

S .B. NO. 1150

JAN 27 2021

A BILL FOR AN ACT

RELATING TO SKILLED NURSING FACILITY LICENSING.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The purpose of this Act is to authorize the
2 department of health to recognize nationally recognized
3 accreditation or certification organizations to demonstrate a
4 skilled nursing facility's compliance with all licensing
5 inspections required by the State. The Joint Commission
6 accredits nursing care centers and other accreditation or
7 certification organizations may also be recognized. Allowing
8 the department of health to recognize these organizations will
9 allow the department to continue its regulatory oversight
10 responsibilities for licensing purposes, allow for the
11 accreditation or certification to demonstrate a facility's
12 compliance with all licensing requirements by the state, and
13 allow the department more efficiently use its limited resources
14 for other health care facility regulatory oversight activities.

15 SECTION 2. Chapter 321, Hawaii Revised Statutes, is
16 amended by adding a new part to be appropriately designated and
17 to read as follows:

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1 "PART . SKILLED NURSING FACILITIES

2 §321- **Skilled nursing facilities.** (a) All skilled
3 nursing facilities shall be licensed by the department to ensure
4 the health, safety, and welfare of the individuals placed
5 therein.

6 (b) The director shall adopt rules in accordance with
7 chapter 91 that shall provide for the licensing of skilled
8 nursing facilities.

9 (c) The rules may provide that accreditation by a
10 nationally recognized accreditation or certification
11 organization demonstrates a skilled nursing facility's
12 compliance with all licensing inspections required by the State.
13 The rules may exempt a skilled nursing facility from a licensing
14 inspection on a continuing basis throughout the term of the
15 accreditation or certification under the following conditions:

16 (1) The skilled nursing facility provides a certified copy
17 of the facility's official accreditation or
18 certification report to the department;

19 (2) The skilled nursing facility continuously holds full
20 accreditation or certification by the accreditation or
21 certification organization; and

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1 (3) The skilled nursing facility holds a current and valid
2 state license.

3 (d) The rules shall provide that the department may
4 conduct inspections and investigations of exempt skilled nursing
5 facilities regarding complaints, adverse accreditation or
6 certification findings, or periodic validation surveys.

7 (e) Information contained in reports of survey and
8 official accreditation or certification letters made by the
9 accreditation or certification organization used in determining
10 compliance with licensing requirements shall be public
11 information.

12 (f) All other records maintained by the department shall
13 be governed by chapter 92F."

14 SECTION 3. This Act, upon its approval, shall take effect
15 on July 1, 2021.

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INTRODUCED BY: 

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BY REQUEST

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Report Title:

Skilled Nursing Facility licensing

Description:

Authorizes the Department of Health to recognize national accreditation or certification organizations.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

JUSTIFICATION SHEET

DEPARTMENT: HEALTH

TITLE: A BILL FOR AN ACT RELATING TO SKILLED NURSING FACILITY LICENSING.

PURPOSE: Authorize the Department of Health to recognize nationally recognized accreditation or certification organizations to demonstrate a skilled nursing facility's compliance with all licensing inspections required by the State.

MEANS: Add new part to chapter 321, Hawaii Revised Statutes.

JUSTIFICATION: Organizations such as The Joint Commission conduct accreditation or certification on skilled nursing facilities. Accreditation or certification requirements are generally more detailed and clinically current than those of the State. Allowing the Department of Health to recognize these organizations in lieu of having the State conduct licensing inspection will provide the department more efficient use of limited resources for other regulatory activities.

Impact on the public: N/A.

Impact on the department and other agencies: N/A.

GENERAL FUND: N/A.

OTHER FUNDS: N/A.

PPBS PROGRAM DESIGNATION: HTH-720.

OTHER AFFECTED AGENCIES: N/A.

EFFECTIVE DATE: July 1, 2021.