

THE SENATE  
THE HOUSE OF REPRESENTATIVES  
THE TWENTY-FOURTH LEGISLATURE  
INTERIM OF 2008

JOINT LEGISLATIVE COMMITTEE ON AGING IN PLACE

Senator Les Ihara, Jr., Co-Chair  
Representative Marilyn Lee, Co-Chair

NOTICE OF MEETING

DATE: Friday, December 5, 2008  
TIME: 2:00 p.m.  
PLACE: Conference Room 229  
State Capitol, 415 S. Beretania St.

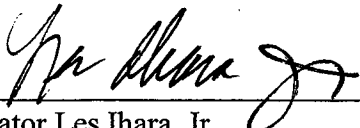
A G E N D A


The Joint Legislative Committee on Aging in Place (JLCAIP) will meet jointly with the Kupuna Caucus to receive reports updates and discuss possible actions on the following agenda items:

1. Presentation by State-Funded Senior Centers
2. Family Leave Working Group Update
3. Grandparents Raising Grandchildren Task Force Update
4. Long Term Care Commission Update
5. Cash and Counseling Project
6. Home Medical Equipment Project Update
7. JLCAIP Report to the Legislature

The purpose of the Joint Legislative Committee on Aging in Place, as stated in Act 285 (2006), is to develop a comprehensive public policy program to support family caregivers who provide unpaid, informal assistance to persons sixty and older with physical or cognitive disabilities. The Committee will consider providing support in categories including but not limited to: coordinated services and policies, training and education, respite services, financial incentives and balancing work and caregiving.

Persons who wish to submit testimony are asked to contact the committee clerk at 586-6250. All testifiers are requested to submit 45 copies of their testimony at least 24 hours before the meeting in room 220 at the State Capitol, or by fax to 586-6251. If you require special assistance or auxiliary aids or services to participate in the meeting (i.e., sign language interpreter, wheelchair accessibility, or parking designated for the disabled) please contact the committee clerk 24 hours prior to the hearing so arrangements can be made.

  
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Senator Les Ihara, Jr.  
Co-Chair

  
\_\_\_\_\_  
Representative Marilyn B. Lee  
Co-Chair



## **Kupuna Caucus and Joint Legislative Committee on Aging in Place**

**Date: Friday, December 5, 2008**

**Time: 2:00 PM to 4:00 PM**

**Place: State Capitol, Rm 229**

### **AGENDA**

- I. Welcome and Introductions**
- II. Senior Center Presentation (Karen Takemoto, Rebecca Ryan, Joan Naguwa)**
- III. Update Reports –**
  - a) Family Leave Working Group**
  - b) Grandparents Raising Grandchildren Task Force**
  - c) Long Term Care Commission**
- IV. Other Reports:**
  - a) Cash and Counseling**
- V. Voting on 2009 Kupuna Caucus Legislative Package**
- VI. Announcements - Next Meetings:**
  - a) January 9, 2009, 2pm to 4pm, Conference Room 229**
  - b) Other**
- VII. Adjournment**

**Please RSVP attendance to Senator Chun Oakland's Office at 586-6130. Mahalo**

- YES I WILL BE ABLE TO ATTEND
- SORRY I WILL NOT BE ABLE TO ATTEND
- SORRY I WILL NOT BE ABLE TO ATTEND, BUT WILL SEND A REPRESENTATIVE

**Please FAX back to Sen. Chun Oakland at 586-6131**

Please update info for our database.

Name: \_\_\_\_\_

Add: \_\_\_\_\_

City: \_\_\_\_\_ Agency: \_\_\_\_\_

ZIP Code: \_\_\_\_\_ Phone/Fax: \_\_\_\_\_

Email: \_\_\_\_\_

**Presentation by the Med-QUEST Division (MQD) to the  
Joint Legislative Committee on Aging in Place  
December 5, 2008, 2:00PM**

Follow up to issues brought up by Healthcare Association of Hawaii (HAH) and Home Medical Equipment (HME) Providers to the Joint Legislative Committee on Aging in Place on November 7.

- QUEST Expanded Access (QExA) transition for our fee-for-service patients- will provide improved seamless coverage for both medically necessary as well as wrap-around services and equipment.
- MQD past efforts to improve HME processes- refer to Memos ACS M06-18 and ACS M07-22 (available from <http://www.med-quest.us/providers/ProvidersMemos.html> ).
  - Prior approvals (PAs) were lifted from almost all of the equipment <\$500.
  - Those PAs still left in place were for high price items >\$500, for items with less costly alternatives that did not require prior authorization, and for accessories of high-priced items.
  - PAs now handled by ACS (our fiscal agent in charge of PAs and claims for HME). Strict service level agreements include 48 hour turn around time for urgent/priority PAs and 30 day turn around time for non-urgent requests. Less than 10% are returned to providers asking for more documentation or information to process requests.
- Initial meeting- phone conference among HAH, providers (Apria Healthcare, Ace Medical, Gammie HomeCare, and Hawaiian Islands Medical) on November 24.
- Issues identified:
  - Reimbursement
  - Transparency of Medicaid criteria for PAs
  - Inefficient/inconsistent PA process
- The MQD acknowledges the issues and is committed to working with providers to improve our processes and better serve our clients.
  - Ongoing meetings among HAH, HME providers, MQD-Clinical Standards Office, and ACS to address issues and promote communication. The first meeting scheduled for December 18.
  - Make criteria for PAs transparent.
  - Critically examining current PAs and limits.
  - Working with ACS to make processes more efficient.
  - Although reimbursement is not within our control, we are happy to work with HAH, providers, and this task force to affect reimbursement through the legislative process.

**Contacts:**

**Clinical Standards Office, MQD-** Dr. Anthea Wang, Medical Director (Email: [awang@medicaid.dhs.state.hi.us](mailto:awang@medicaid.dhs.state.hi.us), Office: 808-692-8106)

**ACS-** Susan Shirley, Deputy Account Manager (Email: [susan.shirley@acs-inc.com](mailto:susan.shirley@acs-inc.com), Office: 808-952-5555)

**Joint Legislative Committee on Aging in Place  
in joint session with the Kupuna Caucus  
Hawaii State Capitol, Room 229  
Friday, November 7, 2008**

**DRAFT MINUTES**

**Members Present:** Senator Les Ihara, Jr. (Co-Chair); Representative Marilyn Lee (Co-Chair); Senator Suzanne Chun Oakland

**Members Absent:** Senator Rosalyn Baker, Representative Karen Awana, Representative Joey Manahan, Representative Corinne Ching

**Others in Attendance:** Wes Lum, Merissa Hewett (National Federation of Independent Businesses), Noemi Pendleton (Executive Office on Aging), Tony Lenzer, Leeann Comfort (Senator Ihara's intern), Sally Wehrsig (Hawaii County Office of Aging), Jacob Herlitz (State Department of Taxation), Jody Mishan, John McDermott (Long Term Care Ombudsman), Minjung Engle, Laura Manis (Kokua Council), Diane Stowell (Policy Advisory Board on Elder Affairs), Pat Urieff (Queen Liliuokalani Children's Center), Debbie Shimizu (National Association of Social Workers), Barbara Stanton (AARP), Valorie Taylor (Child & Family Services), Sharon Otagaki (National Association of Social Workers), Deborah Miyasaka-Gushiken (State Council on Developmental Disabilities), Debbie Jackson (Disability & Communication Access Board), Jolaine Hao (Department of Human Services-Social Services Division), Michael Sumja (Policy Advisory Board on Elder Affairs), Coral Andrews (Healthcare Association of Hawaii), Joseph Sunderland (Apria Healthcare), Laura Steelquist (Hawaiian Islands Medical), Nettie Vierra (Wilson Homecare), Archie Hapai III (Policy Advisory Board on Elder Affairs), Joyce Tapia-Miyahira (Department of Health), Gerry Powers (Convalescent Center of Honolulu), Sai Chantavy (Maunalani Nursing & Rehabilitation Center), Steve Shiraki (Department of Education), Gary Batcheller (Disability and Communication Access Board), Heather Bolan (Senator Ihara's Office)

**I. Call to Order/Welcome and Introductions**

Senator Ihara and Senator Chun Oakland called the joint Joint Legislative Committee on Aging in Place (JLCAIP) and Kupuna Caucus meeting to order at 2:10 p.m.

The following handouts were distributed to the members and others in attendance:

- (1) copy of the Kupuna Caucus/JLCAIP agenda;
- (2) copy of proposed Home for Life Task Force goals and members;
- (3) draft minutes of the October 10, 2008 Joint Legislative Committee on Aging in Place meeting;
- (4) list of 2008/9 Kupuna Caucus Issues; and
- (5) printout of the powerpoint presentation briefing on Home Medical Equipment.

## **II. Availability of Durable Medical Supplies**

Coral Andrews, Laura Steelquist, and Joseph Sunderland provided a powerpoint presentation on the home medical equipment industry and consumer concerns. Their purpose is to raise awareness about the industry in Hawaii, discuss regulatory/payer changes impacting providers and consumers, raise awareness about consumer safety as it pertains to access and service of home medical equipment, and to help effect positive change to the industry in Hawaii. They provided a brief history of the industry, described operators in Hawaii, explained upcoming changes in Medicare and Medicaid that will impact consumers and explained the differences between the programs which also have an impact, talked about educating consumers about various problems arising from misunderstandings about what is covered, or deceptive advertising, and made recommendations for future action.

They requested that the Joint Legislative Committee on Aging in Place help convene stakeholders to assist in improving in the following areas: timely access to services, appropriate reimbursement models, and promoting consumer safety and access to information.

## **III. Nurse Delegation of Medication Administration in Nursing Homes**

Sai Chantavy of Maunalani Nursing and Rehabilitation Center explained the problem of clients not receiving medication if a registered nurse is not available in the facility. The Nurse Delegation Act does not currently allow for delegation of this service to non-licensed personnel in long term care facilities where a registered nurse is on staff. The Department of Human Services will meet with the Department on Commerce and Consumer Affairs to review new rules on nurse delegation on December 5, 2008. The committee will be kept informed on the progress of this issue.

## **IV. Home Modification Task Force**

Dr. Anthony Lenzer shared a proposal to create a Home for Life Task Force to reduce or eliminate physical barriers in the home environment thereby empowering people to remain in their own homes for as long as possible. The goals of the task force would be to analyze all pertinent laws, codes, and regulations; empower homeowners with existing residences; facilitate home modification assessments; encourage industry professionals; education; and community engagement. Many in the audience suggested various groups and organizations to be invited to participate in the discussion. A resolution will be drafted for the upcoming legislative session to propose establishing the task force.

## **V. Posting Results of Annual Inspections**

John McDermott, Long Term Care Ombudsman, passed on a request from the Policy Advisory Board for Elder Affairs that care home and foster home inspections be made available online the same as nursing home inspections are currently under federal law. [www.medicare.gov] Demand is rising for these facilities and consumers want to provide the best possible situations for their loved ones. The Department of Health indicates that this would require legislation, and an increase in their budget for staff and equipment to implement this program. Larry Geller is drafting a letter to the Office of Information Practices to ascertain if the information could be public now as it is a matter of public safety. A question was raised as to whether customer

satisfaction surveys could be done in the meantime. Another suggestion was that if the inspections can be public now, a scanning project could be done to get the information online without cost to the government. The committee will be kept informed of any progress on this issue.

#### **VI. Grandparents Raising Grandchildren Task Force Update**

Pat Urieff, Co-Chair of the Task Force, reported on the ongoing work of the committee. One of the items that has come up is a need for changes in federal rules for public housing: currently if there is a family problem necessitating grandchildren moving in with their grandparents in public housing, the grandparents are given 2 weeks notice to vacate. The Executive Office on Aging will include Grandparents Raising Grandchildren in the next state plan on aging and provide some workshops to help raise awareness on issues facing this group. Steve Shiraki from the Department of Education said that they are working on a new form for grandparents raising grandchildren that will be made available on the web. They hope to have this in place by early spring 2009. A written report will be forthcoming.

#### **VII. Family Leave Working Group Update**

Wes Lum of the University of Hawaii's Center on Aging reported that the group has concluded information gathering including getting some cost estimates from the Department of Labor and Industrial Relations, and looking at the experience of other states. Some participants will be checking back with their organizations to confirm that they will continue to participate in the effort to make wage replacement benefits available to employees. The committee will look at proposed legislation based on the report back from these organizations. A cost/benefit analysis is still needed, and they will check into funding mechanisms used in other states. The Legislative Reference Bureau will assist in writing the report of the working group.

#### **VIII. Kupuna Caucus Issues**

Senator Chun Oakland requested that everyone look over the list of issues and contact her office to add or change anything. At the next meeting, December 5, the list will be reviewed and prioritized.

#### **IX. Adjournment**

The meeting was adjourned at 4:05 p.m.

December 5<sup>th</sup>, Kupuna Caucus topics for voting  
JLCAIP & Kupuna Caucus Meeting, 2-4pm

- Increase Kupuna Care Program Base Funding, EOA (Draft SB 0272)
- Cash & Counseling Project, Draft SB 2008-0281
- Respite Care Inventory Project, Services
- Family Leave Work Group
- Grandparents Raising Grandchildren Task Force
- ADRC (Aging & Disability Resource Center) progress
- 2 positions for UH Center on Aging, Research and Education (CARE)
- Dept. of Aging, create a standing Committee on Aging, Draft SB 0340 SCR
- Case Management: \$500 per month for the CM in foster homes, care homes; review administrative rules. (accountability, consistency)
- Case Management: Review CM requirement in larger care homes, where on-duty RN is already doing case management; financial hardship of the extra \$500 per month for families; Kupuna Caucus support might help.
- Posting of annual inspections of Care Homes and Foster Homes on-line. Legislative support?
- Adult Protective Services (Draft SB 2008-0253), funding for positions, DHS (?)
- Home Care Licensing
- Healthy Aging Partnerships
- Long-Term Care Commission support
- Long-Term Care Pilot, Leahi Hospital
- Pre-Need Funeral Plans – Consumer Protections, Draft SB 2008-0277.
- Family Eldercare Tax Credit, Draft SB 2008-0280
- Prescription Drug Cost Reduction (I-Save RX or identify independent entity to negotiate better prices for Hawaii's residents)
- Emergency Preparedness
- Increase Home Equity Ceiling up to \$750,000 from \$500,000 in Medicaid Program, Draft SB 2008-0247.
- Pedestrian Safety, \$3 million in general funds. "Complete Streets" (AARP?)
- State and Federal Procurement process as it relates to Elder Services, EOA
- Case Management

December 5<sup>th</sup>, Kupuna Caucus topics for voting  
JLCAIP & Kupuna Caucus Meeting, 2-4pm

- Restoration of Senior Centers (DOH may cut funding)
- Cutting money for Medicaid
- Home Medical Equipment (HME) issues
- Nurse delegation of medication Administration in nursing homes
- “Home For Life” Task Force issues (Home Modification and Universal Design), certifications for universal designed homes
- JLCAIP recommendations?