STAND. COM. REP. NO. 229

Honolulu, Hawaii

FEB 12 , 2021

RE: H.B. No. 227 H.D. 1

Honorable Scott K. Saiki Speaker, House of Representatives Thirty-First State Legislature Regular Session of 2021 State of Hawaii

Sir:

Your Committee on Health, Human Services, & Homelessness, to which was referred H.B. No. 227 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, Alliance of Professional Primary Care Administrators, Adult Foster Homecare Association of Hawaii, and nine individuals. 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. Licensed care home operators and other persons are still referring or transferring patients to unlicensed care homes and facilities, unbeknownst to the patient. This illegal practice has cost some patients thousands of dollars due to denied insurance reimbursements and endangers patients' health and safety since unlicensed care homes and facilities do not have to follow required health and consumer protection regulations. Your Committee further finds that enforcement activities require long and arduous hours from the State and are a critical component of the State's regulatory efforts to ensure the health, safety, and welfare of Hawaii's kupuna.

Your Committee has amended this measure by:

- (1) Clarifying that the prohibition on the knowing transfer or referral of patients to uncertified or unlicensed care facilities applies to persons, corporations, or other entities in the health care or human services community; and
- (2) Changing the effective date to July 1, 2060, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Health, Human Services, & Homelessness that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 227, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 227, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

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

YAMANE, Chair

## State of Hawaii House of Representatives The Thirty-first Legislature

HSCR 229

## Record of Votes of the Committee on Health, Human Services, & Homelessness

Bill/Resolution No.:	Committee Referral:	Date		
HB 227	HATH, COC, 1	FN = 0	2/09/202	
☐ The committee is reconsidering its previous decision on the measure.				
The recommendation is to:  Pass, unamended (as is)  Pass, with amendments (HD)  Hold  Pass short form bill with HD to recommit for future public hearing (recommit)				
HHH Members	Ayes	Ayes (WR)	Nays	Excused
1. YAMANE, Ryan I. (C)				
<b>和</b> 提供的多数次被引起。				
2. TAM, Adrian K. (VC)	J			
3. GATES, Cedric Asuega	J			
				A STATE OF THE STATE OF
4. HAR, Sharon E.	J		-	
5. KAPELA, Jeanne	J			
6. LoPRESTI, Matthew S.				V
	E MANUEL NEW YORK THE	VERNIE BURN		Service Servic
7. NISHIMOTO, Scott Y.	J			
8. WARD, Gene				
44.2				
				<del> </del>
TOTAL (0)	7			1
TOTAL (8)	<i>t</i>			F
The recommendation is:    Adopted				
Vice Chair's or designee's signature:				
Distribution: Original (White) - Committee Duplicate (Yellow) - Chief Clerk's Office Duplicate (Pink) - HMSO				
Data Control Committee Daymont (1 min) 111100				