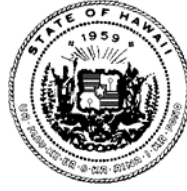


JOSH GREEN, M.D.
GOVERNOR
KE KIA'ĀINA



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 5, 2023

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

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

FROM: Cathy Betts, Director

SUBJECT: [HB 1356](#) - RELATING TO MEDICAID PATIENT CARE.

Hearing: February 7, 2023, 8:45 a.m.
Conference Room 329 & Videoconferencing, State Capitol

DEPARTMENT'S POSITION: The Department of Human Services (DHS) comments on this measure and defers to the Department of Health on relevant parts. DHS respectfully requests that any appropriation not replace or reduce priorities identified in the executive budget and forthcoming Governor's Messages.

PURPOSE: This bill appropriates funds to provide enhanced payments to type I adult residential care homes and developmental disabilities domiciliary homes that are caring for Medicaid patients.

DHS provides comments regarding enhanced payments for adult residential care homes (ARCHs) and Developmental Disability Domiciliary Homes (DD Dom) caring for Medicaid patients. First, we note that DHS does not set the rates nor directly reimburse Developmental Disability Domiciliary Homes. The Department of Health's Developmental Disabilities Division

determines those reimbursement rates and payments. If there is an appropriation, it should be directed to the DOH program.

Second, this measure denotes enhanced payments for Adult Residential Care Homes (ARCH) – Type 1. However, ARCH -Type 1 care homes do not qualify for Medicaid Home and Community Based payments for their residents since, by definition, ARCHs do not provide the level of care for professional health services provided in an intermediate care facility or skilled nursing facility. The latter is a level of care required to qualify for HCBS services. Expanded Adult Residential Care Homes (E-ARCH) residents do provide the required level of care for professional health services provided in an intermediate care facility or skilled nursing facility and, therefore, would qualify for HCBS Medicaid payments.

Act 254, Session Laws of Hawaii 2022 (Act 254), whose purpose is similar to this measure, provided for one-time pandemic payments allocated for nursing facilities, Community Care Foster Family Homes (CCFFHs), and E-ARCHs. However, Act 254 did not include Adult Residential Care Homes (ARCH) as they did not qualify for these Medicaid payments.

Finally, in general, if the Legislature is considering increased payments for DHS Medicaid HCBS community residential settings such as CCFFHs and E-ARCHs, HB 1341 – Relating to Medicaid, does address those provisions.

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



STATE OF HAWAII
STATE COUNCIL
ON DEVELOPMENTAL DISABILITIES
1010 RICHARDS STREET, Room 122
HONOLULU, HAWAII 96813
TELEPHONE: (808) 586-8100 FAX: (808) 586-7543
February 7, 2023

The Honorable Representative John M. Mizuno, Chair
House Committee on Human Services
and
The Honorable Representative Della Au Belatti, Chair
House Committee on Health and Homelessness
The Thirty-Second Legislature
State Capitol
State of Hawai'i
Honolulu, Hawai'i 96813

Dear Representative Mizuno, Representative Belatti, and Committee Members:

SUBJECT: HB1356 Relating to Medicaid Patient Care

The Hawaii State Council on Developmental Disabilities **SUPPORTS HB1356**, which appropriates funds to provide enhanced payments to type 1 adult residential care homes and developmental disabilities domiciliary homes that are caring for Medicaid patients.

In accordance with Chapter 89 of Title 11, Administrative Rules, individuals residing in Developmental Disabilities Domiciliary homes are considered "residents" not patients. We respectfully request the term be corrected within HB1356.

Currently, according to the Department of Health, Office of Health Care Assurance's website there are 40 domiciliary homes and over 500 Type 1 residential care homes in Hawai'i. Covid-19 and recent increases in inflation have hit our local care homes. These homes were a key step in Hawai'i deinstitutionalization movement and allowed individuals with intellectual/developmental disabilities who need care to live in a community-based setting.

Any financial support that can be provided to these homes helps keep our I/DD population closer and more integrated into our communities and helps to improve their quality of life.

Thank you for the opportunity to submit testimony in **strong support of HB1356**.

Sincerely,

Daintry Bartoldus
Executive Administrator

HB-1356

Submitted on: 2/4/2023 4:20:54 PM

Testimony for HUS on 2/7/2023 8:45:00 AM

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

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 housing, meals and snacks, daily needs, supervision (24/7, 365 days/year), and in some cases, medical care & provide transportation and medicine monitoring.

I support Bill 1356 as long as it also includes Covid-19 costs reimbursements to the Type I ARCH and DD DOMS.

Your kind support and vote for Bill 1356 would be greatly appreciated. Thank you!

Sincerely yours,

Rosemarie S. Sebastian, Treasurer

ILWU LOCAL 1000

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

Rep. John M. Mizuno, Chair
House Committee on Human Services
Rep. Della Au Belatti, Chair
House Committee on Health & Homelessness

Tuesday, February 7, 2023, 8:45 am
VIA VIDEOCONFERENCE
Conference Room 329
State Capitol - 415 South Beretania Street
HB1356 Related COVID-19 Reimbursement

Chair John M. Mizuno and members of the Human Services Committee,
Chair Della Au Belatti and members of the Health & Homelessness Committee,

My name is Esther Pascual. I have been a care home operator for over 50 years. I have been the President of the United Group of Home Operators (UGHO) for over 23 years. I am also the Second Vice President of the International Longshore & Warehouse Union (ILWU Local 1000 Home Operators). I agree and support HB1356 that relates to Covid 19 Reimbursement for additional costs related to caring of medical clients during the COVID-19 pandemic to Expanded Adult Residential Care Homes (EARCH Type - I) and to Community Care Foster Family Homes (CCFFH). I additionally request that HB1356 should also apply to Adult Residential Care Homes Type- 1 providers (ARCH Type - I) and The Developmentally Disabled Domiciliary (DDDOM) home providers and thus be eligible to receive these same reimbursements for COVID-19 expenses. We provide the same services so we should receive the same benefits.

I humbly ask for your support of this bill and I thank you for giving me the opportunity to testify to this important bill.

Esther B. Pascual
99-079 Kauhale Street #101
Aiea, HI 96701
(808) 452-4822
jesspascual49@charter.net

=====

A BILL FOR AN ACT

RELATING TO MEDICAID PATIENT CARE.

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

SECTION 1. There is appropriated out of the general revenues of the State of Hawaii the sum of \$ _____ or so much thereof as may be necessary for fiscal year 2023-2024 and the same sum or so much thereof as may be necessary for fiscal year 2024-2025 to provide enhanced payments to providers of state-licensed adult residential care homes (ARCH TYPE-1) and developmentally disabled domiciliary (DDDOM) homes that are caring for medicaid patients, to assist with COVID-related costs and lost revenues; provided that the department of human services shall obtain the maximum amount of federal matching funds available for this expenditure.

The sums appropriated shall be expended by the department of human services for the purposes of this Act.

SECTION 2. This Act shall take effect on July 1, 2023.

INTRODUCED BY: _____

Report Title:

Type I Adult Residential Care Homes; Developmental Disabilities Domiciliary Homes; Medicaid; Enhanced Payments; COVID Costs; Appropriation

Description:

Appropriates funds to provide enhanced payments to type I adult residential care homes and developmental disabilities domiciliary homes that are caring for medicaid patients.

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

HB-1356

Submitted on: 2/5/2023 6:39:54 PM

Testimony for HUS on 2/7/2023 8:45:00 AM

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

Comments:

Chair Rep. Della Au-Bellatti

Vice Chair Rep. Jenna Takenouchi

member of the committee

Legislative 2023

I am in support of HB1356 relating to legislative SB3236 was passed (2023 act 254).

My name is Juanita A. Ulep, Type 1 ARCH care provider for thirty eight (38) years. I have been carig for medicaid clients for thirty eight (38) years. I am hoping to recieve a portion from the \$18 million allotted for covid expenses.

Chair, vice chair, and members of the comittee, please help us support the bill for us to survive.

Thank You.

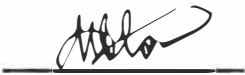
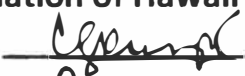



Juanita A. Ulep

Local 1000 ILWU

Trustee

TESTIMONY ON HB1356 IN OPPOSITION

The Presidents of:

1.  Maribel B. Tan, President, Adult Foster Homecare Association of Hawaii (AFHA of HI)
2.  Carina Ocampo, President, United Caregivers of Hawaii (UCH)
3.  Lemmy Maluyo, President, Community Homecare Association of Hawaii (CHCAH)
4.  Elma Tierra, President, Alliance of Professional Primary Care Administrators (APPCA)
5.  Menchie Dawang, President, Providers Helping Hands of Hawaii, (PHS)

We submit testimony as a coalition in OPPOSITION to HB1356. We are the Presidents from Five Organizations representing nearly 85% with about 1800 members of the community caregiver industry.

We oppose the measure, because this bill only covers Type I Adult Residential Care Homes and Developmental Disability Domiciliary Homes – This bill has left out Community Care Foster Family Homes, which represents the majority of Medicaid patients as well as Expanded Adult Residential Care Homes. We fine that this bill may hurt the opportunity for all community based caregivers, such as the two types of care homes left out of this bill, from receiving a pay increase.

Moreover, we are concerned that the payment identified in this bill is ENHANCED PAYMENTS. The concern we have is that a "Enhanced Payment" is temporary. We are working together to secure a PERMANENT PAY INCREASE, not a temporary pay enhancement. This bill if passed could adversely affect all community based caregivers and care homes to receive a just and fair PERMANENT PAY INCREASE.

For the reasons provided we oppose HB1356, and ask that your committee defer this bill.

HB-1356

Submitted on: 2/6/2023 8:10:45 PM

Testimony for HUS on 2/7/2023 8:45:00 AM

Submitted By	Organization	Testifier Position	Testify
tyler green	Caring Hands Foster Home	Support	Written Testimony Only

Comments:

I,Tyler Green Green a Partner of Caring Hands Foster Home support Bill HB 1356

HB-1356

Submitted on: 2/3/2023 4:42:47 PM

Testimony for HUS on 2/7/2023 8:45:00 AM

Submitted By	Organization	Testifier Position	Testify
paul lacuesta	Individual	Support	Written Testimony Only

Comments:

HB-1356

Submitted on: 2/4/2023 4:39:27 PM

Testimony for HUS on 2/7/2023 8:45:00 AM

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

Comments:

Honorable Committee Chairs, Vice Chairs, and Committee members,

Aloha! Thank you for hearing this bill to help licensed home operators who care for medicaid eligible clients/patients in Hawaii. These licensed home operators care for the impoverished, disabled and/or ill who cannot take care of themselves.

During the Covid-19 pandemic these licensed home operators bore the significant additional cost of mandated use of protective gear, testing, and more. This bill will help reimburse them for those costs that were mandated by the government. This bill mirrors one that passed last session but left out these licensed care home operators (ARCH operators and DDD home operators) from being eligible for reimbursements (see 2022, SB 3236, Act 254). Please support this bill so that these caregivers and licensed home operators may be similarly compensated.

Mahalo for all your effort and compassion for these licensed home operators!

Respectfully submitted,

Mathew Yamamoto, a registered voter

99-794 Meaala Street Aiea HI 96701

HB-1356

Submitted on: 2/5/2023 8:57:22 PM

Testimony for HUS on 2/7/2023 8:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Maria Corazon E. Cariaga	Individual	Support	Written Testimony Only

Comments:

Good morning, submitting my written testimony to support the caregivers of the Type1 ARCH and the Developmental Disabilities Domicillary Homes . They need more financial support to run their on going programs due to the high cost of living in the State of Hawai'i. Thank you so much for allowing me to submit my testimony.

HB-1356

Submitted on: 2/5/2023 10:12:05 PM

Testimony for HUS on 2/7/2023 8:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Benita Riingen	Individual	Support	Written Testimony Only

Comments:

I am supporting the house bill 1356 of DDDomicilliary home due to hardships of care. Thank you for allowing me to submit my testimony

HB-1356

Submitted on: 2/5/2023 11:13:28 PM

Testimony for HUS on 2/7/2023 8:45:00 AM

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

Comments:

As a citizen & retired state worker, I support bills that would fairly compensate physicians and licensed home operators/providers of Medicaid clients so they may thrive in communities of this state. Rapidly increasing living costs have put a strain on all, especially the most vulnerable who need available licensed homes as opposed to placement in high costing institutions that are overwhelmed. While the demand for care home services is increasing, its supply is decreasing. I support Bills 1341, 1356, 1357 & 1367 in order to avoid the negative repercussions of this crisis.

TESTIMONY FOR PAYMENT INCREASE

My name is Jesusa Quinabo, a Registered Nurse, ILWU Local 1000 president, and a licensed care home operator in Pearl City, Hawaii.

I strongly support House Bill 1341 and House Bill 1474

As a Care Home Operator, a community home based facility for the adult elderly, I would like to share an ideal life for a day in my care home.

For the past 28 years, I have woken up each morning at 6 am to attend to the needs of my 5 Dementia patients with associated other disorders. I start my day encouraging my 2 residents to do their own morning routine like using the bathroom, combing their hair, brushing their teeth, and putting on their own dentures. At the same time, assisting a resident to do the same. On the other rooms, 2 residents need total care, which means, the care is dependent on the caregiver, change their soiled diapers to a clean one, get them out of bed in a wheelchair and bring them to the bathroom to assist in brushing their teeth, putting their dentures, combing their hair.

They all gather at the dining table for vital signs check and wait for 30 minutes for me to cook their breakfast.

Two patients are hand fed, with puree diet and thickened liquids. After morning medications are given, I need to monitor all of them for any medication side effects.

Activities during the day like reading, either the newspaper, the bible or a magazine, watching TV and doing a range of motion exercises for 30 minutes each, playing with the dogs and feeding the fishes excites them all.

At 10 am, each resident will take an assisted shower. This will take 2 hours.

Lunch is served at 12 noon.

At 1 pm, 3 residents play Bingo, for 2 hours, serve snacks, then take their afternoon nap.

5:30pm is when dinner is about to be served. Again, 2 are hand fed, and the rest need encouragement to eat their meal. Medications are given at 6pm, 8pm, and 10pm. Evening care such as brushing teeth, changing diapers, tucking them to bed is rendered as each one goes to bed at 10pm.

The above description is what I do daily on an ideal day, without incidents of going to the emergency room, doctor's appointments, picking up medications, grocery shopping, behavior management, and any call bell at night for assistance. I also attend to Phone calls from families, Case Managers, Doctors' offices, and to attend family visitors daily.

All these services I get paid for \$2.10/hr per patient. \$50.50/day, \$1515.00/day/patient.

I would like to kindly ask you to consider the merit of having a fair and biased pay. Caregivers are hard working people and doing as much needed to prosper in the caring of our elderly.

