
A BILL FOR AN ACT

RELATING TO CERTIFICATES OF NEED.

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

1 SECTION 1. (a) There shall be established a twelve-member
2 certificate of need study blue ribbon panel. The members shall
3 include the director of health and eleven members of the public.
4 The public members shall be appointed as follows:

5 (1) Three persons shall be appointed by the president of
6 the senate, of whom:

7 (A) One shall be a licensed health care professional;

8 (B) One shall be a representative of a licensed
9 health care facility; and

10 (C) One shall have knowledge about health care
11 financing;

12 (2) Three persons shall be appointed by the speaker of the
13 house of representatives, of whom:

14 (A) One shall be a licensed health care professional;

15 (B) One shall be a representative of a licensed
16 health care facility; and

17 (C) One shall have knowledge about health care
18 financing; and



1 (3) Five persons shall be appointed by the governor, of
2 whom:

3 (A) One shall be a licensed health care professional;

4 (B) One shall be a representative of a licensed
5 health care facility; and

6 (C) Three shall have knowledge about health care
7 financing.

8 Vacancies in the membership of the panel shall be filled in the
9 same manner provided for the original appointments. The
10 appointment of panel members shall not be subject to senate
11 confirmation.

12 (b) The membership of the panel shall vote to elect a
13 chairperson.

14 (c) The panel shall be entitled to request assistance and
15 information from the employees of any county or state executive
16 department, board, bureau, commission, or agency as may be
17 required for its purposes. The department of health shall
18 provide administrative, professional, technical, and clerical
19 staff support for the panel.

20 (d) The panel shall conduct a comprehensive study to
21 examine:



- 1 (1) Certificate of need processes in other states that
2 have been modified or eliminated, and the effects of
3 the modifications or elimination;
- 4 (2) What other states are doing to reform the certificate
5 of need process; and
- 6 (3) The impact that modification or elimination of the
7 certificate of need process may have on the state with
8 regard to:
- 9 (A) Access to care by residents;
- 10 (B) Quality of care;
- 11 (C) Services that are delivered statewide or on a
12 regional basis; and
- 13 (D) Funding, including programs such as medicaid.
- 14 (e) The panel shall submit a report to the legislature no
15 later than twenty days prior to the convening of the regular
16 session of 2010. The report shall include recommendations,
17 including suggested legislation, if any, on:
- 18 (1) The panel's findings with regard to other states'
19 experiences with the certificate of need process;
- 20 (2) The future of Hawaii's certificate of need process;

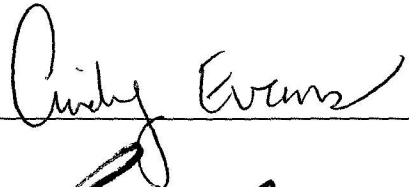


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- 1 (3) Which health care services or facilities, if any,
2 should continue to be subject to the certificate of
3 need requirements or other state regulation; and
4 (4) Which services or facilities should be exempt from
5 state regulation.

6 SECTION 2. This Act shall take effect upon its approval.
7

INTRODUCED BY:





JAN 23 2009



Report Title:

Certificate of Need; Blue Ribbon Panel

Description:

Establishes a temporary blue ribbon panel to study the certificate of need process in other states and recommend changes or the abolition of Hawaii's certificate of need process.

