

STATE OF HAWAII
DEPARTMENT OF HEALTH
P.O. Box 3378
HONOLULU, HAWAII 96801-3378

In reply, please refer to:
File:

Senate Committee on Ways and Means

HB 0120, HD 2, SD 1 Relating to Health

**Comments of Loretta J. Fuddy, A.C.S.W., M.P.H.
Director of Health**

March 25, 2013

1 **Department's Position:** Appreciates the intent with comments on request for resources.

2 **Fiscal Implications:** Requires an initial and ongoing appropriation of \$74,000 per year and the
3 approval of 2.0 FTE staff positions to implement and sustain. DOH's initial testimony requested fewer
4 resources but the DOH has since determined additional needs in its developmental disabilities division
5 for the posting of inspection reports on adult foster homes for the developmentally disabled. These
6 resource needs were included in more recent testimony.

7 **Purpose and Justification:** The department testified on the need for additional resources but the
8 current version of the bill does not include those added resources. While the department appreciates the
9 intent to make licensure inspection report information more accessible to the public, the department is
10 providing comments for the Ways and Means Committee to understand that the activities of the bill
11 cannot be absorbed with current resources and that all necessary appropriations for new computer
12 equipment, web site and database development, and 2 additional staff positions will be required.
13 However, any appropriation must not adversely impact priorities in the Governor's Executive Budget.

14 The bill would also require posting of inspection reports within 5 working days of the conclusion
15 of the inspection. Just to clarify, the inspection is not concluded until all plans of correction have been

Promoting Lifelong Health and Wellness

1 submitted by the facility and accepted by the department. This could take several weeks following the
2 actual onsite inspection depending on the number or severity of deficiencies.

3 Last, the current bill draft uses the phrases “working group” and “task force” to reference the
4 same group on individuals. The bill should use the same phrase for consistency.

5 Thank you for the opportunity to comment.



STATE OF HAWAII
STATE COUNCIL
ON DEVELOPMENTAL DISABILITIES
919 ALA MOANA BOULEVARD, ROOM 113
HONOLULU, HAWAII 96814
TELEPHONE: (808) 586-8100 FAX: (808) 586-7543
March 25, 2013

The Honorable David Y. Ige, Chair
Senate Committee on Ways and Means
Twenty-Seventh Legislature
State Capitol
State of Hawaii
Honolulu, Hawaii 96813

Dear Senator Ige and Members of the Committee:

SUBJECT: HB 120 HD2 SD1 – RELATING TO HEALTH


The State Council on Developmental Disabilities **SUPPORTS HB 120 HD2 SD1**. This bill requires the Department of Health (DOH) to post on its website reports of all inspections at state-licensed care facilities occurring on or after January 1, 2015; provided that any report that includes a violation be removed from the website after three years; establishes a working group to develop a new inspection form to be posted online with information that is fair to the care home operators and useful to the public; and appropriates funds for equipment, website, and database development, and staff support. The effective date is July 1, 2050.


This bill is similar to SB 358 SD2-Relating to Health, which your Committee recommended to pass Third Reading, with the exception of language that creates a working group responsible for developing a new inspection form to be posted online with information that is fair to the care home operators and useful to the public. Information posted on the DOH website would enable the public to easily access the 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.

The Council defers to DOH for the fiscal and staff resources necessary to carry out the provisions of the bill.

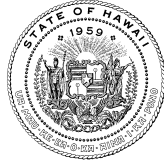
Thank you for the opportunity to submit testimony in **support of HB 120 HD2 SD1**.

Sincerely,


Waynette K.Y. Cabral, MSW
Executive Administrator


J. Curtis Tyler III
Chair

NEIL ABERCROMBIE
GOVERNOR OF HAWAII



WESLEY LUM, PhD, MPH
DIRECTOR

LORETTA FUDDY, ACSW, MPH
DIRECTOR OF HEALTH

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STATE OF HAWAII
EXECUTIVE OFFICE ON AGING
NO. 1 CAPITOL DISTRICT
250 SOUTH HOTEL STREET, SUITE 406
HONOLULU, HAWAII 96813-2831

Committee on Ways and Means

HB120, HD2, SD1, RELATING TO HEALTH

**Testimony of John G. McDermott, LSW, ACSW, M. Div
State Long Term Care Ombudsman**

Monday, February 25, 2013; Conference Room 211

9:10 a.m.

1 **Position:** The Office of the Long-Term Care Ombudsman **STRONGLY SUPPORTS** this
2 measure.

3 **Purpose and Justification:** The purpose of this bill is to require the Department of Health to post
4 on its website reports of all inspections at state-licensed care facilities occurring on or after
5 January 1, 2015, provided that any report that includes a violation be removed from the website
6 after three years. This bill also establishes a working group to develop a new inspection form to be
7 posted online with information that is fair to the care home operators and useful to the public.
8 Finally, this bill appropriates funds for equipment, website and database development, and staff
9 support.

10 We believe this bill is very much needed. This bill is about transparency, consumer
11 education and consumer protection. Hawaii's senior and disabled populations are rapidly
12 increasing while our nursing home bed capacity has remained approximately the same. When
13 there are no nursing home beds available, people have to consider community based options - but

1 there is currently no quick or easy way for the public to attain information on the quality of care of
2 these facilities.

3 Today, finding information on a nursing home is easy. Just type www.medicare.gov and
4 click on "*Nursing Home Compare*." It will give you the annual inspections for every nursing
5 home in the country. But if someone prefers an adult residential care home or community care
6 foster family home or assisted living facility, where is that website? Nowhere. It does exist in at
7 least 27 other states, but not Hawaii. Please check out the Washington, D.C. website as an
8 example: of what we could do in Hawaii:

9 [http://doh.dc.gov/service/health-care-facility-inspection-](http://doh.dc.gov/service/health-care-facility-inspection-reports)
10 [reports](http://hrla.doh.dc.gov/hrla/site/default.asp)<http://hrla.doh.dc.gov/hrla/site/default.asp>

11 Our State and Federal Governments requires inspections in order to protect the public.
12 And these inspections are done by state workers...so paid by us, the taxpayers. So if we already
13 paid for the inspections and they are done for our protection, shouldn't they also be easily
14 available so we can more quickly move our loved ones out of expensive hospitals and into a home
15 or facility where we are now more confident our loved ones will get good care?

16 The current requirement is that a person must write a letter to the Office of Health Care
17 Assurance, specify the home or facility, and then wait for some state worker to manually pull the
18 file, redact the names, make a copy, charge for the copying and you will get the information you
19 need NOW in 10 to 15 days. That is too slow and unacceptable. It's also costly for the family and
20 the State if a hospital patient refuses to move until he has some information that his proposed new
21 home is safe and has a history of providing good care. We need to move into the 21st century.
22 Hawaii can do better than that!

23 Thank you for this opportunity to testify.

From: [Anthony Lenzer](#)
To: [WAM Testimony](#)
Subject: House Bill 120, HD 2, SD 1
Date: Saturday, March 23, 2013 12:58:25 PM

Senator Ige and Committee members:

My name is Anthony Lenzer. I am Chair of the Legislative Committee of the Policy Advisory Board for Elder Affairs (PABEA). My testimony reflects the views of PABEA, and not necessarily that of any other organization.

PABEA Strongly supports the current version of this bill, and commends the committees which have revised the legislation into its current form. We believe that the bill, as it now stands, takes into account the concerns of care providers, while also meeting the needs of consumers and family members. It is clear from previous testimony, that the current system for obtaining information about care facilities is neither adequate nor appropriate. While it is certainly possible to get information about one (or several facilities) through inquiries to the Department of Health, calls or visits to facilities, or recommendations from knowledgeable persons, there is currently no way for family members to get comparative data on a wider range of programs or facilities.

We especially appreciate two features of the revised Bill, namely the mandatory reporting feature, and the creation of an advisory committee of stakeholders to develop an appropriate format for online reports. Assuming that the committee follows the mandate contained in the bill, we believe that consumers and family members will be well served, and care providers will be protected from provision of frivolous or meaningless information to the public.

Thank you for the opportunity to testify in support of this important legislation.

Anthony Lenzer, PhD, Chair
PABEA Legislative Committee
222 Kuukama Street
Kailua, Hawaii 96734
261-2095



From: mailinglist@capitol.hawaii.gov
To: [WAM Testimony](#)
Cc: acelagarcia@gmail.com
Subject: *Submitted testimony for HB120 on Mar 25, 2013 09:10AM*
Date: Sunday, March 24, 2013 9:05:25 PM

HB120

Submitted on: 3/24/2013

Testimony for WAM on Mar 25, 2013 09:10AM in Conference Room 211

Submitted By	Organization	Testifier Position	Present at Hearing
ACELA E. GARCIA	UGHO	Oppose	No

Comments:

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From: mailinglist@capitol.hawaii.gov
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Cc: juanitaulep@yahoo.com
Subject: *Submitted testimony for HB120 on Mar 25, 2013 09:10AM*
Date: Sunday, March 24, 2013 9:07:18 PM

HB120
Submitted on: 3/24/2013
Testimony for WAM on Mar 25, 2013 09:10AM in Conference Room 211

Submitted By	Organization	Testifier Position	Present at Hearing
JUANITA ULEP	UGHO	Oppose	No

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TO: SENATE COMMITTEE ON WAYS AND MEANS
Senator David Y. Ige, Chair

FROM: Eldon L. Wegner, Ph.D.
Hawaii Family Caregiver Coalition (HFCC)

HEARING: 9: 10 am Monday, March 25, 2013
Conference Room 211, Hawaii State Capitol

SUBJECT: HB120 HD2 SD1 Relating to Health

POSITION: The Hawaii Family Caregiver Coalition **strongly supports HB 120 HD2 SD1**, which **requires** DOH and DHS to post the results of inspections of certain long-term care residential facilities and care settings on their websites.

RATIONALE:

The Hawaii Family Caregiver Coalition (HFCC) consists of over 20 agencies and organizations statewide who serve family caregiver and address the challenges of family caregiving. The HFCC gives voice to family caregivers in the political process in Hawaii.

Families typically face a difficult task to select an appropriate residential arrangement for their loved one. They often have little time for such a critical decision and have no easy means of learning about the quality of care of different options open to them. Inspections are required by the state and it is only reasonable that the results of those inspections should be available on the website of the Department of Health to consumers in making this very important decision.

This is a significant issue of consumer protection which senior advocacy groups have been promoting for a number of years. The Departments of Health and Human Services have agreed to the postings of the results of inspections with a balance for protecting providers from unfair treatment. We are very pleased that the Legislature is taking this issue up. We are also grateful that SD1 has restored the language to "require" the posting of the results of inspections.

Thank you for allowing me to testify on this bill.

From: mailinglist@capitol.hawaii.gov
To: [WAM Testimony](#)
Cc: gcoleman@hah.org
Subject: Submitted testimony for HB120 on Mar 25, 2013 09:10AM
Date: Friday, March 22, 2013 10:21:01 AM

HB120

Submitted on: 3/22/2013

Testimony for WAM on Mar 25, 2013 09:10AM in Conference Room 211

Submitted By	Organization	Testifier Position	Present at Hearing
George Greene	Healthcare Association of Hawaii	Comments Only	No

Comments: SENATE COMMITTEE ON WAYS AND MEANS Senator David Ige, Chair March 25, 2013 at 9:10 a.m. Conference Room 211 HB 120 HD 2 SD 1: Relating to Health The Healthcare Association of Hawaii advocates for its member organizations that span the entire spectrum of health care, including all acute care hospitals, a majority of home health agencies and hospices, as well as long term care facilities and other health care organizations. Our members contribute significantly to Hawaii's economy by employing nearly 20,000 people statewide, delivering quality care to the people of Hawaii. Thank you for this opportunity to comment on HB 120 HD 2 SD 1, which requires the posting of reports of inspections of certain types of long term care facilities and programs when those inspections identify violations. Federal law currently requires all states to post nursing facility inspection reports on websites, as well as complaint investigation reports, the facility's plan of correction, and other information deemed to be useful in assisting the public to assess the quality of long term care options and the quality of care provided by individual facilities. The websites are required to be accessible, consumer-friendly, searchable, and comprehensive. The federal government makes funds available to the states to develop the websites. HB 120 HD 2 SD 1 goes further by including adult residential care homes, assisted living facilities, adult day health centers, and certain other types of facilities. We are encouraged that this version of the bill includes funding, which is necessary, as well as a process for developing the parameters of the information to be posted so that it is useful to the public. Thank you for the opportunity to comment on HB 120 HD 2 SD 1.

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Hawai'i Alliance for Retired Americans (HARA)

An affiliate of the Alliance for Retired Americans
c/o HEA 1953 South Beretania St., Suite 5C · Honolulu, Hawaii 96826

AFT Hawaii Retirees
HGEA Retirees
HSTA – Retired
ILWU Retirees
Kokua Council
UPW Retirees
Hawaii Family Caregivers Coalition
Kupuna Education Center

(Submitted by email to: WAMTestimony@capitol.hawaii.gov)

Comments on HB120, HD2, SD1, Relating to Health

Senate Committee on Ways and Means

March 25, 2013, 9:10 a.m. Conference Room 211

Chair David Y. Ige and Members of the Committees,

Thank you, members of your Committee and members of the Senate for your leadership in approving the companion bill of HB120, SB358, SD2, providing for making inspection reports of certain health care facilities available on-line. We appreciate your efforts very much. The beneficiaries of your enlightened efforts will be the patients and families and health care advisors who will be able to check online to help them decide which facilities to select in time of decision making.

Please approve HB120, HD2, SD1 and please utilize your political acumen to get the leadership and members of the House to similarly approve this much needed public interest legislation.

Mahalo and Aloha.

HARA is a strong voice for Hawaii's retirees and seniors; a diverse community-based organization with national roots; a grassroots organizer, educator, and communicator; and a trusted source of information for decision-makers.

Twenty-Seventh Legislature
Regular Session of 2013

THE SENATE

Committee on Ways and Means
Senator David Y. Ige, Chair
Senator Michelle N. Kidani, Vice Chair
State Capitol, Conference Room 211
Monday, March 25, 2013; 9:10 p.m.

**STATEMENT OF THE ILWU LOCAL 142 ON H.B. 120, HD2, SD1
RELATING TO HEALTH**

The ILWU Local 142 supports H.B. 120, HD2, SD1, which requires the Department of Health to post on its website reports of all inspections at state-licensed care facilities occurring on or after 1/1/15; provided that any report that includes a violation be removed from the website after three years. The measure also establishes a working group to develop a new inspection form to be posted online with information that is fair to the care home operators and useful to the public.

H.B. 120, SD1 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, will be useful to help the family make an informed decision about placement.

We fully support the provision in the bill to remove negative reports after three years. We would further suggest that the care facility to be allowed to explain negative reports that remain posted.

The ILWU urges passage of H.B. 120, SD1. It represents a sensible way to inform the public about facilities that will be in greater demand in the coming years. Thank you for the opportunity to share our views.



Lilia Fajotina

ARCA President

(Alliance of Residential Care Administrators)

P.O. Box 758

Pearl City, Hi 96782

DATE: Monday, March 25, 2013

TIME: 9:10 a.m.

**PLACE: Conference Room 211
(State Capitol)**

To Senator David Y. Ige, Chair

Senator Michelle N. Kidani, Vice Chair

And Senators Committee on Ways and Means

My name is Lilia Fajotina, President of the Alliance of Residential Care Administrators (ARCA), and I am testifying in strong opposition to HB 120,HD2,SD1.

ARCA is a statewide non-profit organization, whose members primarily serve the long-term care needs of Hawaii's kupuna.

It is the largest Adult Residential Care Home. (ARCH)

Organization in Hawaii-representing 300 long-term care homes serving a capacity of almost 1500 residents.

We oppose HB120,HD2,SD1

The public already has access to the citations of care homes by simply requesting them from the desired care home.

The Primary Care Giver (PCG) can also answer any questions the family may have and at the same time explain the citation and what they've done to correct the problem.

These frivolous citations have nothing to do with the quality of care, nor the health, safety, and welfare of residents.

We take care of our residents as they were our own family members.

Care homes and foster homes save the State upwards of \$200 million a year. Care homes alone save the State \$80-90 million a year. As more of our baby boomers retire, care homes will become increasingly necessary in the face of Hawaii's ever-increasing elderly population. This bill, in its current form, can put many care homes out of business.

Posting our violations on the website I believe is violating my privacy and it may be against my civil rights. Not everyone would open up his or her home to strangers and lose their privacy to save the state millions of dollars. Although we run our businesses out of our homes, it is still our homes and we want our privacy to be respected.

Thank you for the opportunity to testify in opposition to HB120,HD2,SD1.

Lilia Fajotina
(ARCA PRESIDENT)



Date: 3/22/13
To: WAMtestimony@Capitol.hawaii.gov
Re: House Bill 120, HD 2, SD 1

Senator Ige and Committee members:

My name is Valorie Taylor. I am President of the Hawaii Family Caregivers Coalition, Board of Directors (HFCC). My testimony reflects the views of HFCC, and not necessarily that of any other organization. The Coalition advocates for the needs of family caregivers in Hawaii, many of whom will, at some point, need to find a care home or other residential facility for an elderly family member.

HFCC STRONGLY SUPPORTS the current version of this bill, and commends the committees which have revised the legislation into its current form. We believe that the bill, as it now stands, takes into account the concerns of care providers, while also meeting the needs of consumers and family members. It is clear from previous testimony, that the current system for obtaining information about care facilities is neither adequate nor appropriate. While it is certainly possible to get information about one (or several facilities) through inquiries to the Department of Health, calls or visits to facilities, or recommendations from knowledgeable persons, there is currently no way for family members to get comparative data on a wider range of programs or facilities.

We especially appreciate two features of the revised Bill, namely the mandatory reporting feature, and the creation of an advisory committee of stakeholders to develop an appropriate format for online reports. Assuming that the committee follows the mandate contained in the bill, we believe that consumers and family members will be well served, and care providers will be protected from provision of frivolous or meaningless information to the public.

Thank you for the opportunity to testify in support of this important legislation.

Valorie Taylor, President
Hawaii Family Caregiver Coalition



From: mailinglist@capitol.hawaii.gov
To: [WAM Testimony](#)
Cc: anika59@hotmail.com
Subject: *Submitted testimony for HB120 on Mar 25, 2013 09:10AM*
Date: Sunday, March 24, 2013 6:02:03 PM

HB120

Submitted on: 3/24/2013

Testimony for WAM on Mar 25, 2013 09:10AM in Conference Room 211

Submitted By	Organization	Testifier Position	Present at Hearing
annie peralta	Individual	Oppose	No

Comments:

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Subject: *Submitted testimony for HB120 on Mar 25, 2013 09:10AM*
Date: Sunday, March 24, 2013 4:18:37 PM

HB120
Submitted on: 3/24/2013
Testimony for WAM on Mar 25, 2013 09:10AM in Conference Room 211

Submitted By	Organization	Testifier Position	Present at Hearing
aurora alejandro	Individual	Oppose	No

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Cc: asagadraca@hotmail.com
Subject: *Submitted testimony for HB120 on Mar 25, 2013 09:10AM*
Date: Sunday, March 24, 2013 5:36:36 PM

HB120

Submitted on: 3/24/2013

Testimony for WAM on Mar 25, 2013 09:10AM in Conference Room 211

Submitted By	Organization	Testifier Position	Present at Hearing
aurora sagadraca	Individual	Oppose	No

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Cc: mgrodriguez@ymail.com
Subject: *Submitted testimony for HB120 on Mar 25, 2013 09:10AM*
Date: Sunday, March 24, 2013 6:07:11 PM

HB120

Submitted on: 3/24/2013

Testimony for WAM on Mar 25, 2013 09:10AM in Conference Room 211

Submitted By	Organization	Testifier Position	Present at Hearing
betty rodriguez	Individual	Oppose	No

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Subject: *Submitted testimony for HB120 on Mar 25, 2013 09:10AM*
Date: Sunday, March 24, 2013 4:22:30 PM

HB120
Submitted on: 3/24/2013
Testimony for WAM on Mar 25, 2013 09:10AM in Conference Room 211

Submitted By	Organization	Testifier Position	Present at Hearing
delia cabingabang	Individual	Oppose	No

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Cc: amabini610@hotmail.com
Subject: *Submitted testimony for HB120 on Mar 25, 2013 09:10AM*
Date: Sunday, March 24, 2013 5:20:54 PM

HB120

Submitted on: 3/24/2013

Testimony for WAM on Mar 25, 2013 09:10AM in Conference Room 211

Submitted By	Organization	Testifier Position	Present at Hearing
eden mabini	Individual	Oppose	No

Comments:

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Cc: pascuale006@hawaii.rr.com
Subject: *Submitted testimony for HB120 on Mar 25, 2013 09:10AM*
Date: Sunday, March 24, 2013 5:17:50 PM

HB120

Submitted on: 3/24/2013

Testimony for WAM on Mar 25, 2013 09:10AM in Conference Room 211

Submitted By	Organization	Testifier Position	Present at Hearing
ester pascual	Individual	Oppose	Yes

Comments:

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Cc: pascuale006@hawaii.rr.com
Subject: *Submitted testimony for HB120 on Mar 25, 2013 09:10AM*
Date: Sunday, March 24, 2013 9:06:08 PM

HB120

Submitted on: 3/24/2013

Testimony for WAM on Mar 25, 2013 09:10AM in Conference Room 211

Submitted By	Organization	Testifier Position	Present at Hearing
ESTHER PASCUAL	UGHO	Oppose	No

Comments:

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Cc: ercacal@gmail.com
Subject: *Submitted testimony for HB120 on Mar 25, 2013 09:10AM*
Date: Sunday, March 24, 2013 4:24:17 PM

HB120

Submitted on: 3/24/2013

Testimony for WAM on Mar 25, 2013 09:10AM in Conference Room 211

Submitted By	Organization	Testifier Position	Present at Hearing
evelyn cacal	Individual	Oppose	No

Comments:

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Cc: erafael@yahoo.com
Subject: *Submitted testimony for HB120 on Mar 25, 2013 09:10AM*
Date: Sunday, March 24, 2013 5:51:31 PM

HB120
Submitted on: 3/24/2013
Testimony for WAM on Mar 25, 2013 09:10AM in Conference Room 211

Submitted By	Organization	Testifier Position	Present at Hearing
evelyn rafael	Individual	Oppose	No

Comments:

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To: [WAM Testimony](#)
Cc: placuesta48@gmail.com
Subject: *Submitted testimony for HB120 on Mar 25, 2013 09:10AM*
Date: Monday, March 25, 2013 12:34:42 AM

HB120

Submitted on: 3/25/2013

Testimony for WAM on Mar 25, 2013 09:10AM in Conference Room 211

Submitted By	Organization	Testifier Position	Present at Hearing
Jaine Lacuesta	Individual	Oppose	Yes

Comments:

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To: [WAM Testimony](#)
Cc: jtomoso@hawaii.rr.com
Subject: Submitted testimony for HB120 on Mar 25, 2013 09:10AM
Date: Sunday, March 24, 2013 7:11:19 AM

HB120

Submitted on: 3/24/2013

Testimony for WAM on Mar 25, 2013 09:10AM in Conference Room 211

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

Comments: Aloha kakou, Mahalo for scheduling this bill for a hearing with WAM. I am happy that HTH and HMS have restored its original language and that it now includes the creation of a "work group" to reform the inspection tool so as to be meaningful to the public, especially to Family Caregivers. By hearing this bill, I am confident that the Aging Network will continue to engage in discussions with consumers and those in the care giving industry, to come up with service delivery that is mission-oriented, client-focused and is maximizing the opportunities for "aging with dignity and grace" and for building capacity for caregiving in our communities. Mahalo to HTH and HMS for their work on this bill and to WAM for hearing this bill. Aloha iho John A. Hau'oli Tomoso, MSW, ACSW, LSW 51 Ku'ula Street Kahului, Maui, Hawai'i 96732-2906

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Date: March 23, 2013

To: Senate Committee on Ways and Means

Hearing: Monday, March 25, 2013 at 9:10am, Conference Room 211

From: Lorri Gomes

Re: Testimony in support of HB120

Aloha Senator Ige, Senator Kidani, and Committee members,

My name is Lorri Gomes, and testifying, as a private citizen, in **VERY STRONG SUPPORT** of HB120.

My mother is elderly and still lives independently. It would be ideal for her to age in place, but that may not always be the case. I'm a single parent and work full time to provide for my own children. So what would I do when my mother can no longer care for herself? It would be impossible for me to work full time *and* serve as her caretaker. Programs such as adult foster care and adult day care provide needed services for our Kupuna and disabled population. Care homes, in particular, are a good option for long term care, which provide a home-like atmosphere, in a small intimate setting.

However, finding the right one is challenging, to say the least. Currently, the process is slow and tedious, where you would need to wait up to 15 days to receive a report. But if the information was available on-line, family members and caretakers could search for appropriate housing in an efficient and expedient manner.

Some feel that it's a violation of privacy. However, the inspection reports are already available to the public. This bill is simply proposing that it be made available on-line, to speed up the process.

It has been suggested that only an edited version of the inspections be posted. However, that would require additional manpower, and may also mislead the public. Should I ever need to search for an appropriate facility for my mother, I would like access to the entire inspection, and decide for myself, what is trivial and what is unacceptable. In my opinion, a dozen minor violations can be as significant as a single major violation.

Again, I want to say that care homes and other facilities play an integral part in the care of our vulnerable seniors and disabled individuals. This bill will simply allow quick public access for quality care.

Thank you for allowing me to testify in support of HB 120.



From: mailinglist@capitol.hawaii.gov
To: [WAM Testimony](#)
Cc: rolman88@yahoo.com
Subject: *Submitted testimony for HB120 on Mar 25, 2013 09:10AM*
Date: Sunday, March 24, 2013 5:32:25 PM

HB120

Submitted on: 3/24/2013

Testimony for WAM on Mar 25, 2013 09:10AM in Conference Room 211

Submitted By	Organization	Testifier Position	Present at Hearing
marina manuel	Individual	Oppose	No

Comments:

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From: mailinglist@capitol.hawaii.gov
To: [WAM Testimony](#)
Cc: marenilduran@aol.com
Subject: *Submitted testimony for HB120 on Mar 25, 2013 09:10AM*
Date: Sunday, March 24, 2013 4:27:59 PM

HB120

Submitted on: 3/24/2013

Testimony for WAM on Mar 25, 2013 09:10AM in Conference Room 211

Submitted By	Organization	Testifier Position	Present at Hearing
marinella duran	Individual	Oppose	No

Comments:

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From: mailinglist@capitol.hawaii.gov
To: [WAM Testimony](#)
Cc: alohamila@hotmail.com
Subject: *Submitted testimony for HB120 on Mar 25, 2013 09:10AM*
Date: Sunday, March 24, 2013 4:20:32 PM

HB120

Submitted on: 3/24/2013

Testimony for WAM on Mar 25, 2013 09:10AM in Conference Room 211

Submitted By	Organization	Testifier Position	Present at Hearing
mila beltran	Individual	Oppose	No

Comments:

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From: mailinglist@capitol.hawaii.gov
To: [WAM Testimony](#)
Cc: myrnafronda@gmail.com
Subject: *Submitted testimony for HB120 on Mar 25, 2013 09:10AM*
Date: Sunday, March 24, 2013 4:32:28 PM

HB120
Submitted on: 3/24/2013
Testimony for WAM on Mar 25, 2013 09:10AM in Conference Room 211

Submitted By	Organization	Testifier Position	Present at Hearing
myrna fronda	Individual	Oppose	No

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From: mailinglist@capitol.hawaii.gov
To: [WAM Testimony](#)
Cc: normajacinto@aol.com
Subject: *Submitted testimony for HB120 on Mar 25, 2013 09:10AM*
Date: Sunday, March 24, 2013 5:34:48 PM

HB120
Submitted on: 3/24/2013
Testimony for WAM on Mar 25, 2013 09:10AM in Conference Room 211

Submitted By	Organization	Testifier Position	Present at Hearing
norma jacinto	Individual	Oppose	No

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From: mailinglist@capitol.hawaii.gov
To: [WAM Testimony](#)
Cc: isteffens@hawaii.rr.com
Subject: *Submitted testimony for HB120 on Mar 25, 2013 09:10AM*
Date: Sunday, March 24, 2013 6:08:58 PM

HB120

Submitted on: 3/24/2013

Testimony for WAM on Mar 25, 2013 09:10AM in Conference Room 211

Submitted By	Organization	Testifier Position	Present at Hearing
ofel simpliciano	Individual	Oppose	No

Comments:

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From: mailinglist@capitol.hawaii.gov
To: [WAM Testimony](#)
Cc: rdn@hawaii.rr.com
Subject: *Submitted testimony for HB120 on Mar 25, 2013 09:10AM*
Date: Sunday, March 24, 2013 5:30:50 PM

HB120
Submitted on: 3/24/2013
Testimony for WAM on Mar 25, 2013 09:10AM in Conference Room 211

Submitted By	Organization	Testifier Position	Present at Hearing
rebecca navarro	Individual	Oppose	No

Comments:

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LATE

To: Senator David Y. Ige, Chair & Senator Michelle N. Kidani, Vice Chair

My name is Robert Hubbard, a Hawai'i resident. I urge the passage of House Bill 120 Please consider the following with respect to the bill as currently amended.

I will have no benefit from the bill. It will benefit others who will benefit when their time comes to select a foster or care home for a critically ill or disabled spouse or parent.

Under current Hawaiian law, these people have limited access to inspection reports (after a ten-day waiting period, and for only one foster/care home per request). It's time for Hawai'i to get into the 21st century and to post such reports on line like many other states (and like federal requirements for nursing homes).

I had the unfortunate experience of finding my wife a place to stay. The hospital's advice: it would be irresponsible to take her home, while Medicare ruled that there was no "medical necessity." A further hospital stay as "private pay" would have cost \$1,700 per night, starting immediately. I had to place her quickly in a foster or care home without any idea of how to find one.

My search found a few vacancies. Some were unable to admit my wife because they needed to fill a "Medicaid bed" first. I understand the state's need to fill beds with Medicaid patients. However, visits to other homes raised serious questions in my mind:

- (1) A suggestion of declaring my wife as a family member of the home's owner (thus avoiding the Medicaid bed rule),
- (2) Making a big point of a facility's raking all leaves off the grass daily,
- (3) Stating that if my wife fell on the hard floor when only one CNA was present, my wife would be made more comfortable with pillows would not be picked up until another worker came to work (rather than calling 911),
- (4) Offering a price well below that of other facilities after I described my wife's condition the same way that I had described it to other facilities. In an informal chat, a case worker shared my suspicion of a bait-and-switch tactic (raising the price only after admitting my wife).

On-line posting of state inspection reports would have helped me find a suitable home in a more timely fashion. A complete database (all homes in the state, positive reports as well as negative; but deleting the negatives after three years) would help even more.

Mahalo



To the Honorable David Y. Ige, Chair
Honorable Michelle N. Kidani, Vice Chair
And Members of the Ways and Means

From: Ron Gallegos

RE: HB120, HD2, SD1

Date: Monday, March 25, 2013

Time: 9:10 a.m.

Place: Conference Room 221

State Capitol

415 South Beretania Street

WAM Committee Chair & Committee members

We are asking the Committee to please make the following amendments to **HB120 SD1**.

“§321-Inspections; public notice. (a)Beginning with inspections occurring on January 1, 2015, the department of health shall post on its website electronic copies of the inspection form, as designed by working group defined in Section 3 of this bill and approved by the legislature, regarding inspections it performs of the following state-licensed care facilities:

- (1) Adult day health centers;
- (2) Adult day care centers;
- (3) Community care foster family homes;
- (4) Developmental disabilities domiciliary as defined in section 321-15.9;
- (5) Developmentally disabled adult foster homes;
- (6) Long-term care facilities as defined in section 349-21(f); and
- (7) Special treatment facilities as defined in section 334-1.

(b) Each inspection from shall be posted on the department of health’s website within five working days after the acceptance of an approved Plan of Correction of each inspection and shall include the following information:

(1) The date of the inspection;

(2) A description of violations of relevant state laws or rules, if adjudicated;

3) Plan of correction and the status of corrective actions in response to any violations requiring Disciplinary Action, if applicable; and

(4) Other information regarding the quality and conditions of the facilities the department of health deems appropriate.

(c) Each report posted on the department of health's website that reports a violation committed by a state-licensed care facility as described in subsection (a) shall be removed from the website after three years from the date the report was posted."

(5) Vacancies.

Thank you for your kind consideration,

Ron Gallegos



From: mailinglist@capitol.hawaii.gov
To: [WAM Testimony](#)
Cc: viduyarose@yahoo.com
Subject: *Submitted testimony for HB120 on Mar 25, 2013 09:10AM*
Date: Sunday, March 24, 2013 6:14:37 PM

HB120
Submitted on: 3/24/2013
Testimony for WAM on Mar 25, 2013 09:10AM in Conference Room 211

Submitted By	Organization	Testifier Position	Present at Hearing
rosemarie viduya	Individual	Oppose	No

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From: mailinglist@capitol.hawaii.gov
To: [WAM Testimony](#)
Cc: serapioncarehome@gmail.com
Subject: *Submitted testimony for HB120 on Mar 25, 2013 09:10AM*
Date: Sunday, March 24, 2013 6:12:27 PM

HB120
Submitted on: 3/24/2013
Testimony for WAM on Mar 25, 2013 09:10AM in Conference Room 211

Submitted By	Organization	Testifier Position	Present at Hearing
shirley serapion	Individual	Oppose	No

Comments:

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From: mailinglist@capitol.hawaii.gov
To: [WAM Testimony](#)
Cc: tagavilla.arch@gmail.com
Subject: *Submitted testimony for HB120 on Mar 25, 2013 09:10AM*
Date: Sunday, March 24, 2013 6:19:30 PM

HB120

Submitted on: 3/24/2013

Testimony for WAM on Mar 25, 2013 09:10AM in Conference Room 211

Submitted By	Organization	Testifier Position	Present at Hearing
susan tagavilla	Individual	Oppose	No

Comments:

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From: mailinglist@capitol.hawaii.gov
To: [WAM Testimony](#)
Cc: otfernando@hawaii.rr.com
Subject: *Submitted testimony for HB120 on Mar 25, 2013 09:10AM*
Date: Sunday, March 24, 2013 4:30:26 PM

HB120

Submitted on: 3/24/2013

Testimony for WAM on Mar 25, 2013 09:10AM in Conference Room 211

Submitted By	Organization	Testifier Position	Present at Hearing
tessie fernando	Individual	Oppose	No

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Written Testimony in support of HB 120
Monday, March 25, 2013
Senate Committee on Ways & Means

COMMENTS RE: HB 120

Aloha. I hope you will consider the protection this measure could provide not only to our elderly citizens who must be cared for in nursing homes but also the many people who become so badly injured in accidents or through sudden cardiac arrest that although they survive, they must be confined to care homes. My father was one of the latter, who at 48, after a massive heart attack was revived but left unable to communicate or walk and who required nearly six years of skilled nursing care before he succumbed to pneumonia.

When such a thing occurs in your family, you are vigilant to be at their bedside as much as possible to make sure your loved one receives the best of care. But you cannot be there all the time.

It would help families to be able to know that they can check on the facilities via such an on-line reporting requirement. It would additionally help those for whom these devastating events happen so quickly to be able to gain information which will help them select the best care facility possible.

Mahalo, Tina Shelton
Resident of Moanalua



From: mailinglist@capitol.hawaii.gov
To: [WAM Testimony](#)
Cc: arthurandtrina@yahoo.com
Subject: *Submitted testimony for HB120 on Mar 25, 2013 09:10AM*
Date: Sunday, March 24, 2013 5:38:14 PM

HB120

Submitted on: 3/24/2013

Testimony for WAM on Mar 25, 2013 09:10AM in Conference Room 211

Submitted By	Organization	Testifier Position	Present at Hearing
trina pascual	Individual	Oppose	No

Comments:

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To: Senator David Y. Ige, Chair and Senator Michelle N. Kidani, Vice Chair

My name is Wendy Silverthorne and I am a former resident of many years of Kailua. My parents have been residents of Kailua for fifty years and live in Senate District 25. I am writing in strong support of HB 120.

Two years ago, my mother was hospitalized at Castle Medical Center. I flew out to be a support to my parents. My mother was so ill, after a week we were told that she needed to stay in a Skilled Nursing Facility. I was sent out the door of the hospital at 4:00 in the afternoon to find a place for my mother to stay as she was being discharged the next morning. Fortunately, I was there in Kailua. I could visit two Skilled Nursing Facilities and make an educated decision.

In June of 2012, my mother's health started to decline rapidly. She lost 50 pounds over the next few months. My mother's legs became weak and the Fire Department had to come to the house many times to either pick her up off the ground when she had fallen and/or take her to Castle Medical Center for evaluation. It was no longer safe for her to be at home.

As time progressed, my father was told that he should find a licensed foster home or care home for my mother. My father visited half a dozen of these homes. I became increasingly concerned about some of the things that he was being told. One home offered to go to Court and have my mother declared a family member so that they could take her in as a private pay patient. They needed to have a Medicaid patient fill a bed before they could take a private pay patient. The owner was clearly willing to go to Court and lie to "help" my father.

Another home told my father, that if my mother fell out of bed during the night, they would give her a pillow and "make her as comfortable as possible on the floor until another employee came in to assist in the next morning", but they would not call the fire department to get her up off the floor.

I thought the most sensible thing to do would be to check with State Department of health to see if there were founded complaints against the homes that we were considering placing my mother in. Most states post this information online to assist families in this situation.

I was shocked to find out that the procedure is to submit a request in writing and then after the request is received, the Department of Human Services is allowed ten days to provide the information. In most states, this information can be obtained online.

When a family has a loved one that needs to be placed, you rarely have the luxury of time to make a decision. Often, when being discharged from a hospital, you have about 24 hours to make that decision.

It was up to our family to choose a home carefully. Moving a medically fragile patient with dementia is likely to cause further declines. We were not in position to “try” a foster home or care home. We needed to make the right decision the first time

H.B. 120 in it's current format is well written. It would meet the needs of families needing to make very important decisions. **H.B. 120** would also meet the concerns the care home industry has raised during the legislative hearings.

Please pass **H.B. 120** to protect the vulnerable elderly and disabled citizens of Hawaii. It is the right thing to do.

Sincerely,
Wendy Silverthorne
wsilverthorne@comcast.net
360-450-7445



From: mailinglist@capitol.hawaii.gov
To: [WAM Testimony](#)
Cc: ycollo@yahoo.com
Subject: *Submitted testimony for HB120 on Mar 25, 2013 09:10AM*
Date: Sunday, March 24, 2013 4:26:01 PM

HB120

Submitted on: 3/24/2013

Testimony for WAM on Mar 25, 2013 09:10AM in Conference Room 211

Submitted By	Organization	Testifier Position	Present at Hearing
yolanda collo	Individual	Oppose	No

Comments:

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