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# A BILL FOR AN ACT

RELATING TO NATIVE HAWAIIAN HEALTH.

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

1 SECTION 1. Federally qualified health centers are located  
2 in medically underserved communities and serve medically  
3 underserved populations.

4 Among the federally qualified health centers in Hawaii,  
5 there are health centers which are either located in communities  
6 with a large percentage of Hawaiian homesteads, or a large  
7 percentage of native Hawaiians, or both. The role of these  
8 centers is especially important in addressing the poor health  
9 statistics experienced by native Hawaiians.

10 The federal Native Hawaiian Health Care Improvement Act  
11 identifies a native Hawaiian health center as an entity:

- 12 (1) Which is organized under the laws of the State of  
13 Hawaii;
- 14 (2) Which provides or arranges for health care services  
15 through practitioners licensed by the State of Hawaii,  
16 where licensure requirements are applicable;
- 17 (3) Which is a public or nonprofit private entity; and



1 (4) In which native Hawaiian health practitioners  
2 significantly participate in the planning, management,  
3 monitoring, and evaluation of health services.

4 The purpose of this Act is to establish a state designation  
5 of native Hawaiian health centers. The criteria for designation  
6 as a native Hawaiian health center shall follow that of the  
7 Native Hawaiian Health Care Improvement Act, Title 42 United  
8 States Code Sections 11701-11714.

9 SECTION 2. 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- Native Hawaiian health center; state designation.

13 (a) A native Hawaiian health center shall be any organization  
14 that is a primary health care provider that:

15 (1) Has a governing board composed of individuals of which  
16 at least fifty per cent of the individuals on the  
17 governing board consist of native Hawaiians;

18 (2) Demonstrates cultural competency in a predominately  
19 native Hawaiian community. For purposes of this  
20 section, "cultural competency" means having an overall  
21 pervasive health care environment reflecting native  
22 Hawaiian values and having professional capacity to

apply those values in the treatment and care of native Hawaiians and others, including but not limited to the language and traditional practices;

(3) Serves a patient population that:

(A) Is made up of individuals at least fifty per cent of whom are native Hawaiian; or

(B) Has not less than two thousand five hundred native Hawaiians as annual users of services;

(4) Is affiliated with a native Hawaiian health care system through a memorandum of understanding or agreement; and

(5) Is recognized by Papa Ola Lokahi as having met each of the criteria in paragraphs (1), (2), and (3).

(b) The director of health, in consultation and collaboration with Papa Ola Lokahi, shall adopt rules pursuant to chapter 91 to effectuate the purposes of designating native Hawaiian health centers."

SECTION 3. Until such time as there is a sovereign Hawaiian nation recognized by the United States and the State of Hawaii, the department of health shall coordinate with Papa Ola Lokahi to oversee the implementation of state health programs



1 resulting from the designation of native Hawaiian health  
2 centers.

3 SECTION 4. There is appropriated out of the general  
4 revenues of the State of Hawaii the sum of \$ , or so  
5 much thereof as may be necessary for fiscal year 2007-2008, for  
6 the development and establishment of a state-recognized  
7 designation of native Hawaiian health centers.

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

10 SECTION 5. New statutory material is underscored.

11 SECTION 6. This Act shall take effect on July 1, 2007.



**Report Title:**

Health Care; Native Hawaiian Health Centers

**Description:**

Establishes a State designation of native Hawaiian health centers which follow the mandates provided for in the federal Native Hawaiian Health Care Improvement Act. (SD1)

