

STAND. COM. REP. NO. 1685

Honolulu, Hawaii

April 27, 2015

RE: S.C.R. No. 107
S.D. 1
H.D. 1

Honorable Joseph M. Souki
Speaker, House of Representatives
Twenty-Eighth State Legislature
Regular Session of 2015
State of Hawaii

Sir:

Your Committees on Health and Human Services, to which was referred S.C.R. No. 107, S.D. 1, entitled:

"SENATE CONCURRENT RESOLUTION REQUESTING THE CONVENING OF A FAMILY CAREGIVERS WORKING GROUP TO EXAMINE AND ASSESS LEGISLATION RELATING TO THE ROLE OF CAREGIVERS OF PATIENTS DISCHARGED FROM HOSPITALS,"

beg leave to report as follows:

The purpose of this measure is to request the convening of a family caregivers working group to examine and assess legislation relating to the role of caregivers of patients discharged from hospitals.

More specifically, this measure requests the working group to address the following issues relating to S.B. No. 296, 2015:

- (1) The role of family caregivers;
- (2) The state of the current practice of designating family caregivers;
- (3) Notification of family caregivers when a hospital discharges a patient or transfers a patient to another licensed facility;



- (4) The involvement of family caregivers in hospital discharge planning and instruction;
- (5) The role of hospitals in the instruction of family caregivers; and
- (6) Legislative and regulatory recommendations on how best to involve family caregivers in the patient-discharge process and prepare family caregivers for post-discharge tasks.

The Department of Health, Policy Advisory Board for Elder Affairs, Maui County Office on Aging, AARP Hawaii, Project Dana, ILWU Local 142, Hawaii Alliance for Retired Americans, and thirteen individuals testified in support of this measure. The Legislative Reference Bureau, Healthcare Association of Hawaii, Hawaii Pacific Health, Hawaii Association of Health Plans, Queen's Health Systems, and one individual provided comments on this measure.

Your Committees find that, due to costs and other factors, family caregivers are increasingly called upon to provide continued care at home for patients who are discharged from the hospital. For example, in 2009, there were an estimated 247,000 family caregivers in Hawaii. Your Committees further find that, currently, the amount of instruction that family caregivers receive from hospitals depends largely on the discharge procedures of the particular hospital treating the patient. Your Committees believe that this variation among hospital practices illustrates a need to provide a minimum and consistent level of instruction for all caregivers statewide.

Your Committees further find that S.B. No. 2264, Senate Draft 2, House Draft 1, 2014, had sought to assist caregivers by:

- (1) Authorizing a hospital patient's designation of a caregiver in the patient's medical record;
- (2) Requiring hospitals to notify the designated caregiver prior to the patient's discharge or transfer from the hospital; and
- (3) Providing for the caregiver's receipt of a hospital discharge plan describing the patient's after-care needs.



When S.B. No. 2264, Senate Draft 2, House Draft 1, 2014, failed to advance, a family caregivers working group was established by House Concurrent Resolution No. 78, House Draft 1, Senate Draft 1, 2014, to bring the various stakeholders together to review the pertinent issues and develop solutions. However, the working group was unable to reach an agreement on key elements that were critical to resolving the various family caregiving issues.

Subsequently, S.B. No. 296, 2015, re-introduced many of the same provisions of S.B. No. 2264, Senate Draft 2, House Draft 1, 2014. The Senate Committee on Health later deferred S.B. No. 296 and, jointly with the Senate Committee on Human Services and Housing, advanced this measure instead, to rebalance the composition of the family caregivers working group and continue efforts to find common ground among the various stakeholders in advance of the Regular Session of 2016.

Upon further consideration, your Committees have amended this measure by:

- (1) Replacing the working group with a legislative family caregivers working group consisting only of:
 - (A) The Senate and House subject matter committee chairs for health and for human services; and
 - (B) A Senate and a House member of the Kupuna Caucus, appointed by the Senate President and the Speaker of the House, respectively;
- (2) Requesting that the legislative family caregivers working group:
 - (A) In reviewing the role of hospitals in the instruction of family caregivers, also consider the role of hospital staff;
 - (B) Review the role of insurance plans in paying for the instruction of family caregivers by hospitals and hospital staff;
 - (C) Solicit input and presentations from the stakeholders that previously comprised the membership of the working group under this measure, as received by your Committees;



- (D) Review approaches that may have been taken by other states; and
- (E) Submit a report to the Legislature not later than twenty days before the Regular Session of 2016;
- (3) Providing for the termination of the working group after the submission of its report to the Legislature;
- (4) Clarifying that the role of the Legislative Reference Bureau under this measure is to assist the working group in conducting research and drafting a report and any proposed legislation on matters pertinent to the issues considered by the working group; and
- (5) Making technical nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Health and Human Services that are attached to this report, your Committees concur with the intent and purpose of S.C.R. No. 107, S.D. 1, as amended herein, and recommend that it be adopted in the form attached hereto as S.C.R. No. 107, S.D. 1, H.D. 1.

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


DEE MORIKAWA, Chair


DELLA AU BELATTI, Chair



