

JAN 21 2022

---

---

# 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 1975. 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 long-  
4           term care ombudsman program, as mandated by the United  
5           States Administration on Aging through the Older  
6           Americans Act.

7           SECTION 2. There is appropriated out of the general  
8 revenues of the State of Hawaii the sum of \$500,000 or so much  
9 thereof as may be necessary for fiscal year 2022-2023 to fund  
10 five full-time equivalent (5.0 FTE) long-term care ombudsman  
11 program specialist positions within the office of the long-term  
12 care ombudsman; provided that the positions shall be allocated  
13 and serve as follows:

- 14           (1) One position for the city and county of Honolulu;
- 15           (2) Two positions for the county of Hawaii;
- 16           (3) One position for the county of Kauai; and
- 17           (4) One position for the county of Maui.

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

20



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

2

INTRODUCED BY:



A handwritten signature in black ink, appearing to be 'JMM', is written over a horizontal line.



# S.B. NO. 2676

**Report Title:**

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

**Description:**

Appropriates funds to the Office of the Long-Term Care Ombudsman for 5.0 FTE ombudsman program specialist positions.

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

