
A BILL FOR AN ACT

RELATING TO HEALTH.

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

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

4 "§321-_____ Office of health care assurance and
5 development. (a) The department of health, through its office
6 of health care assurance and development shall develop and
7 implement a program to promote, develop, and increase the number
8 of health care facilities the office regulates through training
9 and educational programs geared toward improving and increasing
10 services, and access to these facilities.

11 (b) Operators or prospective operators of health care
12 facilities under the office's jurisdiction shall be provided
13 technical assistance to:

14 (1) Guide them through the process of meeting industry
15 standards and certification;

16 (2) Bring the health care facility into compliance in any
17 area found to be deficient;



- 1 (3) Identify training and educational programs to improve
2 the services provided by the health care facilities;
- 3 (4) Identify sources of funding, including grants to
4 assist in the operation, improvement, and expansion of
5 services;
- 6 (5) Apply for and achieve eligibility for grant programs;
7 and
- 8 (6) Enter into formal agreements with partnering health
9 care facilities to expand, share, and improve
10 services.
- 11 (c) The director of health's salary shall be performance
12 related based on the office's success in increasing the number
13 of health care facilities. Any annual per cent increase or
14 decrease in the number of health care facilities under the
15 jurisdiction of the office of health care assurance and
16 development shall translate directly to an equal per cent
17 increase or decrease in the director of health's salary;
18 provided that that salary of the director of health shall not
19 fall below the amount recommended by the commission on salaries
20 pursuant to section 26-56; provided further that the salary of
21 any state employee whose salary is based on the director of
22 health's salary shall not be subject the salary variations



1 provided under this section but shall have their salary based on
2 the salary recommended by the commission on salaries pursuant to
3 section 26-56.

4 (d) As used in this section, "office" means the office of
5 health care assurance and development."

6 SECTION 2. Section 321-1.4, Hawaii Revised Statutes, is
7 amended by amending subsections (a) and (b) to read as follows:

8 "(a) There is established within the department of health,
9 to be administered by the department of health, the office of
10 health care assurance and development special fund into which
11 shall be deposited moneys collected under section 321-11.5(b)
12 and all administrative penalties imposed and collected by the
13 office of health care assurance and development pursuant to
14 section 321-20.

15 (b) Moneys in the special fund shall be expended by the
16 department of health:

17 (1) To assist in offsetting operating costs and
18 educational program expenses of the department of
19 health's office of health care [~~assurance~~] assurance
20 and development; and

21 (2) For the purpose of enhancing the capacity of office of
22 health care assurance and development programs to:



1 (A) Improve public health outreach efforts, program
2 and community development, and consultations to
3 industries regulated; and

4 (B) Educate the public, the staff of the department
5 of health, [+]and[+] other departments within the
6 [~~State,~~] state, as well as staff and providers of
7 all health care facilities and agencies
8 regulated.

9 Not more than \$300,000 of the special fund may be used during
10 any fiscal year for the activities carried out by the office of
11 health care [~~assurance-~~] assurance and development."

12 SECTION 3. Section 321-11.5, Hawaii Revised Statutes, is
13 amended by amending subsection (b) to read as follows:

14 "(b) All fees paid and collected pursuant to this section
15 and rules adopted in accordance with chapter 91 from facilities
16 seeking licensure or certification by the department of health,
17 including hospitals, nursing homes, home health agencies,
18 intermediate care facilities for the mentally retarded,
19 freestanding outpatient surgical facilities, adult day health
20 care centers, rural health centers, laboratories, adult
21 residential care homes, expanded adult residential care homes,
22 developmental disability domiciliary homes, assisted living



1 facilities, therapeutic living programs, and special treatment
2 facilities, shall be deposited into the office of health care
3 assurance and development special fund created under section
4 321-1.4. Any other entities required by law to be licensed by
5 the department of health shall also be subject to reasonable
6 fees established by the department of health by rules adopted in
7 accordance with chapter 91."

8 SECTION 4. Section 321-15.6, Hawaii Revised Statutes, is
9 amended by amending subsection (g) to read as follows:

10 "(g) Any fines collected by the department of health for
11 violations of this section shall be deposited into the office of
12 health care assurance and development special fund."

13 SECTION 5. There is appropriated out of the general
14 revenues of the State of Hawaii the sum of \$ or so
15 much thereof as may be necessary for fiscal year 2008-2009 for
16 the office of health care assurance and development to develop
17 and implement a program to promote, develop, and increase the
18 number of health care facilities the office regulates through
19 training and educational programs geared toward improving and
20 increasing services, and access to these facilities.

21 The sum appropriated shall be expended by the department of
22 health for the purposes of this Act.



1 SECTION 6. This Act shall take effect on July 1, 2008.

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INTRODUCED BY: Rich T. R. Cottrell

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JAN 23 2008



Report Title:

Office of Health Care Assurance

Description:

Expands the responsibilities of the Office of Health Care Assurance to include providing support to the health care facilities they regulate through educational and training initiatives, including support to ensure expansion of the industry they regulate. Changes the name of the office to "Office of Health Care Assurance and Development".

