

STAND. COM. REP. NO. 1417

Honolulu, Hawaii

MAR 21, 2025

RE: S.B. No. 1438  
S.D. 1

Honorable Nadine K. Nakamura  
Speaker, House of Representatives  
Thirty-Third State Legislature  
Regular Session of 2025  
State of Hawaii

Madame:

Your Committee on Health, to which was referred S.B. No. 1438, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO HOME CARE AGENCIES,"

begs leave to report as follows:

The purpose of this measure is to prohibit home health care agencies from providing services outside the scope of their facility license.

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 Libertarian Party of Hawaii and one individual.

Your Committee finds that some operators of home care agencies provide skilled nursing services to clients that are not rendered by a licensed nurse. Your Committee further finds that because the Board of Nursing may not have the authority to regulate unlicensed providers of nursing care employed by home care agencies, providing the Department of Health with enforcement authority will ensure appropriate services are provided and more effectively ensure patient safety.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your



Committee is in accord with the intent and purpose of S.B. No. 1438, S.D. 1, and recommends that it pass Second Reading and be referred to your Committee on Consumer Protection & Commerce.

Respectfully submitted on  
behalf of the members of the  
Committee on Health,

  
\_\_\_\_\_  
GREG IARAYAMA, Chair



State of Hawaii  
House of Representatives  
The Thirty-third Legislature

HSCR 1417

Record of Votes of the Committee on Health

<b>Bill/Resolution No.:</b> SB1438 SD1	<b>Committee Referral:</b> HLT, CDC	<b>Date:</b> March 19, 2023		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
<b>The recommendation is to:</b> <input checked="" type="checkbox"/> Pass, unamended (as is) <input type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
HLT Members	Ayes	Ayes (WR)	Nays	Excused
1. TAKAYAMA, Gregg (C)	X			
2. KEOHOKAPU-LEE LOY, Sue L. (VC)	X			
3. AMATO, Terez	X			
4. CHUN, Cory M.	X			
5. MARTEN, Lisa	X			
6. OLDS, Ikaika	X			
7. TAKENOUCHI, Jenna	X			
8. ALCOS III, David			X	
9. GARCIA, Diamond			X	
<b>TOTAL (9)</b>	7		2	
<b>The recommendation is:</b> <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ committed acronym(s) _____ did not support recommendation.				
<b>Vice Chair's or designee's signature:</b> _____				
<b>Distribution:</b> Original (White) – Committee             Duplicate (Yellow) – Chief Clerk's Office             Duplicate (Pink) – HMSO				