

ACT 28

S.B. NO. 1150

A Bill for an Act Relating to Skilled Nursing Facility Licensing.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. The legislature finds that there are organizations such as The Joint Commission, which provide accreditation or certification for skilled nursing facilities. Authorizing the department of health to recognize these organizations and accept their accreditation and certification reviews to establish a skilled nursing facility's compliance with all licensing requirements of the State will allow the department to effectively continue its regulatory oversight responsibilities for licensing purposes and more efficiently use its limited resources for other oversight activities.

The purpose of this Act is to authorize the department of health to accept nationally recognized accreditation or certification organizations to demonstrate a skilled nursing facility's compliance with the licensing inspections required by the State.

SECTION 2. Chapter 321, Hawaii Revised Statutes, is amended by adding a new part to be appropriately designated and to read as follows:

“PART . SKILLED NURSING FACILITIES

§321- Skilled nursing facilities. (a) All skilled nursing facilities shall be licensed by the department of health to ensure the health, safety, and welfare of the individuals placed therein.

(b) The director of health shall adopt rules pursuant to chapter 91 that shall provide for the licensing of skilled nursing facilities.

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(c) The rules shall provide that accreditation by The Joint Commission or other nationally recognized accreditation or certification organization demonstrates a skilled nursing facility's compliance with all licensing inspections required by the State. The rules may exempt a skilled nursing facility from a licensing inspection on a continuing basis throughout the term of the accreditation or certification under the following conditions:

- (1) The skilled nursing facility provides a certified copy of the facility's official accreditation or certification report to the department;
 - (2) The skilled nursing facility continuously holds full accreditation or certification by the accreditation or certification organization; and
 - (3) The skilled nursing facility holds a current and valid state license.
- (d) The rules shall provide that the department may conduct inspections and investigations of exempt skilled nursing facilities regarding complaints, adverse accreditation or certification findings, or periodic validation surveys.

(e) Information contained in reports of survey and official accreditation or certification letters made by the accreditation or certification organization used in determining compliance with licensing requirements shall be public information.

(f) All other records maintained by the department shall be governed by chapter 92F."

SECTION 3. This Act shall take effect upon its approval.

(Approved May 28, 2021.)