JOSH GREEN, M.D. GOVERNOR OF HAWAI'I KE KIA'ĂINA O KA MOKU'ĂINA 'O HAWAI'I



KENNETH S. FINK, M.D., M.G.A., M.P.H. DIRECTOR OF HEALTH KA LUNA HO'OKELE

STATE OF HAWAI⁴I DEPARTMENT OF HEALTH KA 'OIHANA OLAKINO P. O. Box 3378 Honolulu, HI 96801-3378 doh.testimony@doh.hawaii.gov

Testimony in OPPOSITION to H.B. 1491 RELATING TO INSPECTIONS.

REPRESENTATIVE DELLA AU BELATTI, CHAIR HOUSE COMMITTEE ON HEALTH AND HOMELESSNESS

Hearing Date: Friday, February 10, 2023

Room Number: 329

- 1 Fiscal Implications: None.
- 2 **Department Testimony:** Thank you for the opportunity to testify in OPPOSITION to this
- 3 proposal. This proposal would statutorily restrict the Office of Health Care Assurance's
- 4 (OHCA) current inspection and investigation activities.
- 5 This bill does two (2) things:
- 6 1. Limits Complaint Investigations: it would limit complaint investigations to only
- 7 abuse or life- or health-threatening situations against patients. It would also
- 8 require complainants to be identified and have credible evidence for an
- 9 investigation and to submit complaints in writing.
- 10 <u>Concern:</u> This could have a chilling effect on the submission of complaints and
- 11 would be a step backward in protecting the public. Complainants often request
- 12 anonymity especially if they fear retaliation from the licensee either for
- 13 themselves or for their vulnerable loved ones. And limiting complaint
- 14 investigations to abuse or life- or health-threatening situation would mean that
- alleged violations could not be investigated on patients' rights such as on

1		visitation and association with other social, religious, or community activities,				
2		proper record-keeping, accounting for the patients' money accounts and personal				
3		property, and other items.				
4	2.	Schedule/Announce Inspections for License Renewal: the bill would require				
5		OHCA to conduct license renewal inspections only on dates/times agreeable to				
6		the licensee.				
7		Concern: Current statute requires these inspections to be unannounced. (HRS				
8		§321-1.9 effective July 1, 2019) If licensees are granted the ability to agree on				
9		dates and times, they might only agree on a schedule that gives them sufficient				
10		time to fix items they knew beforehand that required fixing instead of fixing those				
11		items on a more timely basis. These could include structural repairs such as for				
12		emergency exits in case of fire, smoke alarms, food preparation and storage				
13		appliances, safe medication storage, windows, screens, and doors in patients'				
14		rooms, electrical or plumbing defects, etc. The preference is for inspections to be				
15		unannounced so that licensees are more apt to be ready for inspections at all				
16		times. Unannounced inspections are also a standard federal requirement of all				
17		Medicare-certified facilities such as skilled nursing facilities, dialysis centers,				
18		hospitals, and other facilities.				
19	Finall	y, there is no evidence of any delays in license renewals since unannounced				
20	inspections began in 2019.					
21	Thank you for the opportunity to testify in OPPOSITION to this proposal. Respectfully,					
22	the Department requests this measure be deferred.					

JOSH GREEN, M.D. GOVERNOR KE KIA'ĀINA



CATHY BETTS DIRECTOR KA LUNA HO'OKELE

JOSEPH CAMPOS II DEPUTY DIRECTOR KA HOPE LUNA HO'OKELE

STATE OF HAWAII KA MOKU'ĀINA O HAWAI'I DEPARTMENT OF HUMAN SERVICES KA 'OIHANA MĀLAMA LAWELAWE KANAKA Office of the Director P. O. Box 339 Honolulu, Hawaii 96809-0339

February 8, 2023

TO: The Honorable Representative Della Au Belatti, Chair House Committee on Health & Homelessness

The Honorable Representative John M. Mizuno, Chair House Committee on Human Services

FROM: Cathy Betts, Director

SUBJECT: HB 1491 – RELATING TO INSPECTIONS.

Hearing: Friday, February 10, 2023, 8:30 a.m. Conference Room 329 & Videoconferencing, State Capitol

DEPARTMENT'S POSITION: The Department of Human Services (DHS) provides comments and defers to the Department of Health.

PURPOSE: The purpose of the bill requires the Department of Health to limit unannounced inspections to investigate complaints pertaining to client or patient abuse or lifeor health-threatening danger at certain care facilities. Establishes requirements for complaints. Requires relicensing inspections to be scheduled.

As drafted, the passage of this bill places requirements upon complainants for the complaint to be actionable by the Department of Health (DOH), the Department of Human Services (DHS), or its designated inspection contractors, including requiring complainants to identify themselves.

This requirement conflicts with existing law that protects the complainant's identity. Per section 346-225, Hawaii Revised Statutes, reports made to DHS shall be confidential, including the reporting person's identity. Additionally, all records of the report and any person who makes an unauthorized disclosure of a report or records of a report shall be guilty of a misdemeanor.

DHS does not disclose the complainant's identity when cross-reporting to DOH; therefore, the passage of this bill would prevent DOH from investigating reports from DHS. The concern also includes DOH's inability to investigate reports that do not meet these requirements, such as anonymous or third-hand reports. This may result in DOH making reports to DHS that may not meet the criteria for DHS to investigate, resulting in no action and leaving some adults at risk of harm or continuing harm.

Thank you for the opportunity to provide comments on this measure.

<u>HB-1491</u>

Submitted on: 2/8/2023 1:08:06 PM Testimony for HLT on 2/10/2023 8:30:00 AM

Submitted By	Organization	Testifier Position	Testify		
Rosemarie S. Sebastian	ILWU Local 1000	Support	In Person		

Comments:

Hello.

I am writing to you to ask for your support for the licensed home operators in Hawaii. We are health care contractors for the State of Hawaii. We care for the impoverished and the medicaid benefit recipients--who are unable to care for themselves. We provide for their housing, meals and snacks, daily needs, 24/7; 365 days/year supervision, and in some cases, medical care to doctors appointments & to provide transportations, and medicine monitoring.

I support this Bill 1491. Safety of our patients is always a top priority for our care home and I'm sure other care homes do as well. However, just like any other industry, there'll always be a few bad apples out there but all other caregivers should not be defined by other people's bad actions because it's unfair. So I understand, there are complaints reported that are valid, but there are also complaints that aren't true. In our industry, there are envious and meanspirited people around us that are actually capable of causing damage to a caregiver so when DOH-OHCA should receive such complaints against a caregiver, DOH should do their due diligence to do their Fact Finding. It's important to know who the camplainant's identity and to ensure credibility of the complain before DOH takes agressive action againts any caregiver. Also, when it comes to Inspections for Annual Relicensing, DOH-OHCA should give caregivers a specific date and time to visit our homes and/or give us a specific week of the month to do inspection. Why this way is more sensible and productive for all concern? Because, right now, Caregivers block the entire month--just waiting for the relicensing appointment to take place--while we push back scheduling important doctor's appointments for our patients. to benefit everyone, I'm sure, there's a better way to do Annual Inspection from how it's being done today.

Your kind support/vote on this Bill would be greatly appreciated.

Sincerely yours,

Rosemarie S. Sebastian, Treasurer

ILWU LOCAL 1000

99-079 Kauhale St., #101, Aiea, HI 96701

ILWU Local 1000

99-079 Kauhale Street, Aiea HI 96701

January 25, 2023

Honorable Chair, Rep. Della Au Belatti Honorable Vice-Chair, Rep. Jenna Takenouchi

and

Health and Homelessness Committee Members:

Rep. Terez Amato; Rep. Greggor Ilagan; Rep. Bertrand Kobayashi; Rep. John Mizuno; Rep. Scott Nishimoto; Rep. Diamond Garcia

Re: Support for Bill(s) HB1309, HB1489/HB1357; HB1490/HB1356; HB1491; HB1488; HB 1308

Aloha! We are writing to you today to support House Bill(s) which supports fairness for licensed home operators/providers in Hawaii. Licensed home operators/providers give daily care for the most vulnerable population in our State, the medicaid benefit recipient clients. We provide medicaid clients with their essential daily needs, as well as comfort, companionship, and supervision.

Licensed home providers have received no significant pay increases for medicaid recipient clients under our care for fourteen years (2008-2022). We are seeking fair compensation for those years and the years going forward. We are also seeking reimbursement for Covid-19 related expenses for ARCH and DDD licensed home operators/providers. Also, we seek the reinstatement of State funded "Respite Care" so that licensed home operators/providers could rest and recuperate for one week per year. Investment by the State in the improved compensation and fair treatment for our licensed home operators/providers will draw more interest in this profession and result in more new home operators/providers which will relieve some stress on hospital ER usage and reduce homelessness.

Licensed home providers are subject to unannounced inspections which could be any time of the day or night, and last for hours at a time. These unannounced inspections are very disruptive to our home environment and create tension and anxiety for home providers and clients/patients. Unannounced inspections should be limited to credible complaints of health or safety.

Licensed home providers (and our household family members) are also burdened with annual fingerprinting which is costly, inconvenient, and unnecessarily repetitive. Fingerprinting should be limited to initial licensing.

On behalf of our members, we, the executive board of ILWU Local 1000, ask for your support of the aforementioned Bills that promote fair treatment and compensation for all licensed home operators/providers in Hawaii.

Susan Quinabo Helen Sapla

President

1st Vice President

Esther Pascual 2nd Vice President

Rosemarie Sebastian Joenalyn Solmerin Treasurer Secretary

Delia Cabingabang Trustee

Maria Corazon Cariaga Trustee

Levy Vargas Trustee

Juanita Ulep Trustee

Marylin Villar Trustee



ILWU Local 1000 represents licensed Community Care Foster Family Home (CCFFH) operators, Adult Residential Care Home Operators, Expanded ARCH operators, Developmentally Disabled Domiciliary Home operators,

RE: SUPPORT FOR BILL(S) HB 1309, HE MAIS/112 1357, HB 1490/HB1356, HB1491, HB 1438/HB 1358 & MD 1308

TO: HEALTH & HOMELEISINGSS (FR.T.) COMPARTURE

Dear Chair Della Au-Belatti, Vice-Chair Jenna Takenouchi, Rep. Terez Amato, Rep. Greggor Ilagan, Rep. Bertrand Kobayashi, Rep. John M. Mizuno, Rep. Scott Y. Nishimoto and Rep. Diamond Correlat

Hello:

I am writing to you to ask for your support for the licensed home operators in Hawaii. We are health nore contractors for the State of Hawaii. We care for the impoverished and the Medicaid benefit recipients—who are unable to care for themselves. We provide for their housing, meals and snacks, daily needs, 27/7, 365 days/year supervision, and in some cases, medical care where we provide transportations and also provide daily medicine monitoring.

Inflation in costs to provide and care for and feed our clients/patients has skyrocketed but we have received NO significant increase in payments from the State in fourteen of the last 15 years.

We, licensed caregivers, also are burdened with over-regulation in the form of unannounced inspections of our horses and yearly fingerprinting of all our family household members—including substitute/volunteer caregivers—even disabled family member—who's in a wheel chair is required to do so.

The State has also eliminated benefits to licensed home operators like respite care time and continuing education/bolaing.

Your kind support/vote for the streammentationed bills would be greatly appreciated.

Sincerely yours,

Name: duanita d. Colla Address: 28/7 X/2

Date: February 08, 2023

1-20 02- 152-6

RE: SUPPORT FOR BILL(S) NB 1209, AB 1309/AB 1357, AB 1490/HB1355, HB1491, HB 1438/HB 1358 & HD 1205

TO: HEALTH & HOMELESSNESS (HET) DEPORTUDE

Dear Chair Della Au-Belatti, Vice-Chair Jenna Takenouchi, Rep. Terez Amato, Rep. Greggor Ilagan, Rep. Bertrand Kobayashi, Rep. John M. Mizuno, Rep. Scott Y. Nishimoto and Rep. Diamond Gardia:

Hello:

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The State has also aliminated benefits to Pranced before operators like respite care time and continuing education (training)

Your kind support/vote for the atcrementioned bills would be greatly appreciated.

Sincerely yours,

Name: Gloria Ricto Address: 2574 Litimi St. Hom. William

Date: February (8, 2023)

RE: SUPPORT FOR BILL(S) HB 1309, HR 1/229/HB 1357, HE 1490/HB1356. HB1491, HB 1486/HB 1358 & HB 1305

TO: HEALTH & HOMELESSNESS (HLT) CARACTETEE

Dear Chair Delia Au-Belatti, Vice-Chair Jonna Takenouchi, Rop. Terez Amato, Rep. Greggor Ilagan, Rep. Bertrand Kobayashi, Rop. John M. Mizuno, Rep. Scott Y. Nishimoto and Rep. Diamond Garcia:

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Your kind support/vote for the aforementation bills would be greatly appreciated.

Sincerely yours,

Cionsta Salvado. Name: Address: 15 3 Ata Tolumi Marco Hom. He GERER

RE: SUPPORT FOR BILL(S) HB 1309, HB 1489/HB 1357, HB 1490/HB1356, HB1491, HB 1488/HB 1358 & HB 1806

TO: HEALTH & NOAMELESSINESS (HET) - COMPANY RE

Dear Chair Deila Au-Belatti, Vice-Chair Jenne Takenouchi, Rep. Terez Amato, Rep. Greggor Ilagan, Rep. Bertrand Kobayashi, Rep. John M. Mizuno, Rep. Scott Y. Nishimoto and Rep. Diamond Garcia:

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The State has also eliminated banefus to Deanued home operators like respite care time and continuing education/balabas.

Your kind support/vote for the elementationed bills would be greatly appreciated.

Sincerely yours,

Name: Eusebia Address: 99-603 Date: February 08, 2023

RE: SUPPORT FOR BILL(S) HB 1300, HB 1499/48 1357, HB 1490/HB1356, HB1491, HB 1488/HB 1457 & HB 1495

TO: HEALTH & HONGELESSINGSS (HET) ROMARDITED

Dear Chair Della Au-Belath, Vice-Chastlenne (Eikenmicht, Rep. Terez Amato, Rep. Greggor Ilagan, Rep. Bertrand Kobayashi, Rep. John M. Mizuno, Rep. Scott Y. Nishimoto and Rep. Diamond Garcia: 36

Hello:

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Your kind support/vote for the storementance bills would be greatly appreciated.

Sincerely yours,

Name: MARCELO IBEAG Address: 99-603 ACTE PARTS **and the second s**

<u>RE: SUPPORT FOR BILL(S) HIS 1309, HIS 1430/116 1357, HE 1490/HB1356,</u> HB1491, HE 1488/HE 1358 3, HE 1204

TO: MEALTH & HOMELESSINESS (HUT) CONTRACTING

Dear Chair Della Au-Belatti, Vice-Couli Janua Viskanouchi, Rep. Terez Amato, Rep. Greggor Ilagan, Rep. Bertrand Kobayashi, Rep. John M. Wizuno, Rep. Scott Y. Nishimoto and Rep. Diamond Garcia:

Hello:

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The State has also eliminated benefits to ilegand home operators like respire care time and continuing encontion/smining.

Your kind support/vote for the aforementioned bills would be greatly appreciated.

Sincerely yours,

Name: Estruct & Address: 1802 Wahite Homotarker

RE: SUPPORT FOR BILL(S), HE 1309, HE 1302/MB 1357, HB 1490/HB1356, HB1491, MB 1488/MB 1288 & HE 1398

TO: HEALTH & HOIMELESSNESS (FILT) COMMITTEE

Dear Chair Della Au-Belatti, Vice-Chair Jenna Takenouchi, Rep. Terez Amato, Rep. Greggor Hagan, Rep. Bertrand Koboyashi, Rep. John M. Mizuno, Rep. Scott V. Nishimoto and Rep. Planooud Forder.

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Sincerely yours,

Name: OFELIA G STREEDOM SO Address: 24-106 KAUPE RUNDE

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RE: SUPPORT FOR BILL(S) MD 13400, MR 1355 (115-1357, MR 1490/HB1356, HB1491, HB 1468/MB 1358 & HB 1369

TO: HEALTH & HOMELESSNESS (HET) COMPATINE

Dear Chair Dolla Au-Belatti, Vice-Chair Jenne Takenouchi, Rep. Terez Amato, Rep. Greggor Ilagan, Rep. Bertrand Kobayashi, Rep. John M. Milano, Rep. Scott Y. Nishimoto and Rep. Diamond Garder.

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Sincerely yours,

Name: Address:

Date: February Ob. 2028

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Re: Guagest for Selfal BE1202, FESSERERALMY, MET STORATION, MELGEL: SELECTION AND SELECT

Dear RepuBar. Della Au Bekitti- Chair James Take nouchi (Kee Chair TAmata G. Jagan B. Kobayashi J. Mizuno S. Nichinarta D. Garcia Hello. Lem writing to you to tak for your support for the transed homo operators in Homed. We are health care contractors for the State of Haussi We care for the impowedshed and the medicaid benefit recipients who are unable to care for themselves. We provide for their housing, meads and anacks, deliv meeds, supervision, and in some cases, medical care.

Infision in costs to care for and land our classification has skyrockaled but we have received no significant increase in payments from the State in Jourison of the last 15 years.

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The State has also eliminated installing to tomesol home operators the models care time and continuing encontentinging.

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Sincerely yours,

Arrenie Lagrage (1720) 920 Puku (1, HiloHIT? (1720) 000 2/8/23

Der Rop. Men Della Au Beleffer chain Janna Tabanauchi Vice Chair FAmete G. Dispus B. Sola which Mizuno S. Nighimoto Di Garcia Hello. I am writing to you to set, for provide support of the formed hume operators in Hewell. We are headsh care outstandare distance using at the second with the term for the impowerished and the medicald bane/it recipients who are enable to core for themselves. We provide for their housing, means and another delly crusts, supervision, and in some cases, medical cars.

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Ro: Support for Willoi HE1309, HE1499/HE1357, HE1490/HB1346, HE1491; HB1499/HB1359; HE 1308

Dear Rep. Sen. <u>Della Au Belaffi- Choir</u> Jenna Take nouchi Uice Choir TA mate G. Ilagan B. Kobayashi J. Mizuno S. Nichimoto D Garcia Hello. I am writing to you to ask for your support for the licensed home operators in Hawall. We are health care contractors for the State of Hawall. We care for the impovertand and the medicald benefit recipients who are unable to care for themselves. We provide for their housing, meals and anacks, delly needs, supervision, and in some cases, medical care.

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We licensed caregivers also are burdened with over-regulation in the form of unannounced inspections of our homes and yearly fingerprinting of all our family household members.

The State has elso eliminated benefits to licensed home operators like respite care time and continuing education/training.

Please show your support and vote for the oforementioned bills.

Sincerely yours.

<u>Frankto Tedes</u> (Norma) 15-27/16 Manini St. pel (astron) Domo 2/8/23

Re. Support for Filler Hulton, phession 4754757, HULLONGOR 1366, Hulten, H

Dear Rep. Sem. Dello An Brocht - chair Janna Taka noucht (Kee Chair TA mate G. Bitgers B. Kobaye Still - Mrzune Schiffingets D. Gercia Hand cam writing to you to about a your support of the transod home operators in Hawall. We are health care contractors for the State of Hawas. We care for the impoveriated and the medicale bandit recipients who also usable to care for themselves. We provide for their hous an impala and shacks dairy bands, supervisited, and in some cases, medical care.

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Please provident support to the of the offension reduced bills

Smoorely yours.

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Charles A. H. H. D. C. 1985

 Re. Support for Bill(s) HB1309, HB1489/HB1357, HB1490/HB1366, HB1491; HB1499/HB1358; HB 1308

Dear Rep. Son. Della Au Belatti - chair Janna Take nauchi Uice Chair T. A mato G. Ilagan B. Kobayashi J. Mizuno S. Nichimoto D. Ga Hello. I am writing to you to ask for your support for the licensed home operators in Hawali. We are health care contractors for the State of Hawaii. We care for the impoverished and the medicaid benefit recipients who are unable to care for themselves. We provide for their housing, meals and snacks, daily needs, supervision, and in some cases, medical care.

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Please show your support and yoth for the aforementioned bills.

Sincerely yours,

Phyllis Shindo Djor (Name)

Hilu, Hawine 1562 Lanihan Pl. (Address) Date 02/08/2023

în a

Re: Support for Bill(a) HB1309, HB1489/HB1357, HB1490/HB1356, HB1491; HB1466/HB1356; HB 1306

Dear Rep. 15en. Della An Belatti, Chair, Jenna Takenonchi, vice chair and committee hember

Hello. I am writing to you to ask for your support for the licensed home operators in Hawali. We are liealth care contractors for the State of Hawali. We care for the impoverished and the medicaid benefit recipients who are unable to care for themselves. We provide for their housing, meals and snacks, daily needs, supervision, and in some cases, medical care.

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Please show your support and vote for the aforementioned bills.

Sincerely yours.

IMELDA J. PACRISIName) 124 W.KINAH PLA-CE HILO, HI. 96720 (Address) Date 2/8/23

Re: Support for Bille) HB1309, HB1489/HB1357, HB1490/HB1356, HB1491; HB1488/HB1358; HB 1308

Dear Rep. 15m. Della Au Belatti, Chair Jenna Takenouchi, vice chair a rel Compattee Members

Hello. I am writing to you to ask for your support for the licensed home operators in Hawaii. We are health care contractors for the State of Hawaii. We care for the impoverished and the medicaid benefit recipients who are unable to care for themselves. We provide for their housing, meals and snacks, daily needs, supervision, and in some cases, medical care.

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Sincerely yours.

EDWIN C. PAERIS SR. 124 W. KINAI PLACE HILO HI. 96700 (Address) 210/200 Date

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1562 Lanihan Pl (hadress) 1562 Lanihan Pl (hadress) Data 02/08/2023

RE: SUPPORT FOR BILL(S) HB 1309, HB 1489/HB 1357, HB 1490/HB1356, HB1491, HB 1488/HB 1358 & HB 1308

TO: HEALTH & HOMELESSNESS (HLT) COMMITTEE

Dear Chair Della Au-Belatti, Vice-Chair Jenna Takenouchi, Rep. Terez Amato, Rep. Greggor Ilagan, Rep. Bertrand Kobayashi, Rep. John M. Mizuno, Rep. Scott Y. Nishimoto and Rep. Diamond Garcia:

Hello:

I am writing to you to ask for your support for the licensed home operators in Hawaii. We are health care contractors for the State of Hawaii. We care for the impoverished and the Medicaid benefit recipients—who are unable to care for themselves. We provide for their housing, meals and snacks, daily needs, 27/7, 365 days/year supervision, and in some cases, medical care where we provide transportations and also provide daily medicine monitoring.

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The State has also eliminated benefits to licensed home operators like respite care time and continuing education/training.

Your kind support/vote for the aforementioned bills would be greatly appreciated.

Sincerely yours,

Name: KNAIM Address: MO

Date: February 08, 2023

<u>RE: SUPPORT FOR BILL(S) HB 1309, HB 1489/HB 1357, HB 1490/HB1356,</u> HB1491, HB 1488/HB 1358 & HB 1308

TO: HEALTH & HOMELESSNESS (HLT) COMMITTEE

Dear Chair Della Au-Belatti, Vice-Chair Jenna Takenouchi, Rep. Terez Amato, Rep. Greggor Ilagan, Rep. Bertrand Kobayashi, Rep. John M. Mizuno, Rep. Scott Y. Nishimoto and Rep. Diamond Garcia:

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Your kind support/vote for the aforementioned bills would be greatly appreciated.

Sincerely yours,

Name: Lania amoro Address: 1497 QLe deleusst Bonolula 210

Re: Support for Bullist HB1309, HB1489(HB1357, HB1490/HB1356, HB1491, HB1488/HB1356, HB 1308

Dear Rey - Della Au Belatti, Chair and Rep Jenna Takenouch: Vice

Hello. I am writing to you to ask for your support for the licensed home operators in Hawai. We are health due contractors for the State of Hawaii. We due for the impoverished and the medicaid benefit requests who are unable to dark for themselves. We provide for their housing medic and snacks, daily needs, suppression, and in some cases, medical care.

Inflation in costs to care for and best our clusing pairons has skylicicleted but we have received no significant increase in payments from the State to fourteen of the last. Is years

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The State has also elaminated benefits to be use operators like respile care time and continuing excessions/framing

Please show your support and role for the aforementations bills

Sincerely yours

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RE: SUPPORT FOR BILL(S) HB 1309, HB 1489/HB 1357, HB 1490/HB1356, HB1491, HB 1438/HB 1358 & HB 1308

TO: HEALTH & HOMELESSNESS (HLT) CONTWITTEE

Dear Chair Della Au-Belatti, Vice-Chair Jenna Takenouchi, Rep. Terez Amato, Rep. Greggor Ilagan, Rep. Bertrand Kobayashi, Rep. John M. Mizuno, Rep. Scott Y. Nishimoto and Rep. Diamond Garcia:

Hello:

I am writing to you to ask for your support for the licensed home operators in Hawaii. We are health care community for the State of Hawaii. We care for the impoverished and the Medicaid benefit recipients—who are unable to care for themselves. We provide for their housing, meals and snacks, daily needs, 27/7, 365 days/year supervision, and in some cases, medical care where we provide transportations and also provide daily medicine monitoring.

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The State has also aliminated bandhis to livensed home operators like respite care time and continuing education/teching.

Your kind support/vote for the afterententioned bills would be greatly appreciated.

Sincerely yours,

Name: Ref 9 13 Address: 744 A 2200 Articles Hermilialia, Hi Galeria

RE: SUPPORT FOR BILL(S) HD 1300 FIB 12837/HB 1357, HB 1490/HB1356, HB1491, HB 1488/HB 1358 8, HB 1868

TO: MEALTH & HOMELASSINGS (HLL) COMPATIVES

Dear Chair Delia Au-Belatzi, Vice-Chair Jenna Takenouchi, Rep. Terez Amato, Rep. Greggor Ilagan, Rep. Bertrand Kobayashi, Rep. John M. Mizuno, Rep. Scott Y. Nishimoto and Rep. Diamond Gardia:

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The State has also eliminated benefits to ficenced home operators like respite care time and continuing education its hubbs

Your kind support/vote for the aforementioned bills would be greatly appreciated.

Sincerely yours,

Name: <u>Resalinda</u> William Address: <u>3410</u> allanami Hon. HI 96818

RE: SUPPORT FOR BILL(S) ME 1309, HB 1489/MB 1357, HB 1490/HB1356, HB1491, HB 1488/MB 1358 & HB 1308

TO: HEALTH & HOMELESSNESS (HET) CONSISTING

Dear Chair Della Au-Belatti, Vice-Chair Janna Takenouchi, Rep. Terez Amato, Rep. Greggor Ilagan, Rep. Bertrand Kobayashi, Rep. John M. Mizuno, Rep. Scott Y. Nishimoto and Rep. Diamond Saucha:

Hello:

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Your kind support/vote for the aformmentation of bills would be greatly appreciated.

Sincerely yours,

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Address	94-11	and the second sec							
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Re: Success for Easter MEANOR of Grand Control Man Participans, MEACON, HEACONMERSED, ME 1903

Dear Ropigers. Della Am Belath, Chair Tenna Takenonchi, vice Chair and committee dealast

Hello. I and writing to you is sold for your engines for the teaneed home operators in Hewali. We are iteatify done connected on the dear or the result date core for the impovenished and the medicald banafit recipients who has unable to care for themselves. We provide for their housing, making and shells date is the result and to care and in some cases, medical care.

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Dear Republik Della And Melathi, Chair Stenna Takenouchi, Vice Chair and Commissifier Municipi

Hello. I am writing to you to act for your togase, for the licensed home operators in Hawali. We are iteratin care contracters a conclusive to focus on the sale for the improverished and the medicaid bonest resipilants who reacted to and for themselves. We provide for their housing, made and medicaid and the contracted of the restational and in some cases, medicai care.

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<u>RE: SUPPORT FOR BILL(S) HB 1309, HB 1499/HB 1357, HB 1490/HB1356,</u> HB1491, HB 1488/HB 1358 & HB 1308

TO: HEALTH & HOMELESSNESS (HL) COMMITTEE

Dear Chair Deila Au-Belatti, Vice-Chair Janua Takenouchi, Rep. Terez Amato, Rep. Greggor Ilagan, Rep. Bertrand Kobayashi, Rep. John M. Mizuno, Rep. Scott Y. Nishimoto and Rep. Diamond Gamia:

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Your kind support/vote terrate atomamentaned bills would be greatly appreciated.

Sincerely yours,

Name: Address:

Date: February 08, 2023

RE: SUPPORT FOR BILL(S) MA 1300 HE 1319/HB 1357, HB 1490/HB1356, HB1491, HB 1458/HB 1358 & HB 1356

TO: HEALTH & NOMELESSNESS (1937) COMMITTEE

Dear Chair Della Au-Beletti, Vice-Chair Jenha Takenouchi, Rep. Terez Amato, Rep. Greggor Ilagan, Rep. Bertrand Kobayaski: Rep. John M. Mizuno, Rep. Scott Y. Nishimato and Rep. Discrete Foreign.

Hello:

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The State has also eliminated basedte to obeused home operators like respite care time and coordinates writesited. Sockers:

Your kind support/votes the deal attended, stoned bills would be greatly appreciated.

Sincerely (sound,

Name: 4 Address: 1497 (1 lenelas (s.

Date: Fabroary 08. 260.

Re: Summont for Bides) HE1309, HE1309, HE1328 HE1369, HE1336, HE1366, HE1336, HE1366, HE1366,

Dear Min - Della Autzehitti Church and Rep. Jenna Takenouch: Vice

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Sincerely years

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RE: SUPPORT FOR BILLIOL FR 1306 MB 1409/HB 1357, HB 1490/HB1356, HB1491, MB 1438/HB 1358 & HB 2008

TO: NEALING & MORAELESSINGSS (THESE STANDARTIES

Dear Chair Della Au-Belatti, Vice-Chair Joana Takenouchi, Rep. Terez Amato, Rep. Greggor Ilagan, Rep. Bertrand Kobeyester, Rep. John M. Mizuno, Rep. Scott Y. Nishimoto and Rep. Observed Baseles

Hello:

I am writing to you to ask for you, support for the licensed home operators in Hawall. We are ficulting to compute the the State of Hawall. We care for the Impoverished and the Macheniel Complexity and in State of Hawall. We care for themselves. We provide for their terrated meals and shacks, daily needs, 27/7, 365 days/year supervision, and to come genes, medical care where we provide transportations and also provide daily rectilizing monitoring.

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The State has also also also also also also don't offerenad house operators like teopite care time and contineers a test bit offere that.

Your kind support/vote and the of a set of baned bills would be greatly appreciated

Sincerely yours,

Name: Read Midt Address: 244 Home Internet

Date: February 08, 2011

<u>RE: SUPPONT FOR SHILL CONTENTS IN 1996 1357, HO 1499/HB1356.</u> HB1491. HE 1498/NB 1 9/401 HA 1991

The Bandon & Editaria Press and the Charles

Dear Chair Calls Ast-Bernsteinsteinsteins Astein Takenouchi, Rep. Terez Amato, Rep. Greggor Ragan, Rep. Bernsteins Kolesseshill inter John M. Mizuno, Rep. Scott Y. Nishimota and Rep. Distance Cards.

Hello:

Lam writing to you to add for your on provide the licensed home operators in Hawali. Mission Modified on the two rests of the State of Sawaii. We care for the impoverished and the Mertic Address of the Advants—who are unable to care for themselves. We provide not their constraint creals and snacks, daily needs, 27/7, 365 days/year supervision and social dates, medical care where we provide transportations and also provide not dates and social care where we provide transportations and also provide not dates and monitoring.

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The State has also ethnicated been haity discussed house operators like respite care time ordinactively to a cellulation of

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Sincerely yours,

Name Address: An Ar and the

Date: February 08, 202 x

RE: SUPPORT FOR BILLIS) AS A RECEIPTING (1999) 1357, NO 1490/MB1356, HB1491, MB 1989/MB 1358 A RECEIPT

TO: HEALTH & HOWERBESHS IN THE STREET

Dear Chair Dotto Au-Belatti, totor Chan Lines Schenouchi, Rep. Torez Amato, Rep. Greggor Ilagan, Rep. Bertrand Kobevashi, M.: John M. Mizuno, Rep. Scott Y. Nishimoto and Rep. Flament-Schenzer

Hello:

I am writing to you to ask for replaced participation in the licenses home operators in Hawaii. We see health care determinants for the State of Hawaii. We care for the impoverished and the Mode de control of the backs—who are unable to care for themselves. We provide for state intervely, werks and snacks, daily needs, 27/7, 365 days/year paparvision. Any letioned date a control medical care where we provide transportations and bloc provide for state in the state of the monitoring.

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The State has a broad ministration contribution of the and horger spectres like resplice care time and mandmaking a second software like.

Your kind support/vote for the elementation of bills would be greatly appreciated.

Sincerely yours,

Name: DELTA D. CARDA DAGAS

Date: February OR, 2023

Submitted on: 2/8/2023 7:08:56 PM Testimony for HLT on 2/10/2023 8:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Maria Corazon E. Cariaga	Big Island Adult foster home operators	Support	Written Testimony Only

Comments:

Good morning, on behalf of the Big Island Adult Home Operators, I don't agree with unannounced visits at all. Especially with the recertification or re licensing unannounced visit to these categories won't help the caregivers in rendering the care of our clients. It gives more stress to the caregivers waiting for the person to come and perform the recertification or re licensing I thank you for allowing to support.

HOUSE OF REPRESENTATIVES THE THIRTY-SECOND LEGISLATURE REGULAR SESSION OF 2023

COMMITTEE ON HEALTH & HOMELESSNESS Rep. Della Au Belatti, Chair

Rep. Jenna Takenouchi, Vice Chair

Rep. Terez Amato Rep. Greggor Ilagan Rep. Bertrand Kobayashi

Rep. John M. Mizuno Rep. Scott Y. Nishimoto Rep. Diamond Garcia

COMMITTEE ON HUMAN SERVICES

Rep. John M. Mizuno, Chair Rep. Terez Amato, Vice Chair

Rep. Della Au Belatti	Rep. Jenna Takenouchi
Rep. Greggor Ilagan	Rep. Scott Y. Nishimoto
Rep. Bertrand Kobayashi	Rep. Diamond Garcia

AMENDED NOTICE OF HEARING

DATE: TIME: PLACE:

Friday, February 10, 2023 8:30 AM VIA VIDEOCONFERENCE Conference Room 329 State Capitol 415 South Beretania Street

In Opposition HB1491

Good morning, Chairs Au Belatti and Mizuno, and Vice Chairs Takenouchi and Amato

My name is John G. McDermott, and I am the State Long-Term Care Ombudsman.

I am here today to testify in strong opposition to HB1491. This is a terrible bill which will undo all the safeguards we have worked on over many years to protect our most vulnerable kupuna living in a long-term care setting.

Requiring the Department of Health to *"schedule a date and time agreeable to the licensed home provider"* is outrageous. Inspectors will never find anything wrong if they must inform caregivers when they are coming AND at the caregiver's convenience. This is shameful.

Line 19: the department "*shall limit unannounced inspections*....."? Why would the Legislature propose that?

Line 3: "Complainants shall be required to identify themselves ... in writing, have a credible basis ... for the complaint to be actionable..." This bill makes it more difficult for the public to complain about abuse they have seen or suspect. Why would the Legislature do that? Folks are already afraid of retaliation. We should be grateful the public is willing to do the right thing, speak up, see something ... say something.

Mahalo for this opportunity to testify.

HB-1491 Submitted on: 2/8/2023 6:17:14 PM Testimony for HLT on 2/10/2023 8:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Jonathan Hanks	ILWU Local 1000	Support	Written Testimony Only

Comments:

Aloha Chair Mizuno, Chair Della Au Bellatti, Vice Chair Terez Amato, Vice chair Jenna Tokenouchi and committee members.

I am writing to you to ask for your support for the licensed Carehome operators in Hawaii. We are the health care contractors for the state of Hawaii. We care for the impoverished and the medicaid benefit recipients, who are unable to care for themselves. we provide for their housing, meals, snacks, daily needs, supervision, and in some cases medical care.

Inflation in costs to care for and feed our clients has *Skyrocketed*, but we have received no significant increase in pay in fourteen of the last 15 years.

We, licensed caregivers are also burdened with over-regulation in the form of unannounced inspections of our homes and yearly fingerprinting of all of our household members.

The state has also eliminated benefits to licensed home opperators like respite care time and continuing education/training.

Please Show your support and vote for this bill.

I strongly Support HB1491.

Mahalo,

Jonathan Hanks

Submitted on: 2/8/2023 6:17:47 PM Testimony for HLT on 2/10/2023 8:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Juanita	Local 1000 ILWU	Support	Written Testimony Only

Comments:

Chair Rep. John Mizuno

Chair Rep. Della Au-Belatti

Members of the Committee

Legislature 2023

I am in support of HB1491 relating to unannounced inspection.

My name is Juanita Ulep, type 1 ARCH community-based health home provider for thirty-eight (38) years.

Unannounced inspection is an added stress for caregivers. It is hard to focus on what you are doing if you are anticipating someone coming who you don't know when. Waiting every day for the whole month is hard, you cannot even make plans. Why not go back when you are given notice for a certain day or week of the month?

Chair, Vice Chair, and members of the committee please support this bill.

Thank you.

JUANITA A. ULEP

Local 1000 ILWU

Trustee

Submitted on: 2/9/2023 5:35:37 AM Testimony for HLT on 2/10/2023 8:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Wilfred Ashley chang	ILWU International	Support	Written Testimony Only

Comments:

Aloha, we stand in support of HB1491 as it addresses scheduling concerns for all licensed home operators in Hawaii. While we understand inspections are necessary and warranted, in truth it can also create hardships and in some cases affect quality of care. We feel HB1491 if passed could bring back normality to the demanding rigors of care giving.

Respectfully,

Wilfred Chang

ILWU International Representative Hawaii

Submitted on: 2/9/2023 8:01:13 AM Testimony for HLT on 2/10/2023 8:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Mathew Yamamoto	ILWU	Support	In Person

Comments:

Honorable Chair Belatti,

Honorable Vice Chair Takenouchi,

Committee members,

Aloha! Please support this bill to help licensed home operators and their clients live with less anxiety and disruption. Unannounced inspections can and do happen at any hours of the day or night. Inspections cover all aspects of a home, including all bedrooms, storage areas, doors, windows, refrigerators, bathrooms etc. These inspections last hours.

License Renewal (or Re-licensing) inspections are also unscheduled which creates high anxiety for weeks at a time. License Renewal inspections last up to seven hours and are exhaustive. If such License renewal inspections take a whole day, they should be easy to schedule. Both patient/clients and home operators suffer due to these unannounced inspections. elp more people.

I am attaching the group testimony for the Executive Board Members of ILWU Local 1000.

Mahalo for your time and support.

Respectfully submitted,

Mathew Yamamoto

ILWU

HB-1491 Submitted on: 2/6/2023 2:37:55 PM Testimony for HLT on 2/10/2023 8:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Victor K. Ramos	Individual	Support	Written Testimony Only

Comments:

SUPPORT

Submitted on: 2/9/2023 9:22:47 AM Testimony for HLT on 2/10/2023 8:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Karen Irie	Individual	Support	Written Testimony Only

Comments:

I Support Bills: HB1309: HB1489/1357: HB1490/HB1356: HB1491: HB1488/HB1358: HB1308

The aforementioned bills warrant strong support as they encourage contracted licensed home operators/providers reasons to continue their viable profession. It will also promote new licensed home operators/providers to fill a critical need.

LATE *Testimony submitted late may not be considered by the Committee for decision making purposes.

JOSH GREEN, M.D. GOVERNOR OF HAWAI'I KE KIA'ĀINA O KA MOKU'ĀINA 'O HAWAI'I

KENNETH FINK, MD, MGA, MPH DIRECTOR OF HEALTH KA LUNA HO'OKELE



CAROLINE CADIRAO DIRECTOR

> Telephone (808) 586-0100

Fax (808) 586-0185

STATE OF HAWAII DEPARTMENT OF HEALTH KA 'OIHANA OLAKINO EXECUTIVE OFFICE ON AGING NO. 1 CAPITOL DISTRICT 250 SOUTH HOTEL STREET, SUITE 406 HONOLULU, HAWAII 96813-2831

Testimony in OPPOSITION to HB 1491 Relating to Inspections

COMMITTEE ON HEALTH AND HOMELESSNESS REPRESENTATIVE DELLA AU BELATTI, CHAIR REPRESENTATIVE JENNA TAKENOUCHI, VICE CHAIR

Testimony of Caroline Cadirao Director, Executive Office on Aging Attached Agency to the Department of Health

Hearing Date: February 10, 2023 8:30 AM Room Number:329 Via Videoconference

EOA's Position: The Executive Office on Aging (EOA), an attached agency to the Department

of Health, opposes this measure.

Purpose and Justification: This bill purpose is requiring the Department of Health to "schedule

a date and time agreeable to the licensed home provider. In addition, it requires complainants

shall identify themselves ... in writing, have a credible basis ... for the complaint to be

actionable.

As an attached agency to the DOH, EOA's values and principles are to ensure kupuna live with

independence, dignity, respect, maintaining good health and preserving their quality of life.

Older adults deserve to feel valued and have meaningful opportunities, free from abuse and

exploitation.

This bill does not uphold EOA's values and principles. This bill places our kupuna in a vulnerable position and will expose them to retaliation.

Recommendation: For the health and welfare of our kupuna and people with disabilities, please do not pass this bill.

Thank you for this opportunity to testify.

LATE *Testimony submitted late may not be considered by the Committee for decision making purposes.

<u>HB-1491</u>

Submitted on: 2/9/2023 8:27:01 PM Testimony for HLT on 2/10/2023 8:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Greg Misakian	Kokua Council	Oppose	Remotely Via Zoom

Comments:

Testimony Submitted in Opposition of HB1491

I strongly oppose HB1491.

I am in agreement with the testimony of John G. McDermott, the State Long-Term Care Ombudsman.

Greg Misakian

2nd Vice President, Kokua Council

House of Representatives Committee on Health and Homelessness Committee on Human Services February 10, 2023 8:30 a.m.

Re: HB 1491, Relating to Inspections

Aloha Chairs Au Belatti and Mizuno, Vice-Chairs Takenouchi and Amato, and Members of the Committees,

I am Lila Mower, president of Kokua Council, one of Hawaii's oldest advocacy groups. We focus on policies and practices which can impact the well-being of seniors and our community. Kokua Council has over 800 members and affiliates in Hawaii.

On behalf of the membership of Kokua Council, I testify in **STRONG OPPOSITION to HB 1491** and concur with the testimonies submitted by the State of Hawaii Department of Health and John McDermott, Hawaii Long Term Care Ombudsman.

Mahalo for the opportunity to testify.

HOUSE OF REPRESENTATIVES THE THIRTY-SECOND LEGISLATURE REGULAR SESSION OF 2023

COMMITTEE ON HEALTH & HOMELESSNESS Rep. Della Au Belatti, Chair Rep. Jenna Takenouchi, Vice Chair

Rep. Terez Amato, Rep. John M. Mizuno, Rep. Greggor Ilagan, Rep. Scott Y. Nishimoto, Rep. Bertrand Kobayashi, and Rep. Diamond Garcia

COMMITTEE ON HUMAN SERVICES Rep. John M. Mizuno, Chair Rep. Terez Amato, Vice Chair

Rep. Della Au Belatti, Rep. Jenna Takenouchi, Rep. Greggor Ilagan, Rep. Scott Y. Nishimoto, Rep. Bertrand Kobayashi, and Rep. Diamond Garcia

In Opposition HB1491

Aloha mai kākou Chairs Au Belatti and Mizuno, and Vice Chairs Takenouchi and Amato, and members of the committee,

My name is Tani Kagesa and I'm a Social Worker with a specialization in gerontology. I testify in strong opposition to this bill HB1491. We must ensure the safety, dignity and guality care for our kūpuna. This bill would require for complaints to be filed through written communication. Many of our vulnerable seniors may be unable to communicate their needs effectively through writing due to various disabilities such as poor eyesight, decreased fine motor skills, Alzheimer's disease or related dementia, etc. It is already a daunting task to make a complaint about the services one is receiving and many are afraid of potential retaliation upon doing so. This bill would also require them to have a "credible basis" such as an "eyewitness account" when filing a complaint. Many times, this is not possible to substantiate upon the initial complaint and requires further investigation. It would be difficult for a senior to find "witnesses" especially in smaller care facilities where the only other people present are the care providers themselves. This bill would cause barriers for kupuna to advocate for themselves and limit their access to getting help, especially if they're in an unsafe situation or environment. We should instead be giving them every aid in making their needs known and meeting them where they are at. Our kūpuna deserve full access to advocate for themselves regardless of their differing abilities as they age. I urge you, please do not pass this bill.

Mahalo a nui for the opportunity to testify, Tani Kagesa, MSW (808) 721-9635

Submitted on: 2/9/2023 8:22:42 PM Testimony for HLT on 2/10/2023 8:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Dale A. Head	Individual	Oppose	Written Testimony Only

Comments:

Aloha: HB1491 was requested by which business constituents? It reads as if it were written by Care Home Operators who flunked unannounced inspections and were fined. This is a really bad Bill, an amazing exercise in 'Consumer Protection'. It is rather like firing all Police Detectives and making 'beat' Officers 'part time' employees with standing instructions to never issue speeding tickets or arrest 'bad guys'. Seriously? Hard to believe this one surfaced. I STRONGLY oppose the Bill due to its obvious intent to enable Care Home Operators to misbehave while laughing about it. That it was even given a Heariing brings into question why, in the past, due process and voting rights Bills are killed. Could it be big donations? Respectfully, Dale Arthur Head. (Sunnymakaha@yahoo.com)

Submitted on: 2/10/2023 1:43:09 AM Testimony for HLT on 2/10/2023 8:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Dawn Smith	Individual	Oppose	Written Testimony Only

Comments:

Even Crime Stoppers allows for anonymous tips. You might as well tell the vulnerable in care homes that their only recourse for mistreatment is to relocate - which most cannot do because they are in care homes because they cannot take care of themselves.

Submitted on: 2/10/2023 7:40:18 AM Testimony for HLT on 2/10/2023 8:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Linda Wakatake	Individual	Oppose	Written Testimony Only

Comments:

I strongly oppose this bill. This bill will make it more difficult for the public to complain about abuse they have seen or suspect. Why would the legislature do that? People are already afraid of retaliation. We should be grateful when the public is willing to do the right thing, speak up, see something and say something.

Thank you for allowing me to testify.

Linda Wakatake

Submitted on: 2/10/2023 8:46:11 AM Testimony for HLT on 2/10/2023 8:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Norma Subia Tagatac	Norma Tagatac Adult Foster Home	Support	Written Testimony Only

Comments:

I support bill to be pass to limit un announced inspections. It's very busy for us caregivers because we are not only caring for our clients but also do all the other things like housekeepers, doing laundries, dietary needs of our clients and also taking them to the doctors a[ppointments and I would like to see that our relincensing be scheduled NOT un announced.

Submitted on: 2/10/2023 9:22:07 AM Testimony for HLT on 2/10/2023 8:30:00 AM

Submitted By	Organization	Testifier Position	Testify
jacqueline gardner	Individual	Oppose	Written Testimony Only

Comments:

this is a **terrible** idea as the care homes are then able to present their home and residents as "peachy keen NO problems here" UNANNOUNCED visits show the truth of how the home is being run, who is available to assist residents and if they are even out of bed