
A BILL FOR AN ACT

MAKING AN APPROPRIATION FOR THE OFFICE OF THE LONG-TERM CARE
OMBUDSMAN PROGRAM.

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

1 SECTION 1. The legislature finds that the federal long-
2 term care ombudsman program was authorized under the Older
3 Americans Act in 1978, which is administered at the state level.
4 Accordingly, Hawaii established the office of the long-term care
5 ombudsman in 1979. Ombudsmen serve as advocates for residents
6 of long-term care facilities to ensure that they receive the
7 quality of care and quality of life they deserve and are
8 entitled to by law. The legislature also finds that during the
9 reorganization of the executive office on aging in June 2015,
10 the long-term care ombudsman program was reduced in staff to
11 only the director, making Hawaii the only state in the country
12 with a long-term care ombudsman program staff of one. In 1995,
13 a time when there were more than 1.6 million residents living in
14 nursing homes, the National Academy of Medicine (formerly called
15 the Institute of Medicine) recommended an essential standard of
16 one full-time ombudsman for every two thousand long-term care



1 residents. Hawaii has nearly thirteen thousand long-term care
2 residents on six islands across the State, most of whom live in
3 the community rather than in nursing homes, which creates
4 greater logistical challenges. Under the 1995 recommendation,
5 Hawaii should have a minimum of six full-time long-term care
6 ombudsmen.

7 The legislature also finds that the long-term care
8 ombudsman program utilizes many volunteers. Currently, there
9 are thirteen certified ombudsman volunteers. The last reporting
10 period reflects that volunteer long-term care ombudsmen served
11 for over seven hundred hours (for services valued at over
12 \$20,000), which also involves extensive travel to visit the
13 long-term care residents in their districts, for which they are
14 not reimbursed.

15 The legislature further finds that in addition to visits to
16 long-term care facilities, long-term care ombudsmen respond to a
17 multitude of complaints; engage in investigations; and provide
18 information, assistance, and referrals to long-term care
19 residents and their families. As of 2021, there were 1,489
20 long-term care facilities on Oahu, thirty-six facilities on
21 Kauai, eighty facilities on Maui, and one hundred seventy-four



1 facilities on Hawaii, totaling 1,779 facilities state-wide that
2 housed 12,895 residents.

3 The long-term care ombudsman program lacks staff to visit
4 each facility on a quarterly basis, which is the federal minimum
5 requirement, let alone also facilitate resident and family
6 councils, provide community education, and work more closely
7 with neighbor island county councils and the area agencies on
8 aging. The long-term care ombudsman program requires resources
9 to ensure that the neighbor islands' kupuna and their families
10 receive the same equal access to services that have been
11 provided by the long-term care ombudsman program on Oahu since
12 1979. Neighbor islands have waited over forty years for their
13 own local ombudsmen.

14 Therefore, the purpose of this Act is to:

15 (1) Establish and fund five permanent long-term care
16 ombudsman program specialist positions within the
17 office of the long-term care ombudsman: one position
18 for the city and county of Honolulu, one for the
19 county of Maui, two for the county of Hawaii, and one
20 for the county of Kauai; and



1 (2) Require the long-term care ombudsman program
2 specialists to work under the supervision of the long-
3 term care ombudsman to achieve the goals of the
4 State's long-term care ombudsman program, authorized
5 under the Older Americans Act, P.L. 89-73.

6 SECTION 2. There is appropriated out of the general
7 revenues of the State of Hawaii the sum of \$500,000 or so much
8 thereof as may be necessary for fiscal year 2022-2023 to fund
9 five full-time equivalent (5.0 FTE) long-term care ombudsman
10 program specialist positions within the office of the long-term
11 care ombudsman who shall work under the supervision of the long-
12 term care ombudsman to achieve the goals of the long-term care
13 ombudsman program authorized under the Older Americans Act, P.L.
14 89-73; provided that the five full-time equivalent (5.0 FTE)
15 positions and the funds appropriated pursuant to this section
16 shall supplant the two full-time equivalent (2.0) positions and
17 appropriations currently in the executive office on aging's base
18 budget.

19 The sum appropriated shall be expended by the executive
20 office on aging for the purposes of this Act.

21 SECTION 3. This Act shall take effect on July 1, 2022.



Report Title:

Kupuna Caucus; Office of the Long-Term Care Ombudsman; Ombudsman Specialist; Appropriation

Description:

Establishes and appropriates funds for five permanent Long-Term Care Ombudsman Program Specialist Positions within the Office of the Long-Term Care Ombudsman, assigned to each county as follow: one for the City and County of Honolulu, one for the county of Maui, two for the county of Hawaii, and one for the county of Kauai. Requires the Long-Term Care Ombudsman Program Specialist to work under the supervision of the Long-Term Care Ombudsman to achieve the goals of the Long-Term Care Ombudsman Program, as mandated by the federal Older Americans Act. (SD1)

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