Ueda	Individual	Support	No

Comments:

To : Chair Joy A. San Buenaventura, Vice-Chair Les Ihara Jr. and Committee members,

Please support SB 2676 Making an Appropriation for the Office of the Long-term Care Ombudsman Program. Our Seniors need the support and protection this would bring to help ensure they are receiving the care they deserve.

Thank you.

SB-2676

Submitted on: 2/14/2022 5:34:47 AM

Testimony for HMS on 2/15/2022 3:10:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Lourdes Scheibert	Individual	Support	No

Comments:

I support the Ombudsman to help seniors in need. Many seniors are vulnerable citizens with no family to be their for them. Many are susceptible to abuse, financially and physically. Helpful intervention can reduce suffering and curtail medical cost.

SB-2676

Submitted on: 2/14/2022 7:58:37 AM

Testimony for HMS on 2/15/2022 3:10:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Barbara Krieg	Individual	Support	No

Comments:

Senate Committee on Human Services
Senator Joy Buenaventura, Chair
Tuesday, February 15, 2022
3:10 p.m.

RE: Support for SB 2676, MAKING AN APPROPRIATION FOR THE OFFICE OF THE LONG-TERM CARE OMBUDSMAN PROGRAM.

Aloha Chair Buenaventura and Members of the Committee,

Thank you for the opportunity to submit my written testimony in strong SUPPORT of SB 2676 Making an Appropriation for the Office of the Long-Term Care Ombudsman Program.

The Long-Term Care Ombudsman Program is critical to ensure the health and safety of the residents of long-term care facilities. As demonstrated by the events of the past two years, some of these facilities are unable or unwilling to comply with the standards in place to care for their residents. This situation has worsened with the increasing challenge of staffing shortages in the health care professions. Without sufficient oversight, some long term care recipients are at risk of injury and even death. The Ombudsman Program, if appropriately staffed, can minimize and even eliminate these risks.

It is also important for our State to comply with the federal rules regarding long-term care services. The limited size of the current program makes this impossible.

For these reasons, five additional funded positions for the Long-Term Care Ombudsman Program are necessary. Please pass SB 2676.

Barbara Krieg
Honolulu, HI
Email: barbkrieg808@gmail.com

SB-2676

Submitted on: 2/14/2022 11:07:42 AM

Testimony for HMS on 2/15/2022 3:10:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
WANDA K ANAE-ONISHI	Individual	Support	No

Comments:

Dear Chairs, Vice Chairs and members of the committees,

I am Wanda Anae-Onishi, resident of Oahu. I strongly support SB2676, making an appropriation to the Long-term Care Ombudsman Program. Long-term care ombudsmen are needed in each county to advocate for the rights of Hawaii residents living in long-term care facilities, adult residential care homes and similar housing arrangements. Without adequate staffing in this vital program, many kupuna and individuals with disabilities may not receive the proper care necessary for them to live safely and healthfully. I urge you to support SB2676 and thank you for this opportunity to testify.

Sincerely, Wanda Anae-Onishi

SENATE COMMITTEE ON HUMAN SERVICES

Senator Joy A. San Buenaventura, Chair

Senator Les Ihara, Jr., Vice Chair

Hearing Date: Tuesday, February 15, 2022, 3:10pm

**Re: SB 2676 MAKING AN APPROPRIATION FOR THE
 OFFICE OF THE LONG-TERM CARE
 OMBUDSMAN PROGRAM.**

Aloha Chair San Buenaventura and Members of the Committee,

My name is Linda Dorset, a citizen of Wailuku, Maui, and I thank you for the opportunity to submit written testimony regarding the above referenced legislation. I am strongly in support of this legislation because I think its high time that Maui has its own Ombudsman right here on our island ready to respond quickly, and who knows the community.

Thank you for your attention

Linda Dorset

SB-2676

Submitted on: 2/14/2022 11:52:09 AM

Testimony for HMS on 2/15/2022 3:10:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Linda Muralidharan	Individual	Support	No

Comments:

I fully support this bill. We clearly need more and better oversight of the various facilities that care for our frail and aging people. The pandemic made it even clearer than previously was known how much oversight it takes to keep people safe. Staff are important to carry out the tasks on all islands.

Residents of these facilities have improved morale when they see people coming in to look after their interests beyond what the providers may or may not do. I know because I was a volunteer Longterm Care Ombudsman in another state. Which brings up the issue that sufficient staff are necessary to train a large cadre of volunteers. Having the latter would greatly enhance what we are trying to do for our facility residents.

Please vote to advance this measure.

SB-2676

Submitted on: 2/14/2022 1:02:01 PM

Testimony for HMS on 2/15/2022 3:10:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Margaret A. Perkinson, PhD	Individual	Support	No

Comments:

Aloha and Good Afternoon Chair San Buenaventura, Vice Chair Ihara, and committee members. My name is Margaret A. Perkinson, PhD., and I want to voice my strong support for SB2675 MAKING AN APPROPRIATION FOR THE OFFICE OF THE LONG-TERM CARE OMBUDSMAN PROGRAM.

I am a research gerontologist and have specialized in family caregiving and long-term services and supports for over 40 years. I am familiar with ombudsman programs in other states. In comparison, Hawaii is solely lacking in the support allocated to this essential program.

An ombudsman serves the critical function of advocate for residents in nursing homes, assisted living facilities, expanded or regular adult residential care homes, and community care foster family homes. In 1995 the National Institute of Medicine recommended a MINIMUM of 1 F/T Ombudsman per every 2,000 residents. Hawaii has almost 13,000 residents. If this bill passes, the 1995 standard will finally be met, a standard that every other state achieved years ago.

Hawaii has 1,779 facilities spread over 6 islands. To meet the federal requirement, every facility must receive quarterly visits from an ombudsman. This translates to visiting 30 facilities a day, every day, statewide. The geography of Hawaii, calling for time-consuming inter-island travel, makes this requirement even more daunting. Local ombudsmen are essential for each island. This bill will ensure that our most vulnerable kupuna will receive the attention that is their due.

SB-2676

Submitted on: 2/14/2022 2:27:46 PM

Testimony for HMS on 2/15/2022 3:10:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Dan Gardner	Individual	Support	No

Comments:

Hawaii's Long Term Care Ombudsman's Office is currently understaffed. With Hawaii's elderly population continuing to grow at one of the fastest rates in America, please support passage of HB 1824 to enable a most necessary increase in staff support.

LATE

SB-2676

Submitted on: 2/14/2022 5:48:18 PM
Testimony for HMS on 2/15/2022 3:10:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Rick Tabor	Individual	Support	No

Comments:

THE SENATE, THE THIRTY-FIRST LEGISLATURE REGULAR SESSION OF 2022

COMMITTEE ON HUMAN SERVICES;

Senator Joy A. San Buenaventura, Chair

Senator Les Ihara, Jr., Vice Chair

Testimony

DATE: Tuesday, February 15, 2022

TIME: 3:10pm

My Testimony is in Strong Support for SB2676

MAKING AN APPROPRIATION FOR THE OFFICE OF THE LONG-TERM CARE OMBUDSMAN PROGRAM.

Appropriates funds to the Office of the Long-Term Care Ombudsman for 5.0 FTE ombudsman program specialist positions.

Aloha Chair Senator San Buenaventura, Vice Chair Senior Ihara, and committee members. My name is Rick Tabor and I was recently certified to volunteer with Hawai'i's Long-Term Care Ombudsman, in addition to being president of HPGS (Hawai'i Pacific Gerontological Society), Kokuu Council vice president, Hawai'i Meals on Wheels vice president, Alzheimer's Association Hawai'i Ambassador/Champion, Rotary Club of Honolulu board of directors and Kupuna Kokuu Committee (Gift of Sound free hearing aids), PABEA board and several other Kupuna nonprofits. I've retired from forty-six years in mental health and still keep my

Washington LMHC (licensed mental health counselor) status active. And I was an operations manager at an in-home assistance company for four years, followed by a year as the community development director at Generations Magazine. My life has been kokua where help is needed.

What I've observed at the long-term care ombudsman program is an alarming shortage of staff. John McDermott is the director and was the only full-time ombudsman for all of Hawai'i for many years. He has a wonderful Volunteer Coordinator – and recently pending approval) hired an Oahu Ombudsman. That will be a little. I've attended a few meetings and love my fellow volunteers, hearts of gold in these Earth's Angels. But we all know volunteers are not a substitute for full-time staff. SB2676 Appropriates funds to the Office of the Long-Term Care Ombudsman for 5.0 FTE ombudsman program specialist positions: a full-time, additional permanent ombudsman for Kauai, for Maui, for the Hilo side and Kona side of Hawaii, and one more for full-time ombudsman staff for Oahu. The Neighbor Islands have waited nearly five decades to respect their Kupuna and be in compliance.

In 1995 the National Institute of Medicine recommended a MINIMUM of 1 F/T Ombudsman per every 2,000 residents. We have almost 13,000 residents. If this bill passes, we will finally meet that 1995 standard which every other state achieved years ago.

Hawai'i has 1,779 facilities spread over 6 islands. The federal requirement to visit each facility quarterly means John needs to be at 30 facilities a day, every day. Factor in neighbor island travel and.... Well, you get the picture; Mission Impossible.

In my orientation I was told HLTCOP started as a Demonstration Project in 1975. And became federal law in 1978 and state law in 1979, so the Neighbor Islands have been waiting for their own "local" ombudsman for 43 years!

Adult Protective Services have staff. Office of the Public Guardian have staff. Hawaii Disability Rights Center have staff. Office of Health Care Assurance have staff. Office of the State Ombudsman have staff. The Long-Term Care Ombudsman Program lags behind, dare I say; the rest of the world...

In 2020, the COVID Pandemic made it very clear why having full-time ombudsman on each island is so important. There were no flights to the Neighbor Islands during the worst of this pandemic. Renting a car was difficult to find and expensive. John reports he couldn't get to neighbor island facilities to check on the kupuna. Add to the issue the sad reality of family and friends not being allowed to visit, and many residents with dementia declined dramatically. Alzheimer's Association reports an increase of Dementia diagnosed deaths during the pandemic.

As you know, an ombudsman should have access to the residents 24/7. To work as needed, Ombudsman staff need to monitor what's happening – call bells being answered, folks being fed, bathed, dressed – some Activities so our kupuna are not left in bed all day staring at the walls because there is nothing to do, and the facility is short-staffed. Helping the care of our Kupuna to prevent isolation / loneliness that's so detrimental to one's physical and mental health, and all

that goes into aging with dignity. We're there to help the individual and facility alike. We can only do that with proper staffing.

Ombudsmen's role is different from that of; APS or OHCA. APS has their own screening process. They focus on protecting individuals from imminent abuse and neglect, and if the complainant doesn't meet those requirements, there is no investigation. OHCA's focus is on annual inspections. Then they're gone. Facility staff know after the surveyors leave; they are in the clear for another year. OHCA will go in if they receive a complaint but when family/friends couldn't visit during COVID - and confused residents only became more confused and left in bed - who was expected to make the complaint to OHCA?

Our Neighbor Island kupuna and their families have been waiting a long time for the security of the Ombudsman coverage. Mahalo for your consideration and doing the right thing. Thank you for this opportunity to testify. And thank you for all you do for Hawai'i. Aloha is a lifestyle we appreciate all our lives. Mahalo.

LATE

SB-2676

Submitted on: 2/14/2022 9:08:17 PM

Testimony for HMS on 2/15/2022 3:10:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Marcia Kimura	Individual	Support	No

Comments:

I am in support of this measure, with the hope that if an ombudsman position is created, the individual selected will be just as sensitive to the needs and concerns of close family members of elderly patients as they are to the patients themselves. I feel that the previous ombudsman was ultimately, unresponsive to the anxieties I experienced about the quality of my family member's care, because of family legal restrictions, and the powerlessness I felt to obtain adequate care at the facility the family member was a resident in.