



STATE OF HAWAII
DEPARTMENT OF HEALTH
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TESTIMONY in SUPPORT of H.B. 1291
RELATING TO THE REGISTRY OF CLEAN AND SOBER HOMES

REPRESENTATIVE BELATTI, CHAIR
HOUSE COMMITTEE ON HEALTH

Hearing Date: February 18, 2015

Room Number: 329

1 **Fiscal Implications:** Section 5 of Act 193 Session Laws of Hawaii (SLH) 2014, appropriated \$250,000 for
2 fiscal year 2014-2015 for staffing and operating costs to plan, establish and operate the registry of
3 clean and sober homes. Funding for the registry is not included in the Executive Biennium Budget
4 Request for FB 2015-17.

5 **Department Testimony:** This measure will provide immunity from liability to the Department of
6 Health (DOH), its employees, agents and volunteers for operating the clean and sober homes registry.

7 Stable housing is a critical component in the continuum of substance abuse treatment and
8 recovery. Data for Fiscal Year 2013-14 show that approximately 18.6 percent of clients served by the
9 Alcohol and Drug Abuse Division contracted substance abuse treatment providers did not have stable
10 housing at admission. At follow-up, unstable housing status was reduced to 6.0 percent.

11 Act 193 SLH 2014, relating to group homes, was enacted to help residents of clean and sober
12 group homes to access a stable, alcohol- and drug-free home-like living environment. These homes,
13 which are operated by for-profit or non-profit entities, are located in communities throughout the
14 state. They provide a means for persons to return to the community without the rigid structure of a
15 therapeutic living program which requires licensure.

1 Section 3 of the Act (codified as Section 321-193.7, Hawaii Revised Statutes) established the
2 registry of clean and sober homes to: increase the number of homes that maintain appropriate living
3 conditions; set minimum standards; give special advantages to homes on the registry, such as technical
4 support and preferred referral status; include specific requirements that homes on the registry must
5 meet; and provide a framework to monitor the homes. A key function of the voluntary registry is to
6 enable agencies referring clients to monitor residences that provide the necessary support for recovery
7 efforts.

8 The voluntary registry of clean and sober homes is a product of a two-year process during
9 which the knowledge and expertise of public (i.e., State and County) as well as private agencies'
10 perspectives were elicited. In the long-term, the registry will provide a more formalized means for
11 agencies to refer clients to alcohol- and drug-free housing which benefits clients of DOH behavioral
12 health programs, as well as clients enrolled in Department of Human Services programs that assist the
13 homeless.

14 Exposure to liability is possible if information made available in good faith by registry staff
15 results in adverse consequences. The proposed immunity provision for the voluntary registry reduces
16 the State's (and therefore, the taxpayers') exposure to liability for operating the registry for clean and
17 sober homes in good faith.

18 We respectfully recommend that this measure be approved as introduced.

19 Thank you for the opportunity to testify on this measure.

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DAVID Y. IGE
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TESTIMONY ON HOUSE BILL 1291
RELATING TO THE REGISTRY OF CLEAN AND SOBER HOMES

by
Nolan P. Espinda, Director
Department of Public Safety

House Committee on Health
Representative Della Au Belatti, Chair
Representative Richard P. Creagan, Vice Chair

Wednesday, February 18, 2015, 8:30 AM
State Capitol, Conference Room 329

Chair Belatti, Vice Chair Creagan, and Members of the Committee:

Department of Public Safety (PSD) **supports** House Bill (HB) 1291 which proposes to provide immunity from liability to the Department of Health, its employees, agents and volunteers for operating the clean and sober homes registry. Such housing is a critical component in the successful reentry of offenders into our communities. This voluntary registry assists PSD by providing a more formalized way of referring offenders to essential alcohol- and drug-free housing.

For these reasons, PSD supports the passage of HB 1291. Thank you for the opportunity to testify on this important bill.



HAWAII SUBSTANCE ABUSE COALITION

HB1291 RELATING TO REGISTRY OF CLEAN AND SOBER HOMES

COMMITTEE ON HEALTH: Representative Della Au Belatti, Chair; Representative Richard Creagan, Vice Chair

- Wednesday, February 18, 2015 at 8:30 a.m.
- Conference Room 329

HSAC Supports HB1291:

Good Morning Chair Belatti; Chair; Vice Chair Creagan; Vice; And Distinguished Committee Members. My name is Alan Johnson, Chair of the Hawaii Substance Abuse Coalition, an organization of more than thirty treatment and prevention agencies across the State.

The Hawaii Substance Abuse Coalition supports immunity from liability for operating a clean and sober home registry.

This bill would protect the Department of Health for any liability for a voluntary registry that merely establishes procedures and standards for good operations for clean and sober homes located in neighborhoods with the stipulation that continued good neighborhood relations is a requirement to remain in the voluntary registry.

In 2014, the legislature enacted Act 193 to establish a registry for clean and sober homes.



- Given that such homes are protected by ADA rules and FHA regulations, the intent of the registry is for voluntary participation to ensure such homes are good neighbors.
- The incentive to join the registry is that the various referral sources, such as treatment agencies, probation and parole, would prefer to send referrals to those homes in the registry that demonstrate positive neighbor relations and good management practices.

We appreciate the opportunity to testify and are available for questions.