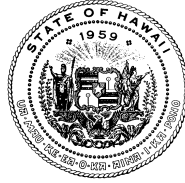


DAVID Y. IGE
GOVERNOR OF HAWAII



CAROLINE CADIRAO
PSM MANAGER

BRUCE ANDERSON
DIRECTOR OF HEALTH

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

Testimony COMMENTING on HB 880
Relating to Kupuna Care

COMMITTEE ON HEALTH
REP. JOHN M. MIZUNO, CHAIR
REP. BERTRAND KOBAYASHI, VICE CHAIR

COMMITTEE ON HUMAN SERVICES & HOMELESSNESS
REP. JOY A. SAN BUENAVENTURA, CHAIR
REP. NADINE K. NAKAMURA, VICE CHAIR

Testimony of Caroline Cadirao
PSM Manager, Executive Office on Aging
Attached Agency to the Department of Health

Hearing Date: February 01, 2019 Room Number: 329
9:00 am

1 **EOA's Position:** The Executive Office on Aging (EOA), an attached agency to the Department
2 of Health, would like to provide comments on HB 880 Relating to Kupuna Care. We appreciate
3 the intent, however we would defer to the Department of Health on this measure.

4 **Fiscal Implications:** This measure specifies that ten percent of the moneys in the Hawaii
5 tobacco settlement special fund shall be allocated and expended by DOH for the Kupuna Care
6 and Kupuna Caregivers programs. EOA defers to DOH on the fiscal implications of this bill.

7 **Purpose and Justification:** EOA supports this creative effort to increase funding for the
8 Kupuna Care and Kupuna Caregivers programs. We also appreciate that the allotment of tobacco
9 settlement moneys shall not supplant the base budget of EOA. EOA's current base budget for

1 the Kupuna Care program is \$4.8M. Also, each year, EOA requests an additional \$4.1M for the
2 Kupuna Care program so the county Area Agencies on Aging (AAA) can provide services such
3 as: adult day care, assisted transportation, attendant care, case management, chore services,
4 homemaker services, home-delivered meals, personal care and transportation services.

5 The Kupuna Caregivers program received \$1.2M to provide services to caregivers so they may
6 continue to work rather than be unemployed in order to care for their loved one.

7 **Recommendation:** The Governor's biennium budget request included the a total of \$9M base
8 budget for the Kupuna Care program and \$1.2M for Kupuna Caregivers. We support the
9 Governor's request.

10 Thank you for the opportunity to testify.



**TESTIMONY OF
THE DEPARTMENT OF THE ATTORNEY GENERAL
THIRTIETH LEGISLATURE, 2019**

ON THE FOLLOWING MEASURE:

H.B. NO. 880, RELATING TO KUPUNA CARE.

BEFORE THE:

HOUSE COMMITTEES ON HEALTH AND ON HUMAN SERVICES &
HOMELESSNESS

DATE: Friday, February 1, 2019

TIME: 9:00 a.m.

LOCATION: State Capitol, Room 329

TESTIFIER(S): Clare E. Connors, Attorney General, or
Blair Goto, Deputy Attorney General

Chairs Mizuno and San Buenaventura and Members of the Committees:

The Department of the Attorney General provides the following comments.

The purpose of the bill is to use ten per cent of the moneys in the tobacco settlement special fund for the Executive Office on Aging's (EOA's) kupuna care program and the kupuna caregivers program and to provide that the funds in question may not supplant the base budget of the EOA.

The wording of the bill authorizing the expenditure of the ten per cent is problematic. Article VII, section 5 of the Hawaii Constitution provides in part: "No public money shall be expended except pursuant to appropriations made by law" On page 3 of the bill, lines 9-17, the authorizing wording of the bill provides:

Ten per cent shall be deposited to the credit of the general fund to be allocated to and expended by the department of health for purposes of the kupuna care program and the kupuna caregivers program at the discretion of the executive office on aging; provided that any funds deposited pursuant to this paragraph shall be in addition to and shall not supplant any portion of the base budget of the executive office on aging; and (Emphasis added).

The emphasized wording does not actually make an appropriation of the ten per cent. Without an appropriation, per Article VII, section 5, the funds cannot be expended.

Moreover, the wording of the proviso to prohibit supplanting of the base budget for EOA (supplanting prohibition) is also problematic. The Legislature may not, by

including the supplanting prohibition in this bill, bind itself and all future Legislatures to appropriate sufficient funds in the budget bills so that the ten per cent would not actually supplant any of the EOA's base budget this year and in all succeeding years.

Accordingly, we recommend that the wording of lines 9-17 on page 3 of the bill be replaced with the following:

Ten per cent shall be appropriated to the executive office on aging for purposes of the kupuna care program and the kupuna caregivers program with the allocation between the two programs to be determined by the EOA; and

We respectfully ask that the Committees make the recommended amendment if this bill is passed.

DAVID Y. IGE
GOVERNOR



RODERICK K. BECKER
DIRECTOR

ROBERT YU
DEPUTY DIRECTOR

EMPLOYEES' RETIREMENT SYSTEM
HAWAII EMPLOYER-UNION HEALTH BENEFITS TRUST FUND
OFFICE OF THE PUBLIC DEFENDER

STATE OF HAWAII
DEPARTMENT OF BUDGET AND FINANCE
P.O. BOX 150
HONOLULU, HAWAII 96810-0150

ADMINISTRATIVE AND RESEARCH OFFICE
BUDGET, PROGRAM PLANNING AND
MANAGEMENT DIVISION
FINANCIAL ADMINISTRATION DIVISION
OFFICE OF FEDERAL AWARDS MANAGEMENT (OFAM)

WRITTEN ONLY
TESTIMONY BY RODERICK K. BECKER
DIRECTOR, DEPARTMENT OF BUDGET AND FINANCE
TO THE HOUSE COMMITTEES ON HEALTH AND
HUMAN SERVICES AND HOMELESSNESS
ON
HOUSE BILL NO. 880

February 1, 2019
9:00 a.m.
Room 329

RELATING TO KUPUNA CARE

House Bill No. 880 specifies that 10 percent of the moneys in the Hawaii Tobacco Settlement Special Fund shall be allocated to and expended by the Department of Health (DOH) for purposes of the Kupuna Care and Kupuna Caregivers programs.

The Department of Budget and Finance notes that there may be problems with the allocation and expenditure language. Page 3, line 9 of the bill reads in part:

“Ten per cent shall be deposited to the credit of the general fund to be allocated to and expended by the department of health for purposes of the kupuna care program and the kupuna caregivers program at the discretion of the executive office on aging.”

The Department of the Attorney General has informed us that the above language does not actually make an appropriation of the 10 percent to DOH. Further, without an appropriation made pursuant to Article VII, Section 5 of the Hawaii State Constitution, the funds cannot be expended.

Thank you for your consideration of our comments.

TO : **HOUSE COMMITTEE ON HEALTH & HUMAN SERVICES**
 Rep. John M. Mizuno, Chair
 Rep. Bertrand Kobayashi, Vice Chair

HOUSE COMMITTEE ON HUMAN SERVICES & HOMELESSNESS
Rep. Joy A. San Buenaventura, Chair
Rep. Nadine K. Nakamura, Vice Chair

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

SUBJECT: HB 880 Relating to Kupuna Care

HEARING: Tuesday March 20, 2018, 8:30 am
 Conference Room 329, Hawaii State Capitol

POSITION: The Hawaii Family Caregiver Coalition (HFCC) strongly supports Bill HB 880 which would allocate and distribute 10% of the Tobacco Settlement Fund to the Department of Health and target the funds to the Kupuna Care and Kupuna Caregivers Programs of the Executive Office on Aging

The Hawaii Family Caregiver Coalition (HFCC) is a coalition of agencies and individuals committed to addressing the needs of family caregivers and improving the ability of family caregivers to provide quality care for their frail and disabled loved ones.

Family caregivers provide 70% of the care for frail elderly persons and thus bear the major burden and expense of care. The majority of family caregivers are also in the workforce and their employment is necessary to support the needs of their families as well as to assure that they will have sufficient social security and savings to support themselves in retirement.

Research in Hawaii as well as nationally has shown that employed caregivers suffer an extraordinary level of stress in trying to balance the obligations of work and eldercare. Consequently, many employed caregivers have reduced productivity or have to limit their hours or drop out of the workforce due the demands of caring.

The Kupuna Caregivers Program was passed in the 2017 Legislative Session with the goal of providing home and community services to employed caregivers in order to enable them to continue to be employed. Within a few weeks of the launch of the program, more than 500 persons inquired about it. The program's relatively small budget, however, limits the services to a relatively small number of clients and is woefully inadequate to serve the existing need. Legislators, as well as persons in the community, have expressed a strong desire to expand the number of persons being served. An allocation from the Tobacco Settlement Fund would allow the program to serve a more significant and meaningful number of employed caregivers.



CARING ACROSS GENERATIONS

Chair John Mizuno

Chair Joy San Buenaventura

House Committee Health and House Committee on Human Services

February 1, 2019

TESTIMONY IN SUPPORT OF HB 880 RELATING TO KUPUNA CARE

My name is Pedro Haro, and I wish to testify on behalf of Caring Across Generations in strong support of Senate Bill 1025.

Caring Across Generations is a national movement of families, caregivers, people with disabilities and aging Americans working to transform the way we care in this country, calling for policy solutions that enable all of us to live and age with dignity and independence. Caring Across Generations has worked with partners in Hawai'i for years in support of legislation that will help make quality long-term care accessible to everyone, and we believe that this bill is an important step toward that goal.

There is little disagreement that the lack of long-term care coverage is a critical issue facing our country. For the vast majority of families without private long term care insurance, the only choices available are to either spend down their life savings in order to qualify for Medicaid, or to rely on unpaid family caregivers. Neither choice is sustainable. In Hawai'i, the issue is even more devastating as our cost of home health care is on average \$10,000 more than on the continental U.S. To adequately meet the care needs of families, and of the direct care workforce, we need to support the caregiving infrastructure that the Kupuna Caregivers provides.

House Bill 880 will continue the funding for the Kupuna Caregivers program through appropriations of the Tobacco Settlement Funds and will provide the needed respite care that our kūpuna caregivers deserve and the support our working families and businesses need. Study after study shows that the value of unpaid, and often under-recognized, family care is astronomical, and when family caregivers are forced to leave the workforce to provide care for an aging loved one, they risk their own retirement security. No one should be forced to choose between earning a living to provide for their family or leaving a job to provide long term care.

Our own research showed that 1 in 5 people indicated that they or someone in the household has had to leave a job or the workforce to help care for an aging loved one.

The benefit offered in this legislation will help ensure that aging adults in Hawaii will have access to the care they need, in a setting where they are already comfortable. And, importantly, family members in the workforce will be able to continue working, which improves their economic security and also stabilizes the workforce for business owners.

Care is a universal issue, and anyone in this room who is not currently providing some form of care to a family member has almost certainly done so in the past...or will do so in the future. Caring Across Generations urges this committee to support House Bill 880 and help ensure that all families have the support they need to provide the care our kūpuna deserve.

Thank you for considering my testimony.

Sincerely,

Pedro Haro
Advocacy Director, Hawaii
Caring Across Generations
pedro@caringacross.org

HB-880

Submitted on: 1/30/2019 12:14:32 AM

Testimony for HLT on 2/1/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Adrian-Marie Luna-Gaballo	Individual	Oppose	No

Comments:

This is not right it denies my father and all other people who are trying to quit smoking, because the state wants to deny them to be able to vape. And to give the money to elders who probably have health issues due to a lifetime of smoking cigarettes.

HB-880

Submitted on: 1/30/2019 3:38:00 PM

Testimony for HLT on 2/1/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Layla Kilolu	Individual	Support	No

Comments:

Aloha,

As a graduate student in urban and regional planning at the University of Hawaii at Manoa, I am aware of the need to support our kupuna. Further, I am in support of this bill that stipulates 10% of the Hawaii tobacco settlement special fund shall be allocated to and expended by the department of health for purposes of the kupuna care program and the kupuna caregivers program.

Respectfully,

Layla Kilolu, MBA

HB-880

Submitted on: 1/29/2019 11:50:39 PM

Testimony for HLT on 2/1/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Anden Gaballo	Individual	Oppose	No

Comments:

Why should people be 21 years and older suffer and give the settlement money to elders who have health problems that are related to tobacco use. When people who vape are trying to quit smoking and live healthier lives.

HB-880

Submitted on: 1/29/2019 11:59:25 PM

Testimony for HLT on 2/1/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Valerie Luna-Gaballo	Individual	Oppose	No

Comments:

This is not right it denies my husband and all other people who are trying to quit smoking, because the state wants to deny them to be able to vape. And to give the money to elders who probably have health issues due to a lifetime of smoking cigarettes.

LATE

HB-880

Submitted on: 2/1/2019 6:23:35 AM

Testimony for HLT on 2/1/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Dr. Jim Shon	Kokua Council	Support	Yes

Comments:

Kokua Council did not formally review this bill, but it is an intriguing concept, and a worthy public health purpose for the tobacco fund. These funds should always be devoted to public health programs. Because of our rapidly aging population, we know that there will always be a challenge to provide the needed services and programs. Please keep this bill alive.