

Honolulu, Hawaii

FEB 14 2025

RE: S.B. No. 1438

Honorable Ronald D. Kouchi  
President of the Senate  
Thirty-Third State Legislature  
Regular Session of 2025  
State of Hawaii

Sir:

Your Committee on Health and Human Services, to which was referred S.B. No. 1438 entitled:

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

begs leave to report as follows:

The purpose and intent of this measure is to prohibit home 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 and Hawai'i Association of Professional Nurses.

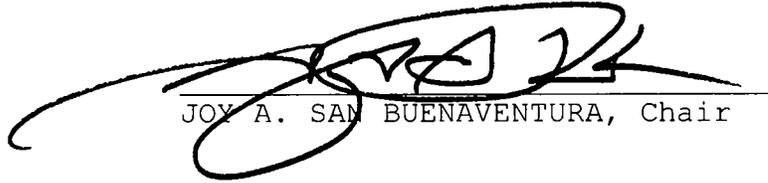
Your Committee finds that some operators of home care agencies (HCAs) provide skilled nursing services to clients that are not rendered by a nurse licensed pursuant to chapter 457, Hawaii Revised Statutes. Your Committee further finds that because the State Board of Nursing may not have the authority to regulate unlicensed providers of nursing care employed by HCAs, providing the Department of Health with the authority to ensure appropriate services are provided will more effectively protect patient safety. This measure clarifies that the Department of Health may take enforcement action against HCAs that provide services outside of the scope of their license.

As affirmed by the record of votes of the members of your Committee on Health and Human Services that is attached to this



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

Respectfully submitted on  
behalf of the members of the  
Committee on Health and Human  
Services,



JOY A. SAN BUENAVENTURA, Chair



