

JAN 28 2009

A BILL FOR AN ACT

RELATING TO HEALTH.

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

1 SECTION 1. Act 262, Session Laws of Hawaii 1996,
2 established the Hawaii health systems corporation for the
3 purpose of providing quality and cost effective health care for
4 all people in Hawaii served by the publicly owned and operated
5 community hospital facilities. The primary intent of this
6 landmark legislation was to free these facilities from
7 burdensome, redundant, and restrictive bureaucratic procedures.
8 The legislative intent, and goal of the Hawaii health systems
9 corporation, of providing quality health care services while
10 seeking to reduce the need for general fund subsidy, is hindered
11 by limitations placed on the corporation's authority to
12 appropriately adjust levels of patient care services in a timely
13 manner based on need and availability of resources at its
14 facilities.

15 The legislature finds that to give effect to the
16 legislative intent and goals of the corporation, it is necessary
17 to provide Hawaii health systems corporation with the



1 flexibility to appropriately adjust levels of patient care
2 services to be provided at its facilities. This will serve to
3 enhance its operational efficiency and to serve as a
4 quality-focused, integrated health care system for the people of
5 Hawaii.

6 The purpose of this Act is to authorize the regional system
7 boards and the Hawaii health systems corporation board to reduce
8 or eliminate direct patient care services unless legislation is
9 enacted that includes an appropriation of moneys sufficient to
10 fund the mandated services.

11 SECTION 2. Section 323F-31, Hawaii Revised Statutes, is
12 amended to read as follows:

13 **"§323F-31 Maintenance of services.** (a) [~~The corporation~~
14 ~~and each regional system board shall notify the legislature of~~
15 ~~any planned substantial reduction or elimination of direct~~
16 ~~patient care services.] No planned substantial reduction or
17 elimination of direct patient care services at any facility
18 shall be undertaken unless all of the following requirements are
19 met:~~

20 (1) The plan of the facility to substantially reduce or
21 eliminate any direct patient care services shall first
22 be presented to the community in which the facility is



1 located, at a community informational meeting, in
2 order to obtain community input on the plan;

3 (2) Subsequent to the requisite community informational
4 meeting, the facility may present its plan to the
5 regional system board for its approval; and

6 (3) Provided that if the regional system board approves
7 the plan, the plan as approved by the regional system
8 board may be submitted to the corporation board for
9 ratification. A facility shall not proceed with the
10 implementation of the plan without corporation board
11 ratification.

12 (b) ~~[No substantial reduction or elimination of direct~~
13 ~~patient care services at any facility shall be undertaken by the~~
14 ~~corporation without the approval of the legislature.]~~ Twenty
15 days prior to the implementation of the plan approved by the
16 regional system board and ratified by the corporation board, the
17 regional system board that approved the plan shall give notice
18 of implementation of the plan to the governor, senate president,
19 and the speaker of the house of representatives.

20 (c) ~~[The legislature shall maintain review and oversight~~
21 ~~authority over the provision of direct patient care services~~
22 ~~provided at each facility and may intervene to counter or~~



1 ~~restrict any substantial reduction or elimination of patient~~
2 ~~care services.]~~ The decision of the regional system board, as
3 ratified by the corporation board, shall be the final decision
4 with respect to the plan. Implementation of the plan shall
5 commence and continue, provided that no legislation is enacted
6 that:

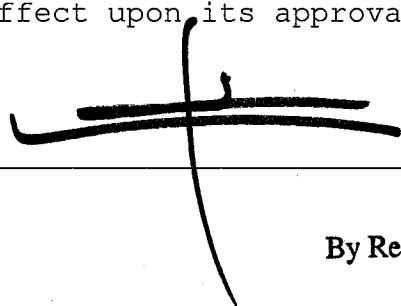
- 7 (1) Requires the reinstatement and continuation of the
8 direct patient care services that are subject to
9 reduction or elimination under the plan; and
10 (2) Includes an appropriation of additional moneys
11 sufficient to adequately fund the mandated
12 reinstatement and continuation of the subject direct
13 patient care services."

14 SECTION 3. Statutory material to be repealed is bracketed
15 and stricken. New statutory material is underscored.

16 SECTION 4. This Act shall take effect upon its approval.

17

INTRODUCED BY: _____



By Request



Report Title:

Hawaii Health Systems Corporation; Direct Patient Care Services

Description:

Authorizes the regional system boards and the Hawaii health systems corporation board to reduce or eliminate direct patient care services unless legislation is enacted that includes an appropriation of moneys sufficient to fund the mandated services.

