

STATE OF HAWAII  
OFFICE OF THE AUDITOR  
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DEPT. COMM. NO. 35

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April 27, 2007

The Honorable Colleen Hanabusa  
President of the Senate  
State Capitol, Room 409  
Honolulu, Hawai'i 96813

Dear Madam President:

I transmit to you a copy of our report, *Sunrise Analysis: Nurse Aides*.

Federal law requires certification of nurse aides who work in nursing facilities that participate in Medicare and Medicaid programs. Current state law does not require certification of nurse aides who work in facilities that do not receive Medicare or Medicaid. From 1990 to 2004, the Department of Commerce and Consumer Affairs has certified and recertified *all* nurse aides. The 2006 legislation proposes to regulate only a portion of nurse aides in Hawaii because it ties certification for nurse aides to government-regulated employment and not solely to individual competency. We concluded that regulation of *all* nurse aides is warranted to protect the public from potential harm. We also concluded that the 2006 legislation should be amended to include *all* nurse aides thereby shifting emphasis to regulation of individuals based on their competency and not on their employment.

We hope that the report will assist you in reviewing the issues examined. We will place the report on our website, [www.state.hi.us/auditor](http://www.state.hi.us/auditor), and release it to the public and press, on Monday, April 30, 2007.

Sincerely,

Marion M. Higa  
State Auditor

Enclosure

c: ✓ Carol Taniguchi, Senate Clerk