

Honolulu, Hawaii

FEB 17 , 2022

RE: H.B. No. 1746
H.D. 1

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirty-First State Legislature
Regular Session of 2022
State of Hawaii

Sir:

Your Committee on Consumer Protection & Commerce, to which was referred H.B. No. 1746, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO HEALTH,"

begs leave to report as follows:

The purpose of this measure is to:

- (1) Clarify the group of professionals who are prohibited from knowingly referring or transferring patients to an uncertified or unlicensed care facility;
- (2) Repeal the provision that a landlord, under specified conditions, shall not be deemed to be providing home care services or operating a care facility that requires a license; and
- (3) Require the Department of Health to prioritize complaint allegations based on severity for investigations of state-licensed or state-certified care facilities.

Your Committee received testimony in support of this measure from the Department of Health, Executive Office on Aging, Alliance of Professional Primary Caregivers, and one individual. Your Committee received testimony in opposition to this measure from Hawaii Substance Abuse Coalition and Hawaii Primary Care



Association. Your Committee received comments on this measure from the Department of Human Services.

Your Committee finds that the prevalence of unlicensed care homes and facilities in the State continues to pose significant health and consumer protection issues for Hawaii's elderly and vulnerable populations. The Department of Health continues to take enforcement actions to protect consumers and the public, which are critical components of the State's regulatory efforts for consumer protection. This measure aims to provide additional safeguards for the public, protect aged and vulnerable persons, and ensure quality of care by requiring and enforcing the requirement that all residential care homes and other health care facilities, agencies, and organizations be licensed.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1746, H.D. 1, and recommends that it be referred to your Committee on Finance.

Respectfully submitted on
behalf of the members of the
Committee on Consumer
Protection & Commerce,



AARON LING JOHANSON, Chair



