



WORKING TOGETHER TO HELP OTHERS

PLEASE JOIN US FOR LUNCH

**Monday, June 27, 2016** Miyama Main Hall, Harris United Methodist Church  
**11:30 a.m. to 1:00 p.m.** Nuuanu Ave. and S. Vineyard Blvd.—Ample parking—driveway off Nuuanu Ave

**Agenda:**

11:30 Luncheon (optional): **Various Pizzas, Salad, and Dessert**—\$5.00 Donation

11:55 **Welcome, Introductions and Remarks**

12:00 **Program:** John G. McDermott: **“The Long Term Care Ombudsman Program is Broken, But Can Be Fixed With Your Support”**

**John G. McDermott, LSW, ACSW, M.Div.**, has been the State Long Term Care Ombudsman since 1998. Prior to that, he was Director of Social Services at Hale Nani Rehabilitation and Nursing Center for 7 years and held that same position at Maunalani Nursing and Rehab Center the prior two years. Having seen and worked on both sides, Mr. McDermott is an expert on Hawaii's long term care options and will share with us why the LTCOP is no longer effective and what fellow senior advocates can do to strengthen this federal and state mandated program.

1:00 **Adjourn**

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**Kokua Council Windward: Thursday, June 9, 2016: “What Must Be Done to Save the Nation from Catastrophe?” COMMUNITY WELCOME**

**11:30 (Optional) — Buffet Lunch in Dining Room, \$11.** Reservation and Information: Samuel Cox (808) 779-3606 or [revsamuelcox@gmail.com](mailto:revsamuelcox@gmail.com).

**12:30 Program:** Richard Miller, **“What Must Be Done to Save the Nation from Catastrophe?”**

**Richard Miller** is Professor of Law, Emeritus and former Dean of the William S. Richardson School of Law at University of Hawaii—Manoa, which he helped establish on his arrival in Hawaii in 1973. He has served as a board member for the Drug Policy Forum of Hawaii, the Media Council Hawaii, and Kokua Council and as a legal consultant for the Hawaii Coalition for Health.

**1:30 Adjourn**

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**Inside:**

**Measures approved by the 2016 Legislature**

*(see p.2)*

**The ongoing controversy over care home inspections in Hawaii**

*(see p.3)*

**Measures Approved by the 2016 Legislature** (courtesy Sen. Suzanne Chun Oakland)

<p><a href="#">HB1878 CD1</a></p>	<p>RELATING TO AGING.</p> <p>Appropriates \$1.7million for Aging and Disability Resource Centers (ADRCs) and \$32,000 for fall prevention and early detection services for the elderly. Requires the Executive Office on Aging to submit a report to the Legislature no later than 60 days prior to the convening of the Regular Sessions of 2017 and 2018 on its progress to develop a system of evaluation to determine the effectiveness of the ADRCs in each county and to implement the federal No Wrong Door/ADRC network implementation grant.</p>
<p><a href="#">HB2252 CD1</a></p>	<p>RELATING TO DISCHARGE PLANNING.</p> <p>Requires hospitals to adopt and maintain written discharge policies consistent with recent updates to federal regulations to support families by enabling patients in inpatient hospitals to designate a caregiver prior to discharge or transfer from the facility.</p>
<p><a href="#">SB2076 CD1</a></p>	<p>RELATING TO HEALTH CARE.</p> <p>Establishes a durable medical equipment supplier license program for suppliers of durable medical equipment, prosthetics, orthotics, and related supplies through the office of health care assurance. Allows license fees to be deposited into the office of health care assurance special fund. Amends the cap on amounts of the office of health care assurance special fund that may be used per fiscal year. Amends the balance of the office of health care assurance special fund above which moneys are deposited into the general fund. Takes effect on 1/1/2017.</p>
<p><a href="#">SB2384 CD1</a></p>	<p>RELATING TO LICENSING INSPECTIONS</p> <p>Requires the department of health to: (1) conduct unannounced visits and inspections, including inspections for relicensing and recertification, for certain state-licensed or state-certified care facilities beginning on July 1, 2019, and unannounced inspections for license renewals for medical marijuana production centers and dispensaries beginning on July 1, 2016; and (2) submit reports to the legislature prior to the regular sessions of 2017, 2018, and 2019 on the number of visits and inspections by the department of health on the specified state-licensed or state-certified care facilities and general outcomes and corrective actions taken.</p>
<p><a href="#">SB2330 CD1</a></p>	<p>Relating to the Hospital Sustainability Program</p> <p>Extends the hospital sustainability program for an additional year and appropriates \$65 million. These funds assist hospitals in providing important medical services.</p>
<p><a href="#">SB22131 CD1</a></p>	<p>Relating to the Nursing Facility Sustainability Program</p> <p>Continues the nursing facility sustainability program for one additional year and appropriates \$14 million. These funds assist hospitals in providing important long term care services.</p>

## **The ongoing controversy over care home inspections in Hawaii**

There are approximately 1,700 long-term care facilities in Hawaii. While many states mandate unannounced inspections of these facilities, Hawaii does not. It should be self-evident that giving months of advance notice lets negligent operators clean up their act just before the inspectors show up. There's evidence that this has cost lives.

Nevertheless, advocates have been unable to require the state Department of Health to begin unannounced inspections, which it is able to do at any time, according to Long Term Care Ombudsman John McDermott.

This session a bill with a requirement for unannounced inspections managed to squeak out of the Legislature. But SB2384 is effective starting in 2019:

Requires the department of health to: (1) conduct unannounced visits and inspections, including inspections for relicensing and recertification, for certain state-licensed or state-certified care facilities beginning on July 1, 2019, and unannounced inspections for license renewals for medical marijuana production centers and dispensaries beginning on July 1, 2016.

So while medical marijuana users will be protected by DOH inspections, the many vulnerable seniors and those with disabilities who are under the care of all of those private operators will remain unprotected.

The care home owners have strongly lobbied against both unannounced inspections and against the posting of inspection reports on the internet. With a target date of 2019, there is plenty of opportunity for those who oppose this legislation to work at changing it.

Legislators may be siding with the operators—some have said that DOH has limited resources.

Clearly, seniors so far have not convinced lawmakers that their needs should rate high priority at DOH.

Concerns are very real. As an example, Civil Beat reported in November 2015:

Nona Mosman died in 2013 after social workers discovered the 88-year-old with softball-sized bed sores at a three-bed community care foster family home in Waipahu.

Her primary caregiver, Jennifer Polintan, was working another full-time job and leaving Mosman in the care of her father, who was unqualified to tend to her needs.

Routine announced inspections failed to uncover this problem. It took a complaint to trigger an unannounced visit, but by that time, it was too late.

SB2384 has been sent to the Governor but he has not yet signed it. Even if it becomes law, advocates will be challenged to protect it against a powerful lobby, one that is capable of making whatever campaign contributions it will take to derail unannounced inspections before they become effective in 2019.

The Department of Health budget is ultimately set jointly by the Department and the Legislature. It is up to both bodies to ensure the safety of Hawaii's seniors by funding and then implementing unannounced inspection of care facilities without further delay.



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WORKING TOGETHER TO HELP OTHERS

**June 27 meeting: John G. McDermott: “The Long Term Care Program is Broken, But Can Be Fixed With Your Support”**

**Kokua Council Windward: Thursday, June 9, 2016: “What Must Be Done to Save the Nation from Catastrophe?”**

### Who Are We?

**Kokua Council** is one of Hawaii’s oldest advocacy groups. There is a **\$10.00 annual membership** to defray printing and postage costs. At each meeting, topical issues are presented for discussion and possible action. We embrace diversity and extend a special invitation to any senior or intergenerational-minded individual interested in advocating for these important issues in Hawaii. All are welcome. **WHEN:** 4th Monday of every month, 11:30 a.m. to 1:00 p.m. **WHERE:** Harris United Methodist Church @ Nuuanu and Vineyard Blvd. There is ample parking. A light lunch is provided for a \$5 donation. **REACH US** c/o Harris United Methodist Church, 20 South Vineyard, Honolulu, Hawaii 96813

**Mission:** “Kokua Council advocates and seeks to empower seniors and other concerned citizens to be effective advocates in shaping the future and well-being of our community, with particular attention to those needing help in advocating for themselves.”

#### Board Members

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### JOIN KOKUA COUNCIL!

Yes! I want to join Kokua Council. Here are my annual dues and my contact information. I understand that my phone number will be added to the Kokua Phone Tree and I will receive the monthly newsletter and occasional e-mails. Our fiscal year starts in January. Please make checks payable to **Kokua Council**.

Individual Member \_\_ \$10.00 Life Member \_\_ \$100.00 Organizational Member \_\_ \$25.00

Donations: 501(c)(4) Advocacy \_\_\_\_\_ Education Fund: 501(c)(3) \_\_\_\_\_ (Tax Deductible)

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Mail to: Treasurer, Kokua Council, Harris United Methodist Church, 20 S. Vineyard Blvd., Honolulu, HI 9681