



STATE OF HAWAII
KA MOKU'ĀINA O HAWAI'I
STATE COUNCIL ON DEVELOPMENTAL DISABILITIES
'A'UNIKE MOKU'ĀPUNI NO KA NĀ KĀWAI KULA
PRINCESS VICTORIA KAMĀMALU BUILDING
1010 RICHARDS STREET, Room 122
HONOLULU, HAWAII 96813
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February 19, 2025

The Honorable Representative Scot Z. Matayoshi, Chair
House Committee on Consumer Protection and Commerce
The Thirty-Third Legislature
State Capitol
State of Hawai'i
Honolulu, Hawai'i 96813

Dear Representative Matayoshi, and Committee Members:

SUBJECT: HB1282 HD1 Relating to Certified Caregivers

The Hawaii State Council on Developmental Disabilities **STRONG SUPPORTS HB1282 HD1**, which lowers the minimum age that a certified caregiver for an adult foster home must be from twenty-one to eighteen.

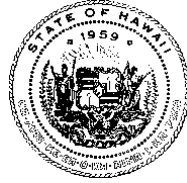
In Hawaii, we are fortunate to have our adult foster homes being family-run, with caregivers' children growing up alongside the residents. These young adults have a unique bond with the individuals they care for, making them the best suited for the job. With the high cost of living, many of these young adults need part-time jobs to support their families. Allowing them to work as caregivers not only addresses staffing shortages but also provides a meaningful opportunity for them to contribute to their community.

If this bill does not pass, we risk losing these young, dedicated individuals to other states, like Nevada, where they can work in similar caregiving roles. HB1282 ensures that we can retain this invaluable resource and continue to provide quality care in our local homes. We strongly support our unique caregiving system in Hawaii and to ensure individuals with intellectual and developmental disabilities receive the care they need from those who already consider them family. We are hopeful this measure becomes law.

Thank you for the opportunity to submit testimony in **strong support of HB1282 HD1**.

Sincerely,

Daintry Bartoldus
Executive Administrator



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

**Testimony Commenting on HB1282 HD1
RELATING TO CERTIFIED CAREGIVERS**

REP. SCOT Z. MATAYOSHI, CHAIR
HOUSE COMMITTEE ON CONSUMER PROTECTION & COMMERCE

Hearing Date: February 19, 2025
2:00 pm

Room Number: 329

1 **Department Position:** The Department of Health (DOH) - Developmental Disabilities Division
2 (DOH-DDD) provides the following comments on this measure.

3 **Department Testimony:** The DOH-DDD is authorized under section 321-11.2 to certify adult
4 foster homes for individuals with intellectual and developmental disabilities (I/DD), age eighteen
5 years and older, who are not related to the certified caregiver, and who have been deemed
6 eligible for services with the DOH-DDD. An adult foster home is a private family home
7 providing care, training, and supervision on a twenty-four basis for not more than two adults
8 with I/DD.

9 Individuals with I/DD have physical and cognitive impairments, chronic diseases, and risk
10 factors that require a range of long term services and supports to meet their daily needs, maintain
11 their health and well-being, and improve their quality of life. Certified caregivers must have the
12 skills, knowledge, and experience to provide safe and appropriate person-centered supports
13 based on the individual's service plan, behavior plan, nurse delegation plan, physician orders,
14 and other specialized treatment plans. Certified caregivers must understand and comply with
15 applicable federal and state laws and regulations to ensure ongoing compliance with the
16 operation of the adult foster home and be responsible for the implementation of remediation
17 actions. As long as these requirements are met, DOH-DDD does not have issue with the change
18 made in this bill.

- 1 DOH-DDD also notes a review of states that license or certify foster home settings for adults
- 2 with I/DD revealed that many require the caregiver to be at least twenty-one years of age or
- 3 older. Maintaining the minimum of age of twenty-one for adult foster homes would align with
- 4 the minimum age for primary caregivers of adult residential care homes in Hawaii.
- 5 Thank you for the opportunity to provide comments on this measure.

HB-1282-HD-1

Submitted on: 2/17/2025 7:59:30 PM

Testimony for CPC on 2/19/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Louis Erteschik	Hawaii Disability Rights Center	Support	Written Testimony Only

Comments:

This bill is a good idea for several reasons. It can increase capacity to care for the population of people with intellectual or developmental disabilities by potentially allowing more families to become adult foster homes. Additionally, it can provide a necessary "break" for the adult caregiver and that is important given the demands of the job. Moreover, looking to the future as we face an aging caregiver population, this may encourage younger people to develop an interest in this work and that will help with building capacity in the next generation.

HB-1282-HD-1

Submitted on: 2/18/2025 9:20:08 AM

Testimony for CPC on 2/19/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Hawaii Self Advocacy Advisory Council	Hawaii Self-Advocacy Advisory Council	Support	Written Testimony Only

Comments:

The Hawaii Self-Advocacy Advisory Council supports HB1282 HD1.

LATE

HB-1282-HD-1

Submitted on: 2/18/2025 8:35:02 PM

Testimony for CPC on 2/19/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Menchie Dawang	Providing Healthy Homecare for Hawaii-PH3	Support	Written Testimony Only

Comments:

Dear Members of the Committee,

I am writing on behalf of our dedicated caregiving community to express our heartfelt support for HB1282, a bill that addresses an urgent and critical need for certified secondary caregivers.

As a caregiver, I witness firsthand the struggles we face daily. The reality is that our aging population is growing, yet we are grappling with a severe shortage of qualified caregivers. Many of us are overwhelmed, trying to juggle the demands of our patients while managing our own lives. The costs of hiring outside caregivers can be staggering—often ranging from \$200 to \$300 per day—making it nearly impossible for us to take necessary breaks or attend to emergencies.

The current situation leaves us feeling trapped. When we cannot find affordable help, we risk burnout, and our patients suffer as a result. This bill offers a beacon of hope. By allowing individuals as young as 18 to become certified secondary caregivers, we can tap into a pool of potential support from our own families and communities. These are people who already know and care for our patients, making them ideal candidates for providing the compassionate care that is so vital.

Imagine the relief of knowing that in times of need, we can rely on trained family members or household members to step in, allowing us to recharge and maintain our own well-being. This bill not only addresses immediate staffing shortages but also recognizes the sacrifices we make as caregivers and the importance of sustainable support in our work.

I urge you to pass HB1282. By doing so, you would be acknowledging the tireless dedication of caregivers like myself and providing the much-needed assistance that allows us to continue delivering high-quality care to those who depend on us.

Thank you for your compassion and consideration of this vital legislation.

Sincerely,

Menchie Dawang

President- PH3

8082284521

Providing Healthy Homecare for Hawaii

LATE

HB-1282-HD-1

Submitted on: 2/18/2025 11:00:23 PM

Testimony for CPC on 2/19/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Susan Quinabo	ILWU Local 1000 and J. Quinabo Carehomes LLC	Support	Written Testimony Only

Comments:

Dear Members of the Committee,

I am writing on behalf of our dedicated caregiving community to express our heartfelt SUPPORT for HB 1282, a bill that addresses an urgent and critical need for certified secondary caregivers.

As caregiver, I witnessed firsthand the struggles we facw daily. The reality is that our aging population is growing, yet we are grappling with a sever shortage of qualified caregivers. Many of us are overwhelmed, trying to juggle the demands of our patients while managing our own lives. The cost of hiring outside caregivers can be staggering often ranging from \$200 to \$300 per day making it nearly impossible for us to take necessary breaks or attend to emergencies.

The current situation leaves us feeling trapped. when we cannot find affordable help, we risk burnout and our patients suffer as a result. this Bill offers a beacon of hope. By allowing individuals as young as 18 to become certified caregivers, we can tap into pool of potential support from our own families and communities. These people who already know and care for our patients, making them ideal candidates for providing the compassionate care is so vital.

Imagine the relief of knowing that in times of need, we can rely on trained family members or household memeers to step in, allowing us to recharge and maintain our own well being. This Bill not only addresses immediate staffing shortages but also recognizes the sacrifices we make as caregivers and the importance of sustainable support in our work.

I urge you to pass HB1282. By doing so, you would be acknowledging the tiresless dedication of caaregivers like myself and providing the much needed assistance that allows us to continue high quality care to those who depend on us.

Sincerely,

Susan Quinabo

Administrators, J. Quinabo CareHomes, LLC

President, ILWU Local 1000

LATE

HB-1282-HD-1

Submitted on: 2/19/2025 7:46:01 AM

Testimony for CPC on 2/19/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Rosemarie S. Sebastian	ILWU LOCAL 1000 / SEBASTIAN'S ARCH LLC	Support	Written Testimony Only

Comments:

Dear Representative Scot Z. Matayoshi, Chair and Members of CPC Committee:

ILWU Local 1000 / SEBASTIAN'S ARCH LLC supports HB1282,

Our caregiving operations needs certified caregivers to help care for our clients. Right now, they have to be age 21 or older. There are times when a certified caregivers (substitutes) aren't able to report to work (as scheduled) so it's important for the Operator to be able to find another caregiver--that is available momentarily. Sometime the only available is a family members or friends who are younger but are trained Nurses Aide and or CNAs but most of the time, they are younger than age 21. So this house bill is requesting to lower the age from 21 to 18 years old. If we are able to utilize a caregivers that's 18 years old (minimum), then this will allow us to care for our clients without any disruptions.

We ask for your kind considerations by approving this bill. Your support would be greatly appreciated.

Respectfully submitted,

Rose Sebastian, Treasurer/Legislative Committee Chair

ILWU Local 1000 / SEBASTIAN'S ARCH LLC

P.O. BOX 2064

Pearl City, HI 96782

Cell. (808) 220-0824

Email: rose.sebastian808@gmail.com

HB-1282-HD-1

Submitted on: 2/14/2025 11:36:22 PM

Testimony for CPC on 2/19/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Ruth Love	Individual	Oppose	Written Testimony Only

Comments:

Foster children deserve adult caregivers with some life experience which an 18 year old will not have.

Thank you

Mrs Ruth Love

HB-1282-HD-1

Submitted on: 2/18/2025 7:49:56 AM

Testimony for CPC on 2/19/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Leilani Kailiawa	Individual	Support	Written Testimony Only

Comments:

Aloha! Representative Matayoshi and Committee Members

I am in strong support of HB 1282 HD 1

If this bill does not pass, we risk losing these young, dedicated individuals to other states, like Nevada, where they can work in similar caregiving roles. HB1282 ensures that we can retain this invaluable resource and continue to provide quality care in our local homes. We strongly support our unique caregiving system in Hawaii and to ensure individuals with intellectual and developmental disabilities receive the care they need from those who already consider them family. We are hopeful this measure becomes law.

Mahalo for the opportunity to submit testimony

With gratitude,

Leilani Kailiawa

HB-1282-HD-1

Submitted on: 2/18/2025 9:41:24 AM

Testimony for CPC on 2/19/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Kaili Swan	Individual	Support	Remotely Via Zoom

Comments:

I am in strong support of this measure because people with disabilities need adequate caregivers to take care of the individual client in their personal housing or certified caregiver household please pass this bill thank you.

LATE

HB-1282-HD-1

Submitted on: 2/18/2025 4:34:46 PM

Testimony for CPC on 2/19/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Tai-ni Xia	Individual	Comments	In Person

Comments:

Dear Honorable Chair Matayoshi, Honorable Vice Chair Chun, and Honorable Members of the Committee:

I write to ask that you consider amending HB1282 to the following:

§321-483 Community care foster family home, authority over and evaluation of. (a) Any person in any household who wants to take in, for a fee, any adult who is at the nursing facility level of care and who is unrelated to anyone in the household, for twenty-four hour living accommodations, including personal care and homemaker services, may do so only after the household meets the required standards established for certification and obtains a certificate of approval from the

department or its designee.

(b) The department shall adopt rules pursuant to chapter 91 relating to: (1) Standards of conditions and competence for the operation of community care foster family homes; (2) Procedures for obtaining and renewing a certificate of approval from the department; (3) Minimum grievance procedures for clients of community care foster family home services; and (4) Requirements for primary and substitute caregivers caring for three clients in community care foster family homes

including: (A) Mandating that primary and substitute caregivers be twenty-one years of age or older and the substitute caregiver be eighteen years of age or older; (B) Mandating that primary and substitute caregivers complete a minimum of twelve hours of continuing education every twelve months or at least twenty-four hours of continuing education every twenty-four months; (C) Allowing the primary caregiver to be absent from the community care foster family home for no more than twenty-eight hours in a calendar week, not to exceed five hours per day; provided that the substitute caregiver is present in the community care foster family home during the primary caregiver's absence; (D) Where the primary caregiver is absent from the community care foster family home in excess of the hours as prescribed in subparagraph (C), mandating that the substitute caregiver be a certified nurse aide; and (E) Mandating that the substitute caregiver

have, at a minimum, one year prior work experience as a caregiver in a community residential setting or in a medical facility.

(c) As a condition for obtaining a certificate of approval, community care foster family homes shall comply with rules adopted under subsection (b) and satisfy the background check requirements under section 321-15.2. The department or its designee may deny a certificate of approval if: (1) An operator or other adult residing in the community care foster family home, except for adults receiving care, has been convicted of a crime other than a minor traffic violation involving a fine of \$50 or less; (2) The department or its designee finds that the background check record of an operator or other adult residing in the home, except for adults receiving care, poses a risk to the health, safety, or well-being of adults in care; or (3) An operator or other adult residing in the community care foster family home, except for adults receiving care, is a perpetrator of abuse as defined in section 346-222.

(d) Upon approval of a community care foster family home, the department or its designee shall issue a certificate of approval that shall continue in force for one year, or for two years if a community care foster family home has been certified for at least one year and is in good standing pursuant to standards adopted by the department, unless sooner suspended or revoked for cause. The department or its designee shall renew the certificate of approval only if, after an annual or biennial evaluation, the home continues to meet the standards required for certification.

(e) Any community care foster family home shall be subject to investigation by the department or its designee at any time and in the manner, place, and form as provided in procedures to be established by the department.

(f) The department or its designee may suspend or revoke a certificate of approval if the department or its designee deems that a community care foster family home is unwilling or unable to comply with the rules adopted under subsection (b); provided that: (1) The suspension or revocation shall be immediate when conditions exist that constitute an imminent danger to the life, health, or safety of adults receiving care; (2) A community care foster family home whose certificate of approval has been suspended or revoked shall immediately notify its clients and their case managers; (3) A community care foster family home whose certificate of approval has been suspended or revoked may appeal to the department through its established process, but the appeal shall not stay the suspension or revocation; (4) A suspended or revoked certificate of approval may be reinstated if the department or its designee deems that the home is willing and able to comply with the rules adopted under subsection (b); and (5) A revoked certificate of approval shall be restored only after a new application for a certificate of approval is submitted to the department or its designee and approved.

(g) Any community care foster family home shall be subject to monitoring and evaluation by the department or its designee for certification compliance and quality assurance on an annual or biennial basis.

Mahalo,

Tai-Ni Xia

LATE

HB-1282-HD-1

Submitted on: 2/18/2025 10:44:00 PM

Testimony for CPC on 2/19/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Maria Corazon E. Cariaga	Individual	Support	Written Testimony Only

Comments:

I am in support on this House Bill1282. Big facilities hired an 18 years old CNA, so they should be allowed to work in a COMMUNITY CARE FOSTER FAMILY HOME certified with 3 beds. Thank you for allowing me to submit my testimony.

LATE

HB-1282-HD-1

Submitted on: 2/18/2025 10:59:30 PM

Testimony for CPC on 2/19/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Grace Jadulang	Individual	Support	Written Testimony Only

Comments:

I support the minimum age for substitute caregiver for foster care homes. We need more SCG to help primary caregivers, there are a lot of 18 years old interested in this job as SCG, they wanted to do this job for experience before going in to the medical field. So I really support this bill.

LATE

HB-1282-HD-1

Submitted on: 2/18/2025 11:18:15 PM

Testimony for CPC on 2/19/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Rachel S Castro	Individual	Support	Written Testimony Only

Comments:

I support this bill minimum age for substitute caregiver for foster homes, 18 years old are adults, they are responsible, reliable & knowledgeable about taking care of sick, disabled or people who need help in terms of taking care of themselves.