

Honolulu, Hawaii

MAR 19 2013

RE: H.B. No. 120
H.D. 2
S.D. 1

Honorable Donna Mercado Kim
President of the Senate
Twenty-Seventh State Legislature
Regular Session of 2013
State of Hawaii

Madam:

Your Committees on Human Services and Health, to which was referred H.B. No. 120, H.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO HEALTH,"

beg leave to report as follows:

The purpose and intent of this measure is to allow the Department of Health and the Department of Human Services to post on their websites information on all inspections in which major patient care violations were discovered at certain care facilities within a certain period of time after the order specifying the violation becomes final.

Your Committees received testimony in support of this measure from the Department of Health, State Long Term Care Ombudsman, State Council on Developmental Disabilities, Hawaii Alliance for Retired Americans, and nine individuals. Your Committees received testimony in opposition to this measure from the Adult Foster Homecare Association of Hawaii, Alliance of Residential Care Administrators, and fifty-eight individuals. Your Committees received comments on this measure from the Department of Human Services, Healthcare Association of Hawaii, and Hawaii Family Caregiver Coalition.

Your Committees find that the Department of Health is responsible for licensing, certifying, and monitoring several types of care facilities. Although the Department performs inspections to ensure a standard of quality of these facilities



using state monies, the public currently cannot easily access the information contained in the inspection reports. The public would benefit from greater access to information on the quality and conditions of care facilities in Hawaii. At least twenty-seven states already have websites that provide evaluations of care facilities.

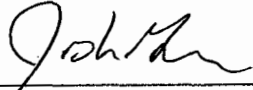
Your Committees have amended this measure by:

- (1) Deleting its contents and replacing them with the provisions of Senate Bill No. 358, S.D. 2 (Regular Session of 2013), which:
 - (A) Beginning January 1, 2015, requires the Department of Health to make available to the public on its website information collected from the Department's inspections in certain care facilities;
 - (B) Requires that information collected from the Department's inspections shall be posted on the Department's website within five working days of the conclusion of the inspection;
 - (C) Removes each report posted on the Department's website that reports a violation after three years from the date the report was posted; and
 - (D) Appropriates funds for computer equipment, website and database development, and staff support; and
- (2) Adding language to create 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.

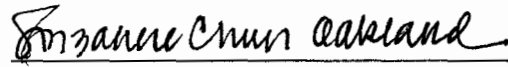
As affirmed by the records of votes of the members of your Committees on Human Services and Health that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 120, H.D. 2, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 120, H.D. 2, S.D. 1, and be referred to the Committee on Ways and Means.



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



JOSH GREEN, Chair



SUZANNE CHUN OAKLAND, Chair



The Senate
 Twenty-Seventh Legislature
 State of Hawai'i

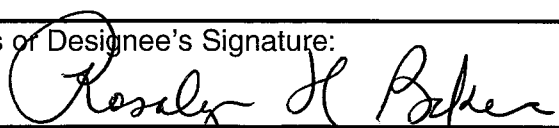
Record of Votes
Committee on Human Services
HMS

Bill / Resolution No.:* HB 120, HD2	Committee Referral: HMS/HTH, WAM	Date: 3/12/13		
<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
CHUN OAKLAND, Suzanne (C)	✓			
GREEN, Josh (VC)	✓			
KIDANI, Michelle N.				✓
TANIGUCHI, Brian T.	✓			
SLOM, Sam				✓
TOTAL	3	0	0	2
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

The Senate
 Twenty-Seventh Legislature
 State of Hawai'i

Record of Votes
Committee on Health
HTH

Bill / Resolution No. :* <i>HB 120, HD 2</i>	Committee Referral: <i>HMS/HTH, WAM</i>	Date: <i>3/12/13</i>		
<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
GREEN, Josh (C)				✓
BAKER, Rosalyn H. (VC)	✓			
CHUN OAKLAND, Suzanne	✓			
NISHIHARA, Clarence K.	✓			
SLOM, Sam				✓
TOTAL	3	0	0	2
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				

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