

SB2958

Measure Title: RELATING TO HEALTH.

Report Title: Community Care Facilities; Licensing and Certification Fees

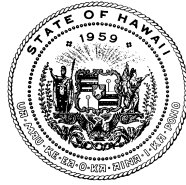
Description: Requires the Department of Health to: (1) Charge and collect fees for the licensing, relicensing, certification, and recertification of community care facilities; and (2) Submit a report to the Legislature prior to the 2017 Regular Session on implementation of the fees.

Companion: [HB2003](#)

Package: None

Current Referral: CPH, WAM

Introducer(s): NISHIHARA, Baker, Espero, Keith-Agaran, Kidani, Wakai



STATE OF HAWAII
DEPARTMENT OF HEALTH
P. O. Box 3378
Honolulu, HI 96801-3378
doh.testimony@doh.hawaii.gov

**Testimony in OPPOSITION to SB2958
RELATING TO HEALTH**

SENATOR ROSALYN H. BAKER, CHAIR
SENATE COMMITTEE ON COMMERCE, CONSUMER PROTECTION, AND HEALTH
Hearing Date: Saturday, February 6, 2016 Room Number: 229

Fiscal Implications: Fees for licensing and certification of healthcare facilities would produce fee revenue to directly support the licensing and certification program.

Department Testimony: Thank you for the opportunity to submit testimony to OPPOSE this bill. The department agrees with the fundamental purpose of this bill to assess and collect fees on healthcare facilities in the state for purposes of licensing, certification, or other authorized purposes. Currently, healthcare facilities do not pay any licensing fee as healthcare professionals and other professions do. However, the department respectfully requests that the current language on licensing fees remain in statute, that is, for the department to establish reasonable fees through the rulemaking process pursuant to HRS 321-11.5. The department has completed its draft of the rules and is in the process of submitting a request to obtain approval to hold public hearings. We believe this is the most prudent way to establish fees. We respectfully request that this measure be deferred.

Thank you again for the opportunity to testify.



STATE OF HAWAII
STATE COUNCIL
ON DEVELOPMENTAL DISABILITIES
919 ALA MOANA BOULEVARD, ROOM 113
HONOLULU, HAWAII 96814
TELEPHONE: (808) 586-8100 FAX: (808) 586-7543
February 6, 2016

The Honorable Rosalyn H. Baker, Chair
Senate Committee on Commerce, Consumer Protection
and Health
Twenty-Eighth Legislature
State Capitol
State of Hawaii
Honolulu, Hawaii 96813

Dear Senator Baker and Members of the Committee:

SUBJECT: SB 2958 – Relating to Health

The State Council on Developmental Disabilities (DD) respectfully **OPPOSES SB 2958, specifically with regards to Adult Foster Homes for individuals with developmental disabilities on page 2, lines 1 and 2 of the bill.** The purpose of this bill requires the Department of Health to: 1) Charge and collect fees for the licensing, relicensing, certification, and recertification of community care facilities; and 2) Submit a report to the Legislature prior to the 2017 Regular Session on implementation of the fees.

The Adult Foster Homes for individuals with DD are certified and monitored under the Hawaii Administrative Rules, Title 11 Department of Health, Chapter 148 Certification of Adult Foster Homes. This chapter is based substantially upon Chapter 890, "Certification of Foster Family Boarding Home for Children," Public Welfare Division, Department of Social Services and Housing. [Eff. 9/16/54; am 3/20/87]. Basically, the Adult Foster Homes were intended to be exactly as a Child's Foster Home which the individual lives with a family, in the family's home, in a family environment. Adult foster homes are not facilities, and they were not intended to be a business. Therefore, they should not be lumped together with such businesses.

As a systems advocacy agency responsible for statewide planning, coordination, monitoring, evaluation, and advocacy on behalf of individuals with DD and their families, we are concerned if such fees are imposed on Adult Foster Home providers. Already these providers are required to pay for criminal history background checks, electronic finger printing, auto and liability insurance policies. The additional fees may result in undue financial burden for Adult Foster Home providers. Moreover, the unintended consequences may be greater than the fees collected, such as: 1) providers closing

The Honorable Rosalyn H. Baker
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February 6, 2016

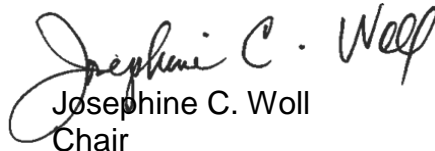
their homes and displacing individuals to move to another home or become homeless; and 2) prevention of future applicants to become Adult Foster Home providers. A greater impact would be on the Neighbor Islands where there are a limited number of Adult Foster Homes.

Thank you for the opportunity to submit testimony **opposing SB 2958**.

Sincerely,



Waynette K.Y. Cabral, MSW
Executive Administrator



Josephine C. Woll
Chair

February 6, 2016

The Honorable Rosalyn H. Baker, Chair
Senate Committee on Commerce, Consumer Protection, and Health

State Capitol
State of Hawaii
Honolulu, Hawaii 96813

RE: SB 2895 - RELATING TO HEALTH
Hearing: Saturday, February 6, 2016. 9:00 AM
Conference Room 229

Dear Senator Baker and Members of the Committee;

The Arc in Hawaii **STRONGLY OPPOSES** Senate Bill 2958 which imposes licensing-type fees upon certain vital and underfund community care “facilities” that serve Hawaii’s most vulnerable and needy citizens.

The Arc in Hawaii operates 10 very small non-profit developmental disabilities domiciliary homes on Oahu. They serve only low-income persons with disabilities and are funded generally by the residents’ meager SSI and State Supplement to SSI. The State Supplement has not been increased for eight years and the Administration and Legislature repeatedly shoot down proposals to increase the amount to at least help with cost inflation.

Operating costs constantly increase, but compensation rates do not keep pace. Heaping another cost on the operators creates a dangerous situation.

These targeted “facilities” are vital elements in the State’s care of disabled and aged citizens. Most of the “facilities” are better described as “homes”- they are not large institutions that can absorb the cost or spread them over numerous clients. Most are operated by individuals, families, or, as in our case, struggling nonprofits.

Adding unnecessary costs to the providers’ current burden may finally tip the scale and cause closure of these “facilities” with the losses of homes by those who need them so badly.

Please do not move this Bill forward.

Thank you for the opportunity to submit testimony.



Lei Fountain
Executive Director



Thomas P. Huber
President

Testimony in opposition to SB2958

Senator Rosalyn H. Baker, Chair
Senator Michelle N. Kidani, Vice Chair
Committee Members

Gentlepeople:

I oppose any kind of license/recertification fee for developmental disabilities domiciliary homes. I work for The Arc in Hawaii, which operates ten community-based domiciliary homes on Oahu. Each home serves 3 to 5 individuals with developmental disabilities. We already struggle to make ends meet. Additional costs for fees will threaten our ability to do so.

Virtually all of our participants are very low-income and have very few options. If The Arc in Hawaii cannot provide essential services, where are these individuals we serve to go? Any income to the state from fees will be more than offset by the fiscal cost to duplicate the services we currently provide. Not to mention the human cost in disrupting the lives of people who are already marginalized in so many ways.

Please do not endanger the services our men and women so desperately need.

Thank you for your consideration of my testimony.

Becky Tyksinski
Director of Development
The Arc in Hawaii
3989 Diamond Head Rd.
Honolulu, HI 96816
808-737-7995 ext. 722

Home address:
539 Kaiemi St.
Kailua, HI 96734
808-261-5088

From: mailinglist@capitol.hawaii.gov
To: [CPH Testimony](#)
Cc: cathy.kioi@gmail.com
Subject: Submitted testimony for SB2958 on Feb 6, 2016 09:00AM
Date: Thursday, February 04, 2016 12:04:27 PM

SB2958

Submitted on: 2/4/2016

Testimony for CPH on Feb 6, 2016 09:00AM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Catherine Kioi	The Arc in Hawaii	Oppose	No

Comments: The Arc in Hawaii is a non-profit that gets it's funding from grants and donations from donors. This money would best be spent on the care of the participants we serve, and not on fees that have to be paid yearly for licenses. We ask that you do not impose a licensing fee that has not been there in the past, and let the funds received continue to be spent on improving the well being and care of our vulnerable participants. Thank you.

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

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Cc: cwaki1@gmail.com
Subject: *Submitted testimony for SB2958 on Feb 6, 2016 09:00AM*
Date: Friday, February 05, 2016 8:32:21 AM

SB2958

Submitted on: 2/5/2016

Testimony for CPH on Feb 6, 2016 09:00AM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Claretta Wakita	Individual	Oppose	No

Comments:

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Date: Thursday, February 04, 2016 10:52:07 AM

SB2958

Submitted on: 2/4/2016

Testimony for CPH on Feb 6, 2016 09:00AM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Lei Fountain	Individual	Oppose	No

Comments: I strongly oppose this bill. The above referenced license holders are already on such a very tight budget. Non-profits barely survive with the amounts they now receive.

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Date: Thursday, February 04, 2016 1:01:53 PM

SB2958

Submitted on: 2/4/2016

Testimony for CPH on Feb 6, 2016 09:00AM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Sean Anderson	Individual	Comments Only	Yes

Comments: I am concerned on where the state will get the money to finance this.

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