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# A BILL FOR AN ACT

RELATING TO HOME HEALTH LICENSING.

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

1           SECTION 1. The purpose of this Act is to authorize the  
2 department of health to accept accreditation from an  
3 accreditation organization or a certification organization  
4 approved by the Centers for Medicare and Medicaid Services as  
5 demonstration that a licensed home health agency is in  
6 compliance with all licensing inspections required by the State.

7           SECTION 2. Section 321-91, Hawaii Revised Statutes, is  
8 amended to read as follows:

9           "**§321-91 Program of home health services.** (a) The  
10 department of health is authorized to establish and administer a  
11 program to provide home health services, pursuant to the  
12 provisions of Title XVIII of the Social Security Act. Home  
13 health services shall mean ancillary paramedical services  
14 rendered in the patient's home, and shall include[7] but not be  
15 limited to[7] professional nursing care, physiotherapy,  
16 occupational therapy, speech and hearing therapy, medical social  
17 services, and home health aide services. The authority of the



1 department [~~hereunder~~] under this subsection shall be liberally  
2 construed in order that the State may receive the maximum  
3 benefits of [~~said~~] Title XVIII.

4 (b) A home health agency that is licensed by the  
5 department of health and accredited or certified by an  
6 accreditation organization or a certification organization  
7 approved by the Centers for Medicare and Medicaid Services may  
8 use the accreditation or certification to demonstrate the home  
9 health agency's compliance with all licensing inspections  
10 required by the State. The home health agency may be exempt  
11 from a licensing inspection on a continuing basis throughout the  
12 term of the accreditation or certification under the following  
13 conditions:

14 (1) The home health agency provides the department of  
15 health with a certified copy of the home health  
16 agency's official accreditation or certification  
17 report;

18 (2) The home health agency continuously holds full  
19 accreditation or certification and provides the  
20 department of health with a certified copy of any



1           updated official accreditation or certification  
2           reports; and

3           (3) The home health agency holds a current and valid state  
4           license.

5           (c) The department of health may conduct inspections and  
6           investigations of home health agencies exempt from licensing  
7           inspections pursuant to subsection (b) regarding complaints,  
8           adverse accreditation or certification findings, or periodic  
9           validation surveys.

10           (d) Information contained in reports of survey and  
11           official accreditation or certification letters made by an  
12           accreditation organization or a certification organization  
13           approved by the Centers for Medicare and Medicaid Services that  
14           are used in determining compliance with licensing requirements  
15           pursuant to this section shall be public information.

16           (e) All other records maintained by the department of  
17           health for the purposes of this section shall be governed by  
18           chapter 92F."

19           SECTION 3. Statutory material to be repealed is bracketed  
20           and stricken. New statutory material is underscored.



1 SECTION 4. This Act shall take effect on July 1, 2050.



**Report Title:**

Department of Health; Home Health Agencies; Accreditation;  
Certification; Licensing Inspections; Public Information

**Description:**

Authorizes the Department of Health to accept accreditation from an accreditation organization or a certification organization approved by the Centers for Medicare and Medicaid Services as demonstration that a licensed home health agency is in compliance with all licensing inspections required by the State. Specifies conditions under which a home health agency may be exempt from a licensing inspection on a continuing basis. Requires information obtained in reports of survey and accreditation or certification letters to be public information. Effective 7/1/2050. (HD2)

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