



LATE

STATE OF HAWAII
STATE COUNCIL
ON DEVELOPMENTAL DISABILITIES
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HONOLULU, HAWAII 96814
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January 30, 2013

The Honorable Suzanne Chun Oakland, Chair
Senate Committee on Human Services
and
The Honorable Josh Green, M.D., Chair
Senate Committee on Health
Twenty-Seventh Legislature
State Capitol
State of Hawaii
Honolulu, Hawaii 96813

Dear Senators Chun Oakland and Green, and Members of the Committees:

SUBJECT: SB 358 – RELATING TO HEALTH

The State Council on Developmental Disabilities (DD) **SUPPORTS SB 358**. The bill requires the Department of Health and the Department of Human Services to post on their respective websites reports of all inspections in which a violation was discovered at certain care facilities by January 1, 2015.

The passage of this bill would enable the public to easily access reports of inspections and provide valuable information about the quality of care and conditions of state-licensed facilities and violations of relevant state laws and rules. The reports would be useful to individuals, family members, case managers and others who work with individuals who are elderly and individuals with disabilities who are considering a move into a state-licensed care facility.

Thank you for the opportunity to submit testimony in **support of SB 358**.

Sincerely,


Waynette K.Y. Cabral, MSW
Executive Administrator

Twenty-Seventh Legislature
Regular Session of 2013

THE SENATE

Committee on Human Services

Senator Suzanne Chun Oakland, Chair

Senator Josh Green, M.D., Vice Chair

Committee on Health

Senator Josh Green, M.D., Chair

Senator Rosalyn H. Baker, Vice Chair

State Capitol, Conference Room 229
Wednesday, January 30, 2013; 2:05 p.m.

**STATEMENT OF THE ILWU LOCAL 142 ON S.B. 358
RELATING TO HEALTH**

The ILWU Local 142 supports S.B. 358, which requires the Department of Health and the Department of Human Services to post on their respective websites reports of all inspections in which a violation was discovered at certain care facilities by January 1, 2013.

This measure will provide the public with information to help family members and others assess placement options for those needing services in adult day health centers, care homes, foster care homes, and other long-term care facilities. Before placement is considered, an understanding of the track record of the facility, including reports of violations, would be desired to help the family make an assessment.

However, posting of a violation in and of itself should not be grounds to disqualify a facility from consideration. How the violation was remedied and the operator's explanation of the circumstances of the violation are essential information in evaluating placement.

We have two suggestions to amend the bill. The first is that the report of the inspection should include how the violation was corrected and when. If the problem was remedied, the public should know about it. The second is that a timeframe should be established after which the violation would no longer be posted on the website. Leaving a black mark on a facility for something that has long been resolved would be unfair to the facility.

We hope the committee would consider these suggestions and pass S.B. 358 on to the Senate Committee on Ways and Means. Thank you for considering our testimony and our suggestions.



THE UNITED GROUP OF HOME OPERATORS (UGHO)
30 years of Excellence Serving our Elderly and Disabled

Testimony for HMS/HTH
Wednesday, January 30, 2013 at 2:05
State Capitol, Conference Room 229

COMMITTEE ON HUMAN SERVICES

Senator Suzanne Chun Oakland, Chair
Senator Josh Green, Vice Chair

COMMITTEE ON HEALTH

Senator Josh Green, Chair
Senator Rosalyn H. Baker, Vice Chair

Aloha Chairs and Members of the Committees on HMS and HTH:

I am Esther Pascual, President of The United Group of Home Operators (UGHO). UGHO was a member organization of the Hawaii Coalition of Care Home Administrators (HCCHA) which represents 500 ARCH's caring for about 2,500 of Hawaii's fragile elderly & physically and mentally challenged. In addition, there are about 1,000 adult foster residential homes that care for about 10,000 of Hawaii's fragile elderly & physically and mentally challenged.

For the past 30 years, UGHO members have operated residential care homes that provide assisted living accommodations in a stress free, small family atmosphere for their residents including the elderly and individuals with disabilities who otherwise would be unable to care for themselves.

The over regulation and extra ordinary over sight of this industry has beaten it in the ground and has driven many legitimate operators out of business while driving up the costs of operations to the State. This does a great disservice to the aged and elder who prefer the comfortable and relaxed setting of a private home instead of being institutionalized in a huge nursing home.

Care Homes should not be held to the same onerous regulations as hospitals and nursing home institutions whose lobbyists and supporters have convinced fragile seniors that it should to run them out of business. The cost of this extreme measure has to be borne by someone and it's usually the taxpayer or past down to the residents in care and foster homes.

Keep in mind these are community based homes and the residents and home operators have a right to privacy. Care homes and Foster homes should not be discriminated against and treated differently from other industries or like a hospital or major nursing institution. Thank you very for your attention.

LATE

In support of SB 358
Jan. 30, 2013

This is a long overdue tool that will help consumers looking for quality care for family or friends needing immediate placement. When confronted by the often times sudden need for a placement, stressed responsible parties need ways to quickly begin to evaluate the quality of care of the many homes providing these services. The state should provide the tools that consumers can use for this critical need.

Sincerely,
Audrey Kubota

From: mailinglist@capitol.hawaii.gov
To: [HMS Testimony](#)
Cc: sclee@hawaii.rr.com
Subject: Submitted testimony for SB358 on Jan 30, 2013 14:05PM
Date: Tuesday, January 29, 2013 9:14:13 PM

SB358

Submitted on: 1/29/2013

Testimony for HMS/HTH on Jan 30, 2013 14:05PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Sylvia Lee	Individual	Support	No

Comments: I support SB 358 to give consumers access to inspection reports of nursing home facilities thereof because it is very important for consumers to have the report available so that they could make the right decisions in choosing a nursing home for their family member or relative. Given this right to preview these reports, the family member will be confident in making a decision that is appropriate for their family member. Twenty-seven states have already this access and have made the important step in helping families to choose the right facility. Please consider this an important step in the health industry.

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Re: SB 358

Dear Senator Chun Oakland, Senator Green and members of the Senate,

As a Social Worker and someone with numerous aging relatives, I agree that the availability of all pertinent information regarding placement for loved ones should be accessible to the public. When making a decision on where a loved one should reside and be cared for, all information, whether positive or negative, would be useful and important in that decision making process. Thank you for your consideration on this very important issue.

Dina Lloyd, LSW

From: mailinglist@capitol.hawaii.gov
To: [HMS Testimony](#)
Cc: wright_af@yahoo.com
Subject: Submitted testimony for SB358 on Jan 30, 2013 14:05PM
Date: Tuesday, January 29, 2013 8:31:06 PM

SB358

Submitted on: 1/29/2013

Testimony for HMS/HTH on Jan 30, 2013 14:05PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Angela	Individual	Support	No

Comments: Senate Joint Committees on Health & Human Services S.B. 358 Relating to Health Testimony of Angela Wright State Long Term Care Ombudsman Volunteer (847) 340-1512 January 30, 2013 2:05 pm Conference Room 229 I am testifying in favor of S.B. 358 The purpose of the bill is to require the Department of Health and the Department of Human Services to post on their websites the reports of all inspections in which a violation was discovered at care facilities by January 1, 2013. I sincerely believe this is a much needed bill. This bill is about consumer education and consumer protection. Hawaii's kupuna and disabled population is increasing and our nursing volume has not changed. When nursing homes have no vacancies people have to rely on community options for care, but currently there is no easy way for people to access information about these facilities. Finding information on any nursing home should be easy with the technology that we have today. If you go to www.medicare.gov and click "Nursing Home Compare." It will give you the annual inspections for nursing home in the United States. There is no website for adult residential care, care foster family home or assisted living facility. There are 27 other states that have this information on line, but not Hawaii. Since we as tax payers already pay for State and Federal required inspections and these inspections are to inform and protect the public, I believe that all inspections should be easily accessible to the public. The current method to get access to this information is that a person must write a letter to the Office of Health Care Assurance with the name of the home or facility. Consumers then have to wait for someone to pull the file and make copies and pay for the copies and wait 10 to 15 days to receive the information. We have come too far in the 21st century for this type of service. Thank you for allowing me to testify.

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From: mailinglist@capitol.hawaii.gov
Sent: Thursday, January 31, 2013 10:25 AM
To: HMS Testimony
Cc: jtomoso@hawaii.rr.com
Subject: Submitted testimony for SB358 on Jan 31, 2013 09:45AM

Categories: Blue Category

SB358

Submitted on: 1/31/2013

Testimony for HMS/HTH on Jan 31, 2013 09:45AM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
John A. H. Tomoso	Individual	Support	No

Comments: I am testifying IN FAVOR of S.B. 358 The purpose of this bill is to require the Department of Health and the Department of Human Services to post on their respective websites reports of all inspections in which a violation was discovered at certain care facilities by January 1, 2015. I believe this bill is very much needed. This bill is about transparency, consumer education, consumer protection and is supportive of the growing corps of Family Caregivers in our state who just need to know this information. Hawaii's senior and disabled populations are rapidly increasing while our nursing home bed capacity has remained approximately the same. When there are no nursing home beds available, people have to consider community based options - but there is currently no quick or easy way for the public to attain information on the quality of care of these facilities.

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