

JAN 19 2007

A BILL FOR AN ACT

RELATING TO NATURAL DISASTER PREPAREDNESS IN HEALTH CARE
FACILITIES.

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

1 SECTION 1. The legislature finds that the devastating
2 effects of Hurricane Katrina revealed severe shortcomings of the
3 health care system serving the residents of the Gulf Coast. And
4 while the earthquake that shook Hawaii on October 15, 2006, did
5 not cause widespread severe damage, it did underscore the need
6 to assess the ability of our health care facilities to withstand
7 natural disasters.

8 The Office of Domestic Preparedness within the Office of
9 Homeland Security issued a directive to each state requiring
10 them to assess their ability to evacuate and shelter residents
11 in the event of a disaster. Of particular concern are the
12 special populations served by hospitals and long term care
13 facilities.

14 Hurricane Katrina demonstrated that smaller residential
15 health care facilities on the Gulf Coast, such as nursing homes,
16 were not constructed to withstand strong winds. Hawaii is in a
17 similar situation. Discussions with nursing home executives



1 revealed that many were uncertain whether their facilities could
2 resist the effects of a hurricane, and most felt they would be
3 compelled to evacuate their residents because of this
4 uncertainty. However, the capacity of shelters that are
5 specially designed for nursing home residents is insufficient.

6 Although state officials are currently working to establish
7 special needs shelters and to improve evacuation procedures,
8 they concede that the number of actual and potential shelters
9 are inadequate to house and protect the large numbers of
10 potential evacuees.

11 The evacuation of nursing home residents should be
12 considered only after all other options have been considered.
13 Enabling nursing homes to "shelter in place" their residents and
14 staff is the preferred alternative because it eliminates any
15 risks resulting from transportation and does not use scarce
16 emergency shelter resources. However, this option requires
17 confidence in the structural integrity of a nursing home.

18 In general, hospitals are typically more prepared than
19 nursing homes to address disasters. For example, hospitals have
20 comprehensive plans that will be implemented in the event of a
21 pandemic or terrorist attack. Still, the Katrina experience



1 underscores the need to assess hospital facilities as well, to
2 determine their ability to withstand hurricanes.

3 The purpose of this Act is to require the department of
4 health to assess the structural integrity of each hospital and
5 nursing home facility in Hawaii and appropriate moneys for this
6 purpose.

7 SECTION 2. The department of health shall assess the
8 structural integrity of each hospital and nursing home facility
9 in Hawaii. The assessment shall be conducted by one or more
10 registered professional engineers qualified to conduct
11 structural analyses on existing structures, and knowledgeable in
12 the effects of hurricanes, earthquakes, and other natural
13 disasters. The assessment shall include rating each facility
14 based on its ability to survive the likely effects of hurricanes
15 and earthquakes of various intensities, and other disasters.

16 SECTION 3. (a) The department of health shall provide the
17 results of the assessment to:

- 18 (1) Facility owners and operators to support preparation
19 of risk-based disaster plans; and
20 (2) State and county civil defense officials to support
21 evacuation decisions.



1 (b) The department shall submit a report on its findings
2 and recommendations no later than twenty days prior to the
3 convening of the regular session of 2008.

4 SECTION 4. There is appropriated out of the general
5 revenues of the State of Hawaii the sum of \$2,000,000, or so
6 much thereof as may be necessary for fiscal year 2007-2008, to
7 assess the structural integrity of all hospitals and nursing
8 homes in Hawaii to determine their ability to withstand
9 different types of natural disasters.

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

12 SECTION 5. This Act shall take effect on July 1, 2007.

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Report Title:

Hospitals and Nursing Homes; Ability to Withstand Natural Disasters

Description:

Appropriates \$2,000,000 to the department of health to assess the structural integrity of all hospitals and nursing homes in Hawaii to determine their ability to withstand different types of natural disasters.

