

STAND. COM. REP. NO.

963

Honolulu, Hawaii

**MAR 05 2021**

RE: S.B. No. 820  
S.D. 1

Honorable Ronald D. Kouchi  
President of the Senate  
Thirty-First State Legislature  
Regular Session of 2021  
State of Hawaii

Sir:

Your Committees on Ways and Means and Commerce and Consumer Protection, to which was referred S.B. No. 820 entitled:

"A BILL FOR AN ACT RELATING TO THE NURSING FACILITY SUSTAINABILITY PROGRAM,"

beg leave to report as follows:

The purpose and intent of this measure is to ensure the continued viability of nursing facilities in the State.

More specifically, this measure:

- (1) Extends the nursing facility sustainability program;
- (2) Removes the statutory cap on the per resident daily fee for each nursing facility; and
- (3) Provides that nursing facilities that meet certain criteria shall pay a reduced daily fee compared to other facilities.

Your Committees received written comments in support of this measure from the Department of Human Services, Healthcare Association of Hawaii, Ohana Pacific Health, The Queen's Health Systems, and Hawaii Primary Care Association.



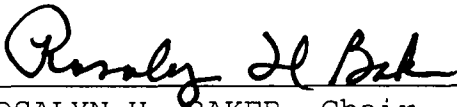
Your Committees find that extending the nursing facility sustainability program will help to financially sustain the State's nursing facilities, which continue to face major challenges due in part to the health and financial pressures related to the coronavirus disease 2019 pandemic.

Your Committees have amended this measure by:

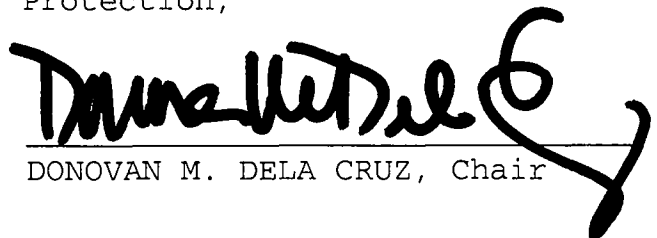
- (1) Allowing nursing facilities to pay fees assessed under the nursing facility sustainability program within sixty days, instead of thirty days;
- (2) Correcting the text of section 7 of Act 124, Session Laws of Hawaii 2014, as amended, to accurately reflect the printed version of the Session Laws of Hawaii;
- (3) Changing the effective date to July 1, 2050, to facilitate further discussion on the measure; and
- (4) Making technical nonsubstantive amendments for purposes of clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Ways and Means and Commerce and Consumer Protection that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 820, as amended herein, and recommend that it pass Third Reading in the form attached hereto as S.B. No. 820, S.D. 1.

Respectfully submitted on  
behalf of the members of the  
Committees on Ways and Means  
and Commerce and Consumer  
Protection,



ROSALYN H. BAKER, Chair




DONOVAN M. DELA CRUZ, Chair



The Senate  
Thirty-First Legislature  
State of Hawai'i


**Record of Votes**  
**Committee on Ways and Means**  
**WAM**

|   |                     |                 |                     |         |
|---|---------------------|-----------------|---------------------|---------|
| Bill / Resolution No.:*   | Committee Referral: | Date:           |                     |         |
| SB 820  | HMS/HTH, WAM/CPN    | 3/4/21          |                     |         |
| <input type="checkbox"/> The Committee is reconsidering its previous decision on this measure.<br>If so, then the previous decision was to: _____ |                     |                 |                     |         |
| The Recommendation is:  |                     |                 |                     |         |
| <input type="checkbox"/> Pass, unamended<br>2312  |                     |                 |                     |         |
| <input checked="" type="checkbox"/> Pass, with amendments<br>2311   |                     |                 |                     |         |
| <input type="checkbox"/> Hold<br>2310   |                     |                 |                     |         |
| <input type="checkbox"/> Recommit<br>2313   |                     |                 |                     |         |
| Members   | Aye                 | Aye (WR)        | Nay                 | Excused |
| DELA CRUZ, Donovan M. (C)   | X                   |                 |                     |         |
| KEITH-AGARAN, Gilbert S.C. (VC)   | X                   |                 |                     |         |
| ENGLISH, J. Kalani  | X                   |                 |                     |         |
| INOUYE, Lorraine R.   | X                   |                 |                     |         |
| KANUHA, Dru Mamo  | X                   |                 |                     |         |
| KIDANI, Michelle N.   | X                   |                 |                     |         |
| MORIWAKI, Sharon Y.   | X                   |                 |                     |         |
| SHIMABUKURO, Maile S.L.   | X                   |                 |                     |         |
| TANIGUCHI, Brian T.   | X                   |                 |                     |         |
| WAKAI, Glenn  | X                   |                 |                     |         |
| FEVELLA, Kurt   | X                   |                 |                     |         |
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| <b>TOTAL</b>  | 11                  |                 |                     |         |
| Recommendation:   |                     |                 |                     |         |
| <input checked="" type="checkbox"/> Adopted <span style="margin-left: 200px;"><input type="checkbox"/> Not Adopted</span>                         |                     |                 |                     |         |
| Chair's or Designee's Signature:  |                     |                 |                     |         |
|    |                     |                 |                     |         |
| Distribution:   |                     |                 |                     |         |
| Original  | Yellow              | Pink            | Goldenrod           |         |
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\*Only one measure per Record of Votes

The Senate  
Thirty-First Legislature  
State of Hawai'i

**Record of Votes**  
**Committee on Commerce and Consumer Protection**  
**CPN**

|  |                     |            |     |         |
|--|---------------------|------------|-----|---------|
| Bill / Resolution No.:*  | Committee Referral: | Date:      |     |         |
| SB 820   | HMS/HTH, WAM/CPN    | 03/04/2021 |     |         |
| <input type="checkbox"/> The Committee is reconsidering its previous decision on this measure.<br>If so, then the previous decision was to: _____  |                     |            |     |         |
| The Recommendation is:<br><input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313   |                     |            |     |         |
| Members  | Aye                 | Aye (WR)   | Nay | Excused |
| BAKER, Rosalyn H. (C)  | /                   |            |     |         |
| CHANG, Stanley (VC)  | /                   |            |     |         |
| MISALUCHA, Bennette E.   | /                   |            |     |         |
| NISHIHARA, Clarence K.   | /                   |            |     |         |
| RIVIERE, Gil   | /                   |            |     |         |
| SAN BUENAVENTURA, Joy A.   | /                   |            |     |         |
| FEVELLA, Kurt  | /                   |            |     |         |
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| <b>TOTAL</b>   | 7                   | —          | —   | —       |
| Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted   |                     |            |     |         |
| Chair's or Designee's Signature:<br>  |                     |            |     |         |
| Distribution:                      Original                      Yellow                      Pink                      Goldenrod<br>File with Committee Report                      Clerk's Office                      Drafting Agency                      Committee File Copy |                     |            |     |         |

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