STAND. COM. REP. NO. 473-22

Honolulu, Hawaii

FEB 17 . ' 2022

RE: H.B. No. 1746 H.D. 1

Honorable Scott K. Saiki Speaker, House of Representatives Thirty-First State Legislature Regular Session of 2022 State of Hawaii

## Sir:

Your Committee on Consumer Protection & Commerce, to which was referred H.B. No. 1746, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO HEALTH,"

begs leave to report as follows:

The purpose of this measure is to:

- (1) Clarify the group of professionals who are prohibited from knowingly referring or transferring patients to an uncertified or unlicensed care facility;
- (2) Repeal the provision that a landlord, under specified conditions, shall not be deemed to be providing home care services or operating a care facility that requires a license; and
- (3) Require the Department of Health to prioritize complaint allegations based on severity for investigations of state-licensed or state-certified care facilities.

Your Committee received testimony in support of this measure from the Department of Health, Executive Office on Aging, Alliance of Professional Primary Caregivers, and one individual. Your Committee received testimony in opposition to this measure from Hawaii Substance Abuse Coalition and Hawaii Primary Care

Association. Your Committee received comments on this measure from the Department of Human Services.

Your Committee finds that the prevalence of unlicensed care homes and facilities in the State continues to pose significant health and consumer protection issues for Hawaii's elderly and vulnerable populations. The Department of Health continues to take enforcement actions to protect consumers and the public, which are critical components of the State's regulatory efforts for consumer protection. This measure aims to provide additional safeguards for the public, protect aged and vulnerable persons, and ensure quality of care by requiring and enforcing the requirement that all residential care homes and other health care facilities, agencies, and organizations be licensed.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1746, H.D. 1, and recommends that it be referred to your Committee on Finance.

Respectfully submitted on behalf of the members of the Committee on Consumer Protection & Commerce,

AARON LING JOHANSON, Chair

## State of Hawaii House of Representatives The Thirty-first Legislature



## **Record of Votes of the Committee on Consumer Protection & Commerce**

Bill/Resolution No.:  HB 1746, HD4	Committee Referral: HHH, CPC, FIN	S Da	te: 2/11/22	
☐ The committee is reconsidering its previous decision on the measure.				
The recommendation is to:  Pass, unamended (as is)  Pass, with amendments (HD)  Hold  Pass short form bill with HD to recommit for future public hearing (recommit)				
CPC Members	Ayes	Ayes (WR)	Nays	Excused
1. JOHANSON, Aaron Ling (C)	V			
2. KITAGAWA, Lisa (VC)				
3. AQUINO, Henry J.C.				
4. HAR, Sharon E.				
5. HASHEM, Mark J.	<b>V</b>			
6. KONG, Sam Satoru				
7. MIZUNO, John M.		apper I - a com assisti de decisio della d		
7. MIZUNO, John M.				
8. MORIKAWA, Dee				<b>V</b>
9. ONISHI, Richard H.K.				
10. TARNAS, David A.				
11. MATSUMOTO, Lauren				
		,		
TOTAL (11)	10	0	0	i
The recommendation is:  Adopted  If joint referral, did not support recommendation.  committee acronym(s)				
Vice Chair's or designee's signature:				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				