STAND. COM. REP. NO. 542

Honolulu, Hawaii

RE: H.B. No. 120

H.D. 2

Honorable Joseph M. Souki Speaker, House of Representatives Twenty-Seventh State Legislature Regular Session of 2013 State of Hawaii

Sir:

Your Committee on Consumer Protection & Commerce, to which was referred H.B. No. 120, 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 enhance public access to information about the quality of care of state-licensed and certain other care facilities by requiring the Department of Health and the Department of Human Services to post on their respective websites electronic copies of reports for all inspections they perform of facilities in which violations are discovered.

The State Council on Developmental Disabilities, Office of the Long Term Care Ombudsman, Policy Advisory Board for Elder Affairs, ILWU Local 142, Kokua Council, and numerous individuals testified in support of this measure. The Department of Health testified in support of the intent of this measure. The United Group of Home Operators, Caregivers Association, and numerous individuals testified in opposition of this measure. The Department of Human Services and Healthcare Association of Hawaii provided comments on this measure.

Your Committee has amended this measure by:

- (1) Allowing and not requiring the Department of Health and the Department of Human services to post information concerning major patient care violations on their respective websites;
- (2) Specifying that the major patient care violation order must be final before the Department of Health and the Department of Human Services may post information concerning the major patient care violation;
- (3) Deleting language that would have included the posting of other information regarding the quality and conditions of the facilities as the Department of Health or Department of Human Services deems appropriate;
- (4) Defining "major patient care violation"; and
- (5) Making technical, nonsubstantive amendments for the purpose of clarity, consistency, and style.

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. 120, H.D. 1, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as H.B. No. 120, H.D. 2.

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

ANGUS L.K. McKELVEY, Chair

## State of Hawaii House of Representatives The Twenty-seventh Legislature



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

Bill/Resolution No.: Com	mittee Referral: 5/HUS, CPC, F	JN Date	2/13/13	
☐ 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. McKELVEY, Angus L.K. (C)	<b>/</b> /			
2. KAWAKAMI, Derek S.K. (VC)	<b>V</b>			
3. BELATTI, Della Au	/			
4. BROWER, Tom				
5. CABANILLA, Rida T.R.				
6. CACHOLA, Romy M.			<del></del>	
7. CARROLL, Mele				
8. EVANS, Cindy	<b>/</b>			
9. HAR, Sharon E.				
10. ITO, Ken	//			
11. LEE, Chris				
12. TSUJI, Clift				
13. YAMANE, Ryan I.				
14. MCDERMOTT, Bob				
15. THIELEN, Cynthia				
		-		
		-		
TOTAL (15)	9	2	1	3
The recommendation is: Adopted   Not Adopted				
If joint referral, did not support recommendation.				
Vice Chair's or designee's signature:				
Distribution: Original (White) - Committee Duplicate (Yellow) - Chief Clerk's Office Duplicate (Pink) - HMSO				