

STAND. COM. REP. NO.

1017

Honolulu, Hawaii

MAR 23 2017

RE: H.B. No. 1396  
H.D. 2  
S.D. 1

Honorable Ronald D. Kouchi  
President of the Senate  
Twenty-Ninth State Legislature  
Regular Session of 2017  
State of Hawaii

Sir:

Your Committees on Human Services and Commerce, Consumer Protection, and Health, to which was referred H.B. No. 1396, H.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO COMMUNITY CARE FOSTER FAMILY HOMES,"

beg leave to report as follows:

The purpose and intent of this measure is to authorize the Department of Health, in consultation with the Department of Human Services, to allow two private-pay individuals to be cared for in the same community care foster family home if certain requirements are met.

Your Committees received testimony in support of this measure from the Department of Human Services and Department of Health. Your Committees received testimony in opposition to this measure from one individual. Your Committees received comments on this measure from the Hawaii Disability Rights Center.

Your Committees find that community care foster family homes provide an essential function in the State by providing twenty-four-hour living accommodations, which include housing, supervision, personal care, and assistance with daily living activities for their residents. Community care foster family homes are licensed to provide accommodations and services to not



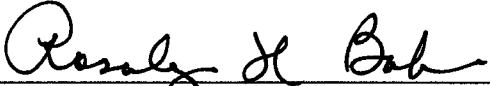
more than two adults at any one time, at least one of whom shall be a Medicaid recipient, who are at the nursing facility level of care. However, the Department of Health may certify a community care foster family home for a third adult who is at the nursing level of care and a Medicaid recipient, provided certain requirements are met.

Your Committees further find that as the cost of medical care continues to rise, it is becoming apparent that even those who do not rely on Medicaid for their long-term care cannot afford the cost of private care, leaving this population also with limited options. This measure recognizes the varied needs of the State's aging population by allowing the Department of Health flexibility to include two private-pay individuals to be cared for in the same community care foster family home under certain qualifying conditions.

Your Committees have amended this measure by making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Human Services and Commerce, Consumer Protection, and Health that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1396, H.D. 2, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1396, H.D. 2, S.D. 1, and be referred to your Committee on Ways and Means.

Respectfully submitted on behalf of the members of the Committees on Human Services and Commerce, Consumer Protection, and Health,

  
\_\_\_\_\_  
ROSALYN H. BAKER, Chair

  
\_\_\_\_\_  
JOSH GREEN, Chair

The Senate  
 Twenty-Ninth Legislature  
 State of Hawai'i


**Record of Votes**  
**Committee on Human Services**  
**HMS**

|  |                     |           |     |          |
|--|---------------------|-----------|-----|----------|
| Bill / Resolution No.:*  | Committee Referral: | Date:     |     |          |
| HB 1396, HD2   | HMS/CPH, WAM        | 3/20/2017 |     |          |
| <input type="checkbox"/> The Committee is reconsidering its previous decision on this measure.<br>If so, then the previous decision was to: _____  |                     |           |     |          |
| The Recommendation is:<br><input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313 |                     |           |     |          |
| Members  | Aye                 | Aye (WR)  | Nay | Excused  |
| GREEN, Josh (C)  | ✓                   |           |     |          |
| CHANG, Stanley (VC)  | ✓                   |           |     |          |
| HARIMOTO, Breene   | ✓                   |           |     |          |
| TOKUDA, Jill N.  |                     |           |     | ✓        |
| WAKAI, Glenn   |                     |           |     | ✓        |
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| <b>TOTAL</b>   | <b>3</b>            |           |     | <b>2</b> |
| Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted   |                     |           |     |          |
| Chair's or Designee's Signature:   |                     |           |     |          |
| <b>Distribution:</b> Original     Yellow     Pink     Goldenrod<br>File with Committee Report     Clerk's Office     Drafting Agency     Committee File Copy   |                     |           |     |          |

\*Only one measure per Record of Votes

The Senate  
Twenty-Ninth Legislature  
State of Hawai'i

**Record of Votes**  
**Committee on Commerce, Consumer Protection, and Health**  
**CPH**

|   |   |                                       |                                  |         |
|---|---|---------------------------------------|----------------------------------|---------|
| Bill / Resolution No.:*   | Committee Referral:   | Date:                                 |                                  |         |
| HB1396 HD2  | HMS/CPH, WAM  | 3/20/17                               |                                  |         |
| <input type="checkbox"/> The Committee is reconsidering its previous decision on this measure.<br>If so, then the previous decision was to: _____ |   |                                       |                                  |         |
| The Recommendation is:  |   |                                       |                                  |         |
| <input type="checkbox"/> Pass, unamended<br>2312  | <input checked="" type="checkbox"/> Pass, with amendments<br>2311 | <input type="checkbox"/> Hold<br>2310 |                                  |         |
| <input type="checkbox"/> Recommit<br>2313   |   |                                       |                                  |         |
| Members   | Aye   | Aye (WR)                              | Nay                              | Excused |
| BAKER, Rosalyn H. (C)   | /   |                                       |                                  |         |
| NISHIHARA, Clarence K. (VC)   | /   |                                       |                                  |         |
| CHANG, Stanley  | /   |                                       |                                  |         |
| ESPERO, Will  |   |                                       |                                  | /       |
| IHARA, Jr., Les   | /   |                                       |                                  |         |
| KIDANI, Michelle N.   |   |                                       |                                  | /       |
| RUDERMAN, Russell E.  | /   |                                       |                                  |         |
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| <b>TOTAL</b>  | 5   |                                       |                                  | 2       |
| Recommendation:   |   |                                       |                                  |         |
| <input checked="" type="checkbox"/> Adopted <span style="margin-left: 100px;"><input type="checkbox"/> Not Adopted</span>                         |   |                                       |                                  |         |
| Chair's or Designee's Signature:  |   |                                       |                                  |         |
|   |   |                                       |                                  |         |
| <b>Distribution:</b>  |   |                                       |                                  |         |
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