

JAN 25 2006

A BILL FOR AN ACT

RELATING TO DISASTER PREPAREDNESS.

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

1 SECTION 1. Chapter 321, Hawaii Revised Statutes, is
2 amended by adding two new sections to be appropriately
3 designated and to read as follows:

4 "§321-A Disaster preparedness plans; health care
5 facilities; nursing homes. (a) Within six months of the
6 effective date of this section, any existing health care
7 facility that is operating according to a certificate of need
8 pursuant to section 323D-43 shall file with the department a
9 disaster preparedness plan that details the facility's plan to
10 provide adequate emergency shelter for patients and staff, as
11 well as a plan to meet the medical needs of their patients
12 during a natural or manmade disaster.

13 (b) No certificate of need shall be issued to or renewed
14 for any proposed health care facility unless the facility has
15 also submitted a disaster preparedness plan required under
16 subsection (a) as part of its application.

17 (c) Within six months of the effective date of this
18 section, any existing nursing home that is licensed or certified



1 by the department shall file with the department a disaster
 2 preparedness plan that details the facility's plan to provide
 3 adequate emergency shelter for patients and staff, as well as a
 4 plan to meet the medical needs of their patients during a
 5 natural or manmade disaster.

6 (d) No license or certificate shall be issued to or
 7 renewed for any proposed nursing home unless the facility has
 8 also submitted a disaster preparedness plan required under
 9 subsection (c) as part of its application.

10 (e) Any facility subject to this section, as a part of its
 11 required disaster preparedness plan, shall include plans to
 12 harden its structural facilities using new technologies
 13 developed to prevent the progressive collapse of buildings
 14 during a natural or man-made disaster. Each plan shall include
 15 a timeline detailing the facility's planned implementation of
 16 the prospective hardening of the structural facilities.

17 **§321-B Disaster preparedness plan; hotels.** (a) Pursuant
 18 to section 321-11 and no later than twelve months after the
 19 effective date of this section, the department shall adopt rules
 20 under chapter 91 necessary for the public health and safety that
 21 requires all hotels with at least nine rooming units, in which
 22 space is let by the owner or operator, to file with the



1 department a disaster preparedness plan that details the
2 facility's plan to provide adequate emergency shelter for
3 visitors and staff during a natural or manmade disaster.

4 (b) The disaster preparedness plan shall be submitted by
5 hotels subject to this section no later than thirty days after
6 the effective date of the rule adopted pursuant to subsection
7 (a).

8 (c) Any facility subject to this section, as a part of its
9 required disaster preparedness plan, shall include plans to
10 harden its structural facilities using new technologies
11 developed to prevent the progressive collapse of buildings
12 during a natural or man-made disaster. Each plan shall include
13 a timeline detailing the facility's planned implementation of
14 the prospective hardening of the structural facilities."

15 SECTION 2. In codifying the new sections added by section
16 1 of this Act, the revisor of statutes shall substitute
17 appropriate section numbers for the letters used in designating
18 the new sections in this Act.

19 SECTION 3. New statutory material is underscored.

20 SECTION 4. This Act shall take effect upon its approval.

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Report Title:

Disaster Preparedness; Health Care Facilities; Hotels

Description:

Requires health care facilities and nursing homes subject to licensing or certification by the department of health to file a disaster preparedness plan with the department. Requires department to adopt rule mandating adoption and filing of a disaster preparedness plan by hotels.

