
A BILL FOR AN ACT

RELATING TO HEALTH.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 PART I

2 SECTION 1. The Hawaii Revised Statutes is amended by
3 adding a new chapter to be appropriately designated and to read
4 as follows:

5 "CHAPTER

6 HAWAII HEALTH AUTHORITY

7 § -1 **Hawaii health authority; establishment.** (a) There
8 is established within the department of budget and finance for
9 administrative purposes the Hawaii health authority. The
10 authority shall be an autonomous public body corporate and
11 politic and an instrumentality of the State.

12 (b) The authority shall be composed of nine members
13 appointed by the governor as provided in section 26-34; provided
14 that three members shall be appointed from a list of nominees
15 submitted by the speaker of the house of representatives and
16 three members shall be appointed from a list of nominees
17 submitted by the president of the senate. All members shall be
18 appointed for terms of four years each.



1 (c) An executive director shall be selected by the
2 members.

3 (d) Each member shall hold office until the member's
4 successor is appointed and qualified.

5 (e) Five members shall constitute a quorum, whose
6 affirmative vote shall be necessary for all valid actions by the
7 authority.

8 **§ -2 Hawaii health authority; duties and**

9 **responsibilities.** (a) The authority shall be responsible for
10 overall health planning for the state and shall be responsible
11 for determining future capacity needs of health providers,
12 facilities, equipment, and support services providers.

13 (b) The authority shall develop a comprehensive health
14 plan that includes:

15 (1) Establishment of eligibility for inclusion in a health
16 plan for all individuals;

17 (2) Establishment of all reimbursable services to be paid
18 by the authority;

19 (3) Establishment of all approved providers of services in
20 a health plan for all individuals;

21 (4) Evaluation of health care and cost effectiveness of
22 all aspects of a health plan for all individuals; and



1 (5) Establishment of a budget for a health plan for all
2 individuals in the state.

3 (c) The authority may seek waivers of federal law, rule,
4 or regulation necessary to implement and maintain the provisions
5 of this chapter.

6 (d) The authority shall adopt rules pursuant to chapter 91
7 necessary for the purposes of this chapter.

8 (e) The authority shall submit a comprehensive health plan
9 for all individuals in the state, including its findings and
10 recommendations, to the legislature no later than twenty days
11 prior to the convening of the regular session of 2008."

12 SECTION 2. There is appropriated out of the general
13 revenues of the State of Hawaii the sum of \$1 or so much thereof
14 as may be necessary for fiscal year 2006-2007 for the purpose of
15 operating the Hawaii health authority.

16 The sum shall be expended by the department of budget and
17 finance for the purposes of this part.

18 PART II

19 SECTION 3. The legislature finds that more children and
20 young adults die from suicide each year than from cancer, heart
21 disease, AIDS, birth defects, stroke, and chronic lung disease
22 combined. Nationally, over four thousand youths take their



1 lives annually, making suicide the third leading cause of death
2 for persons between the ages of ten and twenty-four.

3 In Hawaii, suicide is the second leading cause of death
4 among persons fifteen to twenty-four years old. Rates of youth
5 suicide have been on the rise in the last decade among both
6 females and males and among all ethnic groups. In Hawaii, males
7 are more likely than females to commit suicide, and native
8 Hawaiian youths are the most likely ethnic group to attempt or
9 commit suicide.

10 Research demonstrates that youth suicide is linked to
11 underlying mental health problems that can be addressed through
12 early intervention and prevention strategies. The legislature
13 notes that such intervention and prevention strategies have been
14 listed as a national health priority to deal with rising rates
15 of youth suicide. Furthermore, Congress passed federal
16 legislation in 2004, and appropriated \$82,000,000 over the next
17 three years, for statewide programs designed to help prevent
18 youth suicide. Many states have already developed comprehensive
19 statewide youth suicide and early intervention and prevention
20 strategies that seek to provide effective early intervention and
21 prevention services.



1 Suicide is a serious public health tragedy affecting
2 children and young adults in Hawaii. The legislature declares
3 that preserving and protecting the lives of children and young
4 adults is a priority for the State. The legislature further
5 finds and declares that preventing youth suicide is necessary
6 for the health, safety, and welfare of the residents of the
7 state. Accordingly, the purpose of this part is to establish a
8 youth suicide prevention program for Hawaii.

9 SECTION 4. Chapter 321, Hawaii Revised Statutes, is
10 amended by adding a new section to be appropriately designated
11 and to read as follows:

12 **"§321- Youth suicide early intervention and prevention**
13 **program.** (a) The department of health shall establish and
14 operate a statewide youth suicide early intervention and
15 prevention program that focuses upon, but is not necessarily
16 limited to, persons between the ages of ten and twenty-four, to
17 accomplish the following:

- 18 (1) Create public awareness for issues relating to youth
19 suicide prevention;
20 (2) Build community networks concerning youth suicide
21 prevention; and



1 (3) Carry out training programs for suicide prevention for
2 law enforcement personnel, providers of health care,
3 school and University of Hawaii employees, and other
4 persons who have contact with individuals at risk of
5 suicide.

6 (b) The department of health shall provide appropriate
7 research, training, and technical assistance to carry out the
8 purposes of this section, which may include but are not limited
9 to the following:

- 10 (1) Providing oversight on youth suicide early
11 intervention and prevention strategies;
- 12 (2) Identifying and understanding causes and associated
13 risk factors of youth suicide;
- 14 (3) Analyzing the efficacy of new and existing youth
15 suicide early intervention techniques and
16 technologies;
- 17 (4) Examining trends in youth suicidal behaviors and
18 nonfatal suicidal attempts;
- 19 (5) Evaluating and disseminating outcomes and best
20 practices of mental and behavioral health services at
21 institutions of higher education; and

1 (6) Other activities deemed appropriate by the director of
2 health.

3 (c) Research, training, and technical assistance resources
4 shall be provided but shall not be limited to the following
5 entities:

6 (1) Political subdivisions of the State;

7 (2) Native Hawaiian health and community organizations;

8 (3) Institutions of higher education;

9 (4) The department of education;

10 (5) Public organizations;

11 (6) Private nonprofit organizations; and

12 (7) Health and social service organizations;

13 provided that specialized training shall be specifically
14 provided to department of education personnel who confront the
15 challenge of early identification of students at risk of suicide
16 or who have daily contact with students.

17 (d) The department of health may develop and submit
18 proposals for funding from federal agencies and private
19 organizations to support the purposes of this Act.

20 (e) The department of health may adopt rules in accordance
21 with chapter 91 to implement the purposes of this section."



1 SECTION 5. There is appropriated out of the general
2 revenues of the State of Hawaii the sum of \$1 or so much thereof
3 as may be necessary for fiscal year 2006-2007 for implementation
4 of the statewide youth suicide early intervention and prevention
5 program pursuant to section 321- , Hawaii Revised Statutes.

6 The sum appropriated shall be expended by the department of
7 health for the purposes of this part.

8 PART III

9 SECTION 6. The legislature finds that thimerosal is a
10 preservative that has been used in some vaccines since the 1930s
11 and consists of 49.6 per cent mercury by weight and is
12 metabolized or degraded into ethylmercury and thiosalicylate.
13 While the use of mercury-containing preservatives has declined
14 in recent years, thimerosal is still used in certain vaccines
15 recommended for adults, pregnant women, and children.

16 The United States Food and Drug Administration (FDA)
17 acknowledges that: "depending on the vaccine formulations used
18 and the weight of the infant, some infants could have been
19 exposed to cumulative levels of mercury during the first six
20 months of life that exceeded EPA [Environmental Protection
21 Agency] recommended guidelines for safe intake of methylmercury.
22 As a precautionary measure, the Public Health Service (including



1 the FDA, National Institutes of Health, Centers for Disease
2 Control and Prevention and Health Resources and Services
3 Administration) and the American Academy of Pediatrics issued a
4 Joint Statement on July 7, 1999, urging vaccine manufacturers to
5 reduce or eliminate thimerosal in vaccines as soon as possible."

6 Legislation to ban thimerosal-containing vaccines has been
7 enacted in six states -- California, Delaware, Illinois, Iowa,
8 Missouri, and New York. Fourteen other states have introduced
9 similar legislation.

10 The purpose of this Act is to limit the use of mercury-
11 containing vaccines in Hawaii.

12 SECTION 7. Chapter 321, Hawaii Revised Statutes, is
13 amended by adding a new section to be appropriately designated
14 and to read as follows:

15 **"§321- Mercury-containing vaccines; prohibited. (a)**
16 Depending upon availability in this state, preference during the
17 2006-2007 influenza season shall be given to children under
18 twelve years of age and pregnant women to receive no vaccine
19 containing more than a trace of mercury, defined as 1.25
20 micrograms per administered dose amount.

21 The department of health may seek an exemption from this
22 section only when it determines, and the governor agrees, that



1 an emergency exists, and only if there is a shortage of the
2 mercury-free product. In that case, the exemption shall not
3 last longer than six months; provided further that anyone
4 receiving a vaccine that is not mercury-free shall be informed
5 in advance in writing that the product contains a mercury-based
6 preservative. The exemption shall apply to children under the
7 age of twelve only if the mercury-free, pediatric formulation of
8 influenza vaccine is unavailable. Likewise, exemptions for
9 individuals thirteen years of age and older shall apply only in
10 the absence of the mercury-free adult formulation of influenza
11 vaccine.

12 The department of health shall immediately notify all
13 vaccine providers of this subsection.

14 (b) Commencing in the fall, at the onset of the 2007-2008
15 influenza season, to the greatest extent possible, no person
16 shall be vaccinated with a vaccine or injected with any product
17 that contains, or prior to dilution had contained as an
18 additive, any mercury-based product, whether as a preservative
19 or at a trace amount level.

20 The department may seek an exemption from this subsection
21 only when it determines, and the governor agrees, that an
22 emergency exists, and only if there is a shortage of the



1 mercury-free product. In such case, the exemption shall not
2 last longer than six months; provided that anyone receiving a
3 vaccine that is not mercury-free shall be informed in advance in
4 writing that the product contains a mercury-based preservative.

5 The department of health is required to notify all medical
6 providers of this subsection."

7 PART IV

8 SECTION 8. New statutory material is underscored.

9 SECTION 9. This Act shall take effect upon its approval;
10 provided that sections 2 and 5 shall take effect on July 1,
11 2006.



J.B.NO. 2133

REPORT Title:

Health; Human Placenta

Description:

Establishes the Hawaii Health Authority and appropriates funds.
Establishes a Youth Suicide Early Intervention and Prevention
Program and appropriates funds. Limits use of mercury-
containing vaccines in Hawaii. (SB2133 HD1)

SB2133 HD1 HMS 2006-3024

