

Honolulu, Hawaii

FEB 20 2009

RE: S.B. No. 415
S.D. 1

Honorable Colleen Hanabusa
President of the Senate
Twenty-Fifth State Legislature
Regular Session of 2009
State of Hawaii

Madam:

Your Committees on Health and Commerce and Consumer Protection, to which was referred S.B. No. 415 entitled:

"A BILL FOR AN ACT RELATING TO HOME CARE AGENCIES,"

beg leave to report as follows:

The purpose of this measure is to protect consumers of home care services by:

- (1) Requiring home care agencies to be licensed by the Department of Health; and
- (2) Appropriating funds for a position in the Department of Health to assist with licensure and monitoring of home care agencies.

Your Committees received testimony in support of this measure from The Chamber of Commerce of Hawaii, the International Longshore and Warehouse Union Local 142, and AARP Hawaii. Testimony in opposition of this measure was submitted by the Department of Health and the Department of Human Services. Comments on this measure were submitted by the City and County of Honolulu.

Written testimony presented to the Committees may be reviewed on the Legislature's website.

Your Committees find that it is necessary to license home care agencies to ensure the public that minimum standards are



being met by home care staff who provide personal care services in the homes of clients. Your Committees further find that an important part of licensure is the requirement that criminal background checks be conducted.

Your Committees have amended this measure by:

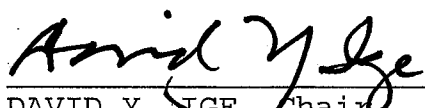
- (1) Providing time for the Department of Health to establish licensing procedures by requiring licensure of each home care agency by July 1, 2010;
- (2) Exempting service provider agencies that are under contract for services with the City and County of Honolulu Elderly Affairs Division from the licensure requirement; and
- (3) Removing the appropriation.

As affirmed by the records of votes of the members of your Committees on Health and Commerce and Consumer Protection that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 415, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 415, S.D. 1, and be referred to the Committee on Ways and Means.

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



ROSALYN H. BAKER, Chair

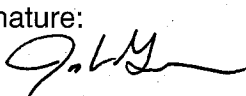


DAVID Y. IGE, Chair



The Senate
 Twenty-Fifth Legislature
 State of Hawaii

Record of Votes
Committee on Health
HTH

Bill / Resolution No.:*	Committee Referral:	Date:		
SB 415	HTH / CPN, WAM	2/12/9		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is:				
<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
IGE, David Y. (C)	✓			
GREEN, M.D., Josh (VC)	✓			
BAKER, Rosalyn H.	✓			
ESPERO, Will	✓			
NISHIHARA, Clarence K.				✓
HEMMINGS, Fred	✓			
TOTAL	5	0	0	1
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes

