



STATE OF HAWAII
DEPARTMENT OF HEALTH
P. O. Box 3378
Honolulu, HI 96801-3378
doh.testimony@doh.hawaii.gov

**Testimony in SUPPORT of SB1438
RELATING TO HOME CARE AGENCIES.**

SENATOR JOY A. SAN BUENAVENTURA, CHAIR
SENATE COMMITTEE ON HEALTH AND HUMAN SERVICES

Hearing Date: February 3, 2025

Room Number: 229

Department Testimony: The Department of Health (DOH) strongly supports SB1424, which is part of Governor Green's Administrative Package, to clarify that the scope of services authorized to be provided under a home care agency (HCA) license does not include services that otherwise require a license pursuant to chapter 457, Hawaii Revised Statutes (HRS).

This bill is needed to clarify that the Department may take enforcement action against HCAs that provide services outside of the scope of their license. Some operators of HCAs provide skilled nursing services to clients that are not rendered by a nurse licensed pursuant to chapter 457, HRS. Because the State Board of Nursing may not have the authority to regulate unlicensed providers of nursing care employed by HCAs, providing the Department with the authority to ensure appropriate services are provided will more effectively protect patient safety.

Thank you for the opportunity to testify.

Hawai'i Association of Professional Nurses (HAPN)



To: The Honorable Senator Joy San Buenaventura, Chair of the Senate Committee on Health and Human Services

From: Hawaii Association of Professional Nurses (HAPN)

Subject: SB1438 – Relating to Home Care Agencies

Hearing: February 5, 2025, at 1:00 p.m.

Aloha Senator San Buenaventura, Chair; Senator Aquino, Vice Chair; and Members of the Committee,

On behalf of the Hawaii Association of Professional Nurses (HAPN), we appreciate the opportunity to provide testimony in strong support of SB1438, which strengthens the regulatory framework for home care agencies to ensure the health, safety, and welfare of Hawaii's most vulnerable residents.

The Critical Role of SB1438 in Protecting Home Care Clients

Home care agencies provide essential services to individuals who require assistance with daily living activities, allowing them to remain in their homes while receiving necessary care. SB1438 upholds the highest standards of care by:

1. Ensuring Proper Licensing & Oversight – By reinforcing the Department of Health's authority to license home care agencies, this bill ensures that agencies operate in accordance with established safety and care standards.
2. Clarifying Scope of Services – The bill explicitly outlines the types of services that home care agencies may provide, ensuring that only licensed professionals perform nursing tasks requiring specialized training.
3. Strengthening Consumer Protections – Establishing clear regulations reduces the risk of unlicensed or substandard care, safeguarding clients who rely on these services for their well-being.

Why SB1438 Matters for Hawaii's Healthcare System

The demand for home care services continues to grow as Hawaii's aging population increases. Many families depend on home care agencies to provide essential assistance while allowing their loved ones to maintain their independence. However, without clear licensing requirements and oversight, there is a risk that vulnerable individuals may receive inadequate or unsafe care.

SB1438 ensures that all home care agencies operate with accountability, meeting the highest standards for service quality, client safety, and provider responsibility. By passing this bill, Hawaii takes a crucial step toward protecting consumers, supporting families, and strengthening our healthcare infrastructure.

HAPN remains committed to advocating for policies that enhance healthcare access, safety, and quality. We respectfully urge the committee to pass SB1438 and uphold its commitment to

ensuring that all individuals receiving home care services in Hawaii do so with confidence in their safety and well-being.

Mahalo for your time and consideration.

Respectfully,

Dr. Jeremy Creekmore, APRN
HAPN President