

Honolulu, Hawaii

FEB 10 , 2020

RE: H.B. No. 1872
H.D. 1

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirtieth State Legislature
Regular Session of 2020
State of Hawaii

Sir:

Your Committee on Human Services & Homelessness, to which was referred H.B. No. 1872 entitled:

"A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE OFFICE OF THE LONG-TERM CARE OMBUDSMAN PROGRAM,"

begs leave to report as follows:

The purpose of this measure is to support the needs of Hawaii's elderly by establishing and funding six long-term care ombudsmen specialist positions, including positions for the counties, to work under the supervision of the State Long-Term Care Ombudsman to achieve the goals of the Long-Term Care Ombudsman Program (Program) as mandated by federal and state law.

Your Committee received testimony in support of this measure from the Executive Office on Aging, State Long-Term Care Ombudsman, County of Hawaii Office of Aging, AARP Hawaii, International Longshore and Warehouse Union Local 142, and ten individuals.

Your Committee notes that the Program is required by federal law and state law to protect the human and civil rights of residents in all long-term care settings. Federal law requires the Long-Term Care Ombudsman to visit facilities quarterly; respond to complaints; engage in investigations; provide information, assistance, and referrals to long-term residents and



their families; facilitate family councils statewide; provide community education; and administer the Program.

Your Committee finds that the Program is currently staffed by the State Long-Term Care Ombudsman, a volunteer coordinator, and an Oahu Ombudsman position. The three contracted positions for the counties of Hawaii, Kauai, and Maui are trained Ombudsmen and have assisted to expand quarterly visits; however, the State Long-Term Care Ombudsman indicated in testimony before your Committee that these contract staff do not replace the unmet needs of full-time staff.

Your Committee recognizes the essential role of the State Long-Term Care Ombudsman and staff in advocating for and responding to the needs and concerns of residents in long-term care settings. At its public hearing, your Committee noted that long-term care ombudsmen in other states are staffed by state funded positions and volunteers. To support its further deliberations in considering the needs of the Program, your Committee requests that the Executive Office on Aging examine the ways long-term care ombudsmen in other states are funded and staffed, including best practices, public and private funding sources, and use of volunteers.

Your Committee has amended this measure by:

- (1) Changing the appropriation to an unspecified amount;
- (2) Changing the number of full-time equivalent staff to an unspecified number and removing language that added specific numbers of ombudsman specialist positions to each county;
- (3) Changing its effective date to December 31, 2059, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Should the Committee on Finance choose to hear this measure, your Committee respectfully requests that it consider appropriating \$467,651 for Fiscal Year 2020-2021 to establish six full-time equivalent (6.0 FTE) ombudsman specialist positions



within the Office of the Long-Term Care Ombudsman, with positions assigned to each of the counties.

As affirmed by the record of votes of the members of your Committee on Human Services & Homelessness that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1872, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1872, H.D. 1, and be referred to your Committee on Finance.

Respectfully submitted on
behalf of the members of the
Committee on Human Services &
Homelessness,



JOY A. SAN BUENAVENTURA, Chair



Record of Votes of the Committee on Human Services & Homelessness

Bill/Resolution No.: HB 1872	Committee Referral: HSH, FIN	Date: 1/31/2020		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
HSH Members	Ayes	Ayes (WR)	Nays	Excused
1. SAN BUENAVENTURA, Joy A. (C)	✓			
2. NAKAMURA, Nadine K. (VC)	✓			
3. BELATTI, Della Au	✓			
4. KOBAYASHI, Bertrand	✓			
5. MIZUNO, John M.	✓			
6. SAY, Calvin K.Y.				✓
7. TOKIOKA, James Kunane	✓			
8. WARD, Gene	✓			
TOTAL (8)	7			1
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. committee acronym(s)				
Vice Chair's or designee's signature:				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				