

LINDA LINGLE
GOVERNOR OF HAWAII



CHIYOME LEINAALA FUKINO, M.D.
DIRECTOR OF HEALTH

STATE OF HAWAII
DEPARTMENT OF HEALTH
P.O. Box 3378
HONOLULU, HAWAII 96801-3378

In reply, please refer to:
File:

Committees on Health and Human Services & Housing

H.B. 2867, Relating to State Health Planning

**Testimony of Chiyome Leinaala Fukino, M.D.
Director of Health**

February 13, 2008

1 **Department's Position:** The Department of Health understands the intent of the proposed H.B. 2867
2 but prefers H.B. 3123.

3 **Fiscal Implications:** None

4 **Purpose and Justification:** The Department of Health understands the intent of the proposed H.B.
5 2867 but prefers the approach of H.B. 3123, which streamlines the entire certificate of need process in a
6 thorough and comprehensive manner.

7 Thank you for the opportunity to provide testimony related to this proposed legislation.

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THE QUEEN'S HEALTH SYSTEMS

1099 Alakea St., Suite 1100 • Honolulu, Hawaii 96813 • Phone (808) 532-6100 • Fax: (808) 532-6118

House Committee on Health

Representative Josh Green, M.D., Chair
Representative John Mizuno, Vice Chair

House Committee on Human Services & Housing

Representative Maile S. Shimabukuro, Chair
Representative Karl Rhoads, Vice Chair

Wednesday, February 13, 2008 – 8:00 a.m.

State Capitol, Conference Room 329

Deliver to: Room 436, 5 copies

Strong Opposition to HB 2867 – Relating to State Health Planning

Chairs Green & Shimabukuro, Vice Chairs Mizuno & Rhoads, and Members of the Committees:

My name is Mark Yamakawa, Executive Vice President and Chief Operating Officer of The Queen's Health Systems, parent company of The Queen's Medical Center and Molokai General Hospital. The Queen's Health Systems strongly opposes HB 2867, which repeals the Certificate of Need (CON) process and the law governing acquisition of hospitals in relation to state health planning.

The State Health Planning and Development Agency (SHPDA) has the responsibility for promoting accessibility for all the people of the State to quality health care services at reasonable cost. If HB 2867 is enacted, SHPDA's regulatory oversight of major health care capital expenditures and services changes will end.

Hawaii's residents and visitors need an effective CON program because of the state's geographic isolation and its population being distributed unevenly throughout multiple islands. The needs of the community, not free market pressures, should control the growth of health care facilities and services.

CON promotes access to healthcare for all Hawaii residents and visitors by promoting the efficient stewardship of health care resources. It prevents unnecessary capital expenditures and unnecessary duplication of health care facilities and services. It also prevents unchecked proliferation of health care services, particularly those who don't provide full spectrum of essential community services.

CON enables hospitals across the state to continue to provide essential safety net services to their communities. Among those are 24/7 emergency services, trauma care, behavioral

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health, medical education and community outreach services. These are all examples of services that lose money because of the resources, both human and financial, that are required to support them. Yet, they are vitally important to the community.

The November 2007 report "Financial Trends of Hawaii's Hospitals, Nursing Facilities, Home Care and Hospice Providers" by the Healthcare Association of Hawaii found that Hawaii's hospitals are in serious financial trouble. Expenses have exceeded net patient revenues since 2000 resulting in cumulative losses for the last 7 years of \$80,000,000.

Hawaii's healthcare system is in a fragile balance. As illustrated by Kahuku Hospital's bankruptcy in 2007, not all providers may be strong enough to survive. The elimination of CON will further strain the system with a potential for complete breakdown.

Rather than eliminating CON, several other bills have been introduced which seek to improve the CON process. We respectfully request your consideration and support for the language in HB 3123, and its companion SB 3045.

The Queen's Health Systems strongly opposes HB 2867. We respectfully request that your committees defer HB 2867.

Thank you for this opportunity to testify.

Mark Yamakawa
Senior Vice President and Chief Operating Officer
The Queen's Health Systems

TO: House Committee on Health
The Hon. Joshua B. Green, M.D., Chair
The Hon. John Mizuno, Vice Chair

House Committee on Human Services & Housing
The Hon. Maile S. L. Shimabukuro, Chair
The Hon. Karl Rhoads, Vice Chair

Testimony In Opposition to House Bill 2867
Relating to State Health Planning (Certificate of Need)
Submitted by Jane Gibbons, Executive Vice President
February 13, 2008, 8:00 a.m., Conf. Rm. 329

Thank you for this opportunity to submit written testimony before your committees. My name is Jane Gibbons, and I am the Executive Vice President for Liberty Dialysis – Hawaii Region. I am testifying in opposition to House Bill 2867 relating to the repeal of the Certificate of Need program.

The purpose of HRS Chapter 323D was to establish the State health planning and resources development program to promote accessibility for all the people of the State to quality health care services at a reasonable cost. The state agency that has the principal function and responsibility for controlling increases in health care costs is the State Health Planning & Development Agency (SHPDA). Some of the key criteria that SHPDA must consider in making a decision on whether to approve or disapprove a Certificate of Need application are (a) whether sufficient safeguards are included to ensure that the affected community has continued access to affordable care; and (b) whether the purchaser and parties to an acquisition have made a commitment to provide health care to the disadvantaged, uninsured, and underinsured, and to provide benefits to the affected community to promote improved health care.

This is accomplished through the Certificate of Need process set out in Part V of HRS Chapter 323D. This very important process is regulated by the State to insure that access to health care is upheld, quality is assured, and reasonable costs are maintained. The Certificate of Need process prevents over investment in marginally needed facilities that can easily increase overall costs of health care in this State. The Certificate of Need program also contributes to the orderly expansion of health care facilities and health care services that, in turn, reduces the risks of ebbs and flows in accessibility to quality care. The Certificate of Need process permits a more orderly allocation of scarce resources, such as nursing staff, that are currently in short supply.

Liberty Dialysis develops, owns and operates dialysis clinics throughout the United States including in the State of Hawaii on the islands of Oahu, Kauai, Maui, Molokai, and the Big Island. Liberty Dialysis initially began its operations in Hawaii by acquiring the St. Francis Medical Center's dialysis operations. In keeping with the State's goal of ensuring and promoting accessibility to quality health care services at reasonable cost for all of the people of the State, Liberty Dialysis complied with the Certificate of Need requirements when it first entered the Hawaii market, and as it has expanded its operations over the years in providing much needed care for patients with kidney disease. Today, consistent with the assurances made to SHPDA in connection

with obtaining a Certificate of Need to acquire the dialysis centers from St. Francis Medical Center, Liberty Dialysis treats all patients requiring outpatient dialysis services without regard to whether the patients have insurance or other means of payment.

If House Bill 2867 is passed, it will effectively eliminate this very important review that ensures and promotes accessibility to quality health care services at reasonable cost for all of the people of the State. On behalf of Liberty Dialysis, I urge you not to repeal the Certificate of Need process as set forth in HRS Chapter 323D. Thank you for the opportunity to testify regarding this bill.

The Twenty-Fourth Legislature
Regular Session of 2008

HOUSE OF REPRESENTATIVES

Committee on Health

Rep. Josh Green, M.D., Chair

Rep. John Mizuno, Vice Chair

Committee on Human Services & Housing

Rep. Maile S.L. Shimabukuro, Chair

Rep. Karl Rhoads, Vice Chair

State Capitol, Conference Room 329
Wednesday, February 13, 2008; 8:00 a.m.

**STATEMENT OF THE ILWU LOCAL 142 ON H.B. 2867
RELATING TO STATE HEALTH PLANNING**

The ILWU Local 142 opposes H.B. 2867, which repeals the Certificate of Need process and the law governing acquisition of hospitals in relation to state health planning.

This bill appears to be a reaction to last year's denial of Malulani's application for a Certificate of Need to build a new hospital in Kihei. While the SHPDA administrator was well within his authority to deny the application based on the abundance of information provided to him and the concern for the effect that approval would have had on existing health care facilities, H.B. 2867 seems to be designed to throw out the baby with the bathwater. Because the Malulani application was denied, the entire Certificate of Need process now is jeopardy. This is short-sighted policy-making.

The Certificate of Need process was implemented many years ago because of a need to control the proliferation of medical facilities, services and technology in Hawaii. Although some would advocate for letting the market dictate who survives and who does not, Hawaii's market is just too small for competition to have an impact on cost. Hawaii's limited population cannot support unlimited services and facilities because, inevitably, the costs will be passed on to the consumer.

The State Health Planning and Development Agency is charged with "the responsibility for promoting accessibility for all the people of the State to quality health care services at reasonable cost." The CON process helps the agency assess, among other things, whether or not new services and facilities will be detrimental to cost for consumers overall. The CON process provides an unbiased assessment and is vitally needed.

The ILWU urges that H.B. 2867 be shelved. Thank you for the opportunity to provide testimony on this matter.

May Mizuno

From: CMS Investments, LLC [cmsinv@hawaii.rr.com]
Sent: Tuesday, February 12, 2008 2:48 PM
To: HLTtestimony
Subject: I support HB2867

I support HB2867 and abolishing the Certificate of Need process. Competition would be good for what ails the healthcare system on Maui. Maui needs more than one hospital. Maui needs a broad spectrum of critical services only now offered on Oahu. I know if you were the mother, father, spouse, brother, sister, family member, friend or even the one in need of critical care due to trauma, accident, premature birth, or a heart attack that you would feel as I do and as the greater community of Maui does...that a medivac flight to Oahu separating you from your loved ones and your support system and risking the chance of further complications or perhaps even your life, because of the time it takes to get you to the Oahu hospital that can help, is totally unacceptable.

Christine Conlon-Kemp

50 Hauoli St. #310
Wailuku, HI 96793

Christine Conlon-Kemp

ADMINISTRATIVE MANAGER
CMS INVESTMENTS, LLC
2200 MAIN ST. #529
WAILUKU, HI 96793
Ph: 808.244.5866
Fax: 808.244.5864
Cell: 415.845.7669



February 13, 2008

To: Chairs Josh Green and Maile Shimabukuro and Members of the
House Committees on Health and Human Services & Housing
From: Bob Ogawa, President
Hawaii Long Term Care Association
Re: H.B. 2867, Relating to State Health Planning

The Hawaii Long Term Care Association (HLTCA) opposes H.B. 2867.

According to the latest (November 2007) briefing paper on Certificates of Need (CONs) issued by the National Conference of State Legislatures (NCSL), 36 states and the District of Columbia and Puerto Rico have CON processes (a number that has remained nearly static for over two decades). Further, even those states that have repealed their CON laws still retain some kind of CON-like mechanism intended to regulate such factors as costs, duplication of services and excess capacity (in the form of facility over-building) that can result in health care price inflation and erosion of quality of care.

SHPDA does not stand for State Health Plenny Development Agency. It stands for State Health **Planning** and Development Agency.

In that regard, it should be noted that there presently exists a Plan Development Committee working on revising the Hawaii Health Performance Plan (H2P2), focusing specifically on State health planning and the CON process. It comprises a host of diverse stakeholder members, including the Departments of Health, Human Services and Business, Economic Development & Tourism, health plans, mental health advocates, hospitals, Hawaii Primary Care Association, Hawaii Health Information Corporation, Healthcare Association of Hawaii, Hawaii Long Term Care Association and many others.

We have been and are working on updating, streamlining and "common-sensifying" our health care planning parameters and processes, and we believe that an exemplary work product will result from these efforts.

For these reasons, we oppose this measure and ask that it be held. Thank you.

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HOUSE COMMITTEE ON HEALTH
Rep. Josh Green, M.D., Chair

HOUSE COMMITTEE ON HUMAN SERVICES & HOUSING
Rep. Maile Shimabukuro, Chair

Conference Room 329
February 13, 2008 at 8:00 a.m.

Testimony in opposition to HB 2867.

I am Rich Meiers, President and CEO of the Healthcare Association of Hawaii, which represents the entire spectrum of health care, including acute care hospitals, two-thirds of the long term care beds in Hawaii, as well as home care and hospice providers. Thank you for this opportunity to testify in opposition to HB 2867, which repeals the certificate of need (CON) process.

CON requires certain health care providers to obtain state approval before offering certain new or expanded services. It is designed to help ensure that new services proposed by health care providers are needed for quality patient care within a particular region or community. CON prevents unnecessary duplication of services by selecting the best proposal among competing applicants who wish to provide a particular health service.

The Healthcare Association recognizes that CON is not perfect, but any changes should be initiated from within SHPDA or the Statewide Health Coordinating Council.

For the foregoing reasons, the Healthcare Association opposes HB 2867.

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May Mizuno

From: Rita Goldman [inky@hawaii.rr.com]
Sent: Tuesday, February 12, 2008 2:08 PM
To: HLTtestimony
Subject: I support HB2867

I spent four years in the public affairs department of one of the ten largest medical centers in the country, during which time I observed several emergencies that required the involvement of multiple hospitals' emergency rooms. This was in Chicago, and involved mass- transit accidents that killed a number of people.

All it would take is one major airplane crash, or one pandemic to overwhelm Maui Memorial Medical Center. It's time to stop treating neighbor-island residents and visitors as second-class citizens who are told what they need and don't need by a Big Brother system in Honolulu.

Or keep the CON . . . and make sure every legislator and government employee who needs medical care gets hauled over to Maui Memorial for treatment.

Rita Goldman
795A East Kuiaha Road
Haiku, HI 96708
808-572-9212

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May Mizuno

From: Dave Wagner [dave@waileapoint.com]
Sent: Tuesday, February 12, 2008 3:10 PM
To: HLTtestimony
Subject: In Support of HB2867

Dear Ladies and Gentlemen –

The Certificate of Need process stifles competition in the field of medical services and negatively affects the quality of medical care in the Islands. We need competition in health care on Maui so that we can attract private hospitals.

Please support HB2867 and abolish the CON!

Thank you,

Sincerely,

Clyde D. (Dave) Wagner and
Shifteh Wagner
Kihei, Hawaii
874-8801

May Mizuno

From: Bud Pikrone [gm@wcamaui.com]
Sent: Tuesday, February 12, 2008 2:32 PM
To: HLTtestimony
Subject: Testimony in FAVOR of HB 2867

Follow Up Flag: Follow up
Flag Status: Red

To House Health Committee Members

I vigorously request that you pass HB 2867 out of the Health Committee with a recommendation of Passage. This will be good for ALL of Hawaii.

The health care crisis in Hawaii is upon all of us and the neighbor islands have been experiencing limited services and resources for many years. We cannot wait any longer as the future implications are too great. This bill will eliminate the Certificate of Need process allowing communities that are affected by the crisis to determine their own needs.

Thank you in advance for your support of improved healthcare for Hawaii,

Frank "Bud" Pikrone
General Manager
Wailea Community Association

Phone: 808.874.6866
Fax: 808.874.4027
Email: gm@wcamaui.com

May Mizuno

From: Jan Shields [jan@SunshineRainbows.com]

Sent: Tuesday, February 12, 2008 2:58 PM

To: HLTtestimony

Subject: I support HB2867

I support HB2867.**Please support this bill and abolish the CON.**

Maui County has 141,320 (Includes Lana'i, Maui, Moloka'i)

Maui had 2,405,257 million tourists 2006 with an average daily visitor census of 48,854. Our total daily population is then **190,174**. This doesn't include the 262,453 visitors from Cruise ships that we had in 2006.

- Maui County was Hawaii's fastest growing county from 1990 to 2000 (27% of State growth) – 92% of Maui County residents live on the Island of Maui. Residents 45 to 64 years of age to increase 34%; drive 47% of population increase. Residents 65+ will increase 55% and drive 35% of population increase.
- Statistics show that residents between the ages of 45 to 64 years of age constitute 47% of the population increase occurring on Maui. It is further projected that residents in the 65+ age category will increase 55% and will constitute 35% of total population by the year 2015. Our physician population is aging, too. As physicians leave because of the CON decision against Malulani Hospital, the remaining doctors are aging and many wish to retire. Replacement physicians cannot be persuaded to come here and practice under current conditions. We have many who want to come here if we build a private hospital for them.
- The one hospital on Maui is Maui Memorial Medical Center. It is located in Kahului and is a 231 bed facility which is operated and controlled by Hawaii Health Systems Corporation. At any one day, according to Wes Lo, ~41 of those beds are taken up by patients who have no where else to go. Maui Memorial Medical Center is old and decrepit, with a dangerous mold problem (self-reported), which can only be rectified by knocking it down and rebuilding. The governor has said she will not release funds to remodel MMMC.
- MMMC is borrowing large sums of money: \$130 million. By the very nature of a government hospital, they are also not able to run efficiently so they will not be able to pay it back. The people of the state of Maui will have to pay this loan back. We don't want to spend our tax dollars on government hospitals.

- The occupancy rate of Maui Memorial Hospital runs at 92.9% and often exceeds 100% (according to physicians at the Hawaiian Medical Association public forum meeting held at The Dunes at Maui Lani on August 16th, 2007). Industry standards dictate that expansion is called for once a hospital experiences an average annual occupancy rate of 80% (a standard established by the American Health Planning Association).
- Many vital and life-saving services **are not available** at MMMC:

Neonatal Intensive Care Unit

Level One ER (we do not even have a level 2 ER)

High Risk Obstetrics

Obstetric Anesthesia

Lactation Services

Pediatric Intensive Care Unit

Cardiac Intensive Care Unit

Cardiovascular Intensive Care Unit

Myocardial Infarction Care Unit

Cardiac Services – open heart surgery, coronary, and stenting.

Advanced Diagnostics

State of the art cancer treatment

Alternative Medicine

Decompression Chamber

Burn Unit

24 hour pharmacy unit at hospital

Food services around the clock for both patients, visitors & staff

Positron Emission Tomography

State of the art CT scanning

Acute dental and oral surgery treatments relating to trauma.

1. **Maui is the only major Hawaiian Island without at least two acute care hospitals.**

This causes multiple problems, but it causes a glaring problem in terms of emergency transport of patients to ER services. The population of Maui is concentrated in three (3) widely distant geographic areas (Kahului, South Maui and West Maui), with scattered and much smaller residential hubs and clusters in up country Maui. In emergencies, patients cannot reach the one and only 16 bed ER at MMMC in a timely manner. Access by emergency transport is also very difficult and time consuming. **Many lives are lost because the entire population must travel to Kahului for ER care.** Emergency patients, who don't expire because of this logistics problem, seriously deteriorate before they ever reach the ER at MMMC. In addition, the crowded conditions at the island's one and only 16 bed ER means more waiting at a time when waiting can be the difference between life and death.

2. **Even when emergency patients reach Maui Memorial Medical Center, they often discover that the lack of tertiary care services, trauma services, a burn center, and perinatal services requires that they be transported to more advanced patient care facilities on O'ahu.**

Unstable patients are difficult to transport and are more likely to have adverse outcomes, up to and including death. Many of these patients experience delayed transport which can last for days. Currently four (4) of every eight (8) trauma patients must be transported off island for care. If you are a serious trauma patient or a cardiac patient, you are going to a hospital on O'ahu.

3. **The need for transport to Oahu is unhealthy for patients' families.** The patient's family cannot travel with patients during transport and are left wondering how their loved one is doing. To join the patient, family members must make travel arrangements, pay for their own hotel rooms (if they can find one), and absorb many additional expenses associated with providing care to a sick or injured loved one. Often children get left behind on Maui, jobs are lost, and financial lives are ruined because of these circumstances.

1. **Maui's shortage of beds is even more acute if other factors are considered.** The above estimates as to increased bed needs do **NOT** take into account the crises that would occur if there were a major health care disaster on Maui. Another major earthquake, an outbreak of an infectious disease like SARS, an airplane crash, or even a cruise ship disaster could quickly shut-down or overwhelm the one and only hospital currently available to Maui County residents. In addition we would not be able to fly the victims to Oahu.

85% of voting residents of Maui favored the new hospital.

Independent polls of Maui residents taken during the debate about the construction of the proposed Malulani Hospital showed **that 85% supported it.*** In spite of this, state lawmakers refused to support the wishes of their constituents.

WE NEED THE CON ABOLISHED SO WE CAN BRING IN PRIVATE COMPANIES SUCH AS QUEENS, KAISER AND KAPIOLANI SO WE CAN ALSO HAVE THE SAME GOOD HEALTHCARE ON MAUI THAT OAHU HAS.

THE CON IS BEING USED TO KEEP THE STATUS QUO IN HAWAII – WITH ALL OF OUR MAUI MEDICAL DOLLARS AND JOBS GOING TO OAHU WITH OUR MAUI PATIENTS.

Aloha,

Jan

Jan Shields L.V.T., B.S.N., R.N.C.



Association for Improved Healthcare on Maui

P.O. Box 11420

Lahaina, Maui, HI 96761-6420

<http://www.aihm-maui.org>

Information@AIHM-Maui.org

Cell: 808-298-8886

Fax: 808-667-6655

May Mizuno

From: Jan Shields [jan@SunshineRainbows.com]
Sent: Tuesday, February 12, 2008 2:59 PM
To: HLTtestimony
Subject: RE: testimony

From: ShaylaMassage [mailto:Shayla@ShaylaMassage.com]
Sent: Tuesday, February 12, 2008 2:51 PM
To: HLTTestimony@Capital.Hawaii.gov
Subject: testimony

Legislators-

I urge you to support AIHM's Bill, HB2867 and abolish the CON.

Put power back into OUR COMMUNITIES

Allow each island to ASSESS its OWN NEEDS

Allow Maui to have the HEALTH CARE we DESERVE

Thank you-

Shayla Middleton
Kihei, Maui

May Mizuno

From: Don Sheridan [dybbuk1937@yahoo.com]
Sent: Tuesday, February 12, 2008 3:06 PM
To: HLTtestimony
Cc: Jan Shields
Subject: Fw: I support HB 2867

The Certificate of Need is a total misnomer. The need is here on Maui but the Certificate is on Oahu. The Certificate of Nonsense is a total **travesty of justice** and an **inhuman** way to prevent **NEEDED CARE** from being initiated here and on each of the Hawaiian Islands. The totally inhumane Certificate of Need should be called the **Certificate of Need of More Deaths Here On Maui**; that is the job it has done and continues to do. I have watched in its deadly performance 1st hand. Give Health Care a chance on Maui. Abolish this total miscarriage of justice. Allow each of Hawaiian Islands to have its own best purveyors of health care.

Donald Sheridan
245 Kaulani Dr.
Pukalani, HI 96769
Phone: (808)572-8040

May Mizuno

From: Joseph [badboy@maui.net]
Sent: Tuesday, February 12, 2008 3:41 PM
To: HLTtestimony
Subject: I support HB2867

Please support HB2867 and abolish the CON (Certificate of Need).

As a practicing physician on Maui, I know we have a shortage with every aspect of healthcare.

- We lack:**
- 1) Acute care hospital beds**
 - 2) Acute SNF beds**
 - 3) Physicians**
 - 4) Nurses**

We will not attract healthcare providers to the existing system because it is set up to fail.

The State oversees 9 community hospitals, all operating out of the red and do not generate enough revenue to sustain its operations. The State needs to get out of healthcare administration.

I also served on the Maui SHPDA committee for 4 years and we voted in favor of Malulani Health System,

ONLY TO HAVE IT VOTED BY A COMMITTEE ON OAHU AND THE NEIGHBOR ISLANDS GET SCREWED

AGAIN. IT WAS A WASTE OF MY TIME AND I QUIT SHPDA IMMEDIATELY.

IF I HAVE TO COMPETE AGAINST LARGE HMO'S LIKE KAISER, THERE SHOULD BE COMPETITION

AMONGST HOSPITALS AND THE STATE NEEDS TO AVOID CONFLICTS OF INTERESTS.

THE STATE IS TRYING TO PROTECT ITS INTEREST AT THE EXPENSE OF NEIGHBOR ISLAND HEALTHCARE.

**I WILL LEAVE MAUI BECAUSE OF
HEALTHCARE AND
DISCOURAGE ANYONE FROM COMING TO
MAUI.**

JOSEPH K. KAMAKA III MD

May Mizuno

From: Cheryl - Maui Aina Appraisal Company [mulliganc002@hawaii.rr.com]
Sent: Tuesday, February 12, 2008 3:44 PM
To: HLTtestimony
Subject: FW: I support HB2867

Please support HB2867 and abolish the CON (Certificate of Need).

WE ARE LOOSING DOCTORS AND RESIDENTS EVERY DAY!!! Please, we need another hospital!

Cheryl Mulligan
PO Box 371
Puunene, HI 96784

2/12/2008

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May Mizuno

From: Jackie [mauijackie@hawaii.rr.com]
Sent: Tuesday, February 12, 2008 3:06 PM
To: HLTtestimony
Subject: I support HB2867

Please support HB2867 and abolish the CON (Certificate of Need).

We need competition and additional locations (in case of a disaster that could shut down our only hospital) to ensure that we on Maui get the best healthcare possible.

Mahalo

**Mary Royce
Maui**

**E-mail message checked by Spyware Doctor (5.5.0.178)
Database version: 5.09190
<http://www.pctools.com/spyware-doctor/>**

May Mizuno

From: Robin M. Kean, CCIM, R(PB) [robin@keanpropertieshawaii.com]
Sent: Tuesday, February 12, 2008 3:25 PM
To: HLTtestimony
Subject: I support HB2867

Please support HB2867 and abolish the CON (Certificate of Need).

Please abolish the certificate of need so Hawaii's healthcare will allow for better competition and bring in private investors to help support the people of Hawaii. The Certificate of Need violates anti-trust laws and keeps government and private companies from having to deal with the threat of competition. Please keep the healthcare of the people on Maui and all the islands in consideration when considering your decision. Aloha, Robin

Robin M. Kean, CCIM, R(PB)
Kean Properties LLC
P.O. Box 1306
Kihei, Maui, Hawaii 96753
Office: (808) 874-1818
Fax: (808) 891-8295
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www.keanpropertieshawaii.com



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May Mizuno

From: Maury King [maury@mauryonmaui.com]
Sent: Tuesday, February 12, 2008 3:17 PM
To: HLTtestimony
Subject: Please ABOLISH the CON process **HB 2859**
HB 2867

This is out of date legislation & many other states have figured that out. We need to allow the free market to play a part in determining our health care choices. It works in every state. Maui County is being treated unfairly because you have too many hospitals on Oahu & need Maui's business for them all to survive. Totally unfair to Maui & people's lives are at stake here.

The argument for 'stealing employees' from Maui Memorial is just not a logical road to go down. If any business that is new opens up, we don't deny them the right because it may affect other established businesses. That just isn't the way capitalism works. The current system assures that we would virtually NEVER be able to get another hospital on Maui because it would always need employees.

Hey, it's getting really old watching entrenched systems throughout Hawaii keep old, unworkable models in place. they are slowing us down & will cripple us moving forward. let's keep the aloha spirit & work for the good of all.

Maury King
maury@mauryonmaui.com
808-874-5955

No virus found in this outgoing message.
Checked by AVG Free Edition.
Version: 7.5.516 / Virus Database: 269.20.4/1275 - Release Date: 2/12/2008 3:20 PM

May Mizuno

From: Joe Miller [joe@mauimiller.com]
Sent: Tuesday, February 12, 2008 2:51 PM
To: HLTtestimony
Subject: Abolish CON

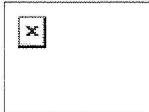
HB 2867 **HB 2859**

2/12/08

Please consider abolishing the CON for the needs of Maui. I have clients asking about the health care and the position being taken on the CON decision. Please vote no to CON.

Thank you,

ALFRED J. "JOE" MILLER Realtor(S)
Coldwell Banker Island Properties - Wailea Town Center



Direct: 808-280-3000
E-Mail: joe@MauiMiller.com
Web: <http://www.MauiMiller.com>

May Mizuno

From: Laura Van Wagner [laura_vanwagner@hotmail.com]

Sent: Tuesday, February 12, 2008 3:07 PM

To: HLTtestimony

Subject: Abolish the CON *HB 2859*

HB 2867

Abolish the CON What if when they were going to build Seabury Hall and King Kamehameha schools the public schools said you can't do that because you will be taking students and teachers away from our schools. What a lose that would have been. What if the Maui Palms said you cannot build the Grand Waiela or Kai Lani because they would be taking business away from them and taking their employees? What a great loss that would have been to our economy. What if we had demanded that Grand Wailea, Kea Lani and these schools disclose where they were going to get there employees? They would have more likely said it is none of your business. Sound ridiculous doesn't it. The sad part about it is this is exactly what has happen with our hospital.

Competition improves healthcare, this is a well known documented fact. We need competition not only to improve health care for each of us but also so that the doctors and nurses have a choice of where they will work. Recently three newly employed doctors at M.M.H. quit one cardiologist and two internal medicine doctors. Why are so many doctors leaving M.M.H? We the people deserve the right to choose where we go for our health care and not be forced into the only game in town.

Laura Van Wagner
AIHM Citizens Board Member

Please support HB2867 and abolish the CON (Certificate of Need).

The CON does not help the citizens of and visitors to Hawaii get better healthcare. It does just the opposite. We need more and better quality healthcare in our beautiful state. Abolishing the CON will be a major step forward in giving us the opportunity for improving the healthcare available to all of us.

Respectfully submitted,
Robert Fondiller
4000 Wailea Alanui Dr., Unit 703
Kihei, HI 96753

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May Mizuno

From: Peter G. Medwick [medwickp001@hawaii.rr.com]
Sent: Tuesday, February 12, 2008 4:07 PM
To: HLTtestimony
Subject: Abolish Con

Aloha, Once more into the breach in this case the "breach of contract" made to the people of Hawaii by all it's employees to serve and protect.

Ladies and gentlemen you are not doing your professed vocation by allowing the Con to continue. We are losing Dr.s , Nureses in tandem with the deterioration of the Maui Memorial Hospital .

Loved what the face looks like however not one bed was added, not one critical care piece of equipment upgraded, no upgrade of procedural guidelines. We are operating as if this is still 1950.

You could have much more impact by losing the CON and letting some private entity or Federal agency participate.

In one of my recent letters I noted that the VA spent approximately \$13,440,000 just for travel expense to fly me to Oahu. That equals for those not aware \$168 round trip from Maui to Oahu times 80 K miles. I know as I use my frequent flyer miles and I have 93 K miles less two trips to see my ailing mother leaves a little over 80K .

The VA would love to have a facility here on Maui. Right now I know that there is an effort to request matching funds of \$20 million from the Federal Gov. Well then build a hospital let the Va send their patients there or smarter yet let the VA have a wing or separate building adjacent and service the VA Patients as needed.

It would take according to my math three Veterans such as myself instead of flying at a cost to the VA of \$13.44 million each to build such a facility which is the \$40.032 million needed. The savings by the Va could build the facility or rent it long term and put that money toward paying Dr.s and Nurses enough to stay.

Speaking of staying if this does not occur soon I must sell my home move to California to be near a real Hospital with Dr.s that have graduated within my lifetime with proper educations.

Unfortunately I know so many people from New York to Japan who I have had to say do NOT move here if you expect any type of medical attention. Especially Baby Boomerers who will be in need sooner than later if not already.

Some can afford to bring their own Dr. but many like me are disabled Veterans on limited income and do require timely treatment within days not months.

The other thing that strikes me is the acronym CON. Which leads me to think of con men and con games all illegal all despicable and always there waiting to suck the life out of a person or community.

Appearances do mean a lot and it appears to voters throughout this County and I am sure the others this system is beyond flawed. Which means all legislators by inference who support the

Con are con men and women.

So try to remember that your family will need a Hospital with state of the art facilities and personnel. If they live on Maui move them near a Hospital that is not overburdened, understaffed, under-funded and a cash cow for someone other than those needing medical attention.

Hopefully a person whose heart is not of stone will help support the people not the broken promise just like George and all the good old boys would do.

You are first a person, then a family provider, then a legislator not a Con artist. We already have good artists who need a hospital who are not conning you.

Mahalo, Peter G. Medwick USMC/ Disabled, 2747 S. Kihei Rd. Unit J109, Kihei Hi. 96753

ADDRESS IS FOR VERIFICATION ONLY. YOU MAY SEND A REPLY ONLY.

May Mizuno

From: TERRY SCHROEDER [terry8845@msn.com]
Sent: Tuesday, February 12, 2008 4:28 PM
To: HLTtestimony
Subject: We support HB2867

Please support HB2867 and abolish the CON (Certificate of Need).

We want the CON abolished so we can have competition in healthcare and have private hospitals on Maui.

We have been visiting Maui every year (except one) for 23 years. We finally were successful in purchasing a condominium in 2002. Our ultimate plan is to move to Maui, and "live Aloha", in the land we love.

Over the years we have met many people who visit Maui and also many that live on Maui. Last year, our good friend that we try to spend time with every year in Maui (they being from Vancouver and we are from Minnesota) had a heart attack on Maui and almost died waiting to get to Oahu. He has since been told he lost a third of the use of his heart muscle because of the huge delay in getting help. We love West Maui and there need to be options for good health care on Maui.

As taxpayer's in Maui and future residents we support the abolishment of the CON and HB2867.

Mahalo in advance for your support.

Respectfully submitted,

Terry and Marie Schroeder
3007 Frank Street
Maplewood, MN 55109-1092
terry8845@msn.com

May Mizuno

From: Mauimj@aol.com
Sent: Tuesday, February 12, 2008 4:36 PM
To: HLTtestimony
Subject: Please abolish the CON

RE: I support HB2867

To Whom it May Concern:

Please support HB2867 and abolish the CON (Certificate of Need).

I, along with countless of your Maui constituents want the CON abolished. If you read the Maui Needs, you cannot help but be aware of the overwhelming amount of readers who have voiced this opinion. It is time for Maui to control its own healthcare. Please consider the people of Maui and not the power brokers in Oahu. We want CON abolished so we can have competition in healthcare and have private hospitals on Maui.

Sincerely,

Mary Jane Yardley
80 Kainehe Place
Kihei, Hi. 96753

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