



**TESTIMONY OF
THE DEPARTMENT OF THE ATTORNEY GENERAL
TWENTY-FIFTH LEGISLATURE, 2010**

ON THE FOLLOWING MEASURE:

S.B. NO. 1309, S.D. 1, MAKING AN APPROPRIATION TO THE WAIANAE COAST COMPREHENSIVE HEALTH CENTER.

BEFORE THE:

SENATE COMMITTEE ON WAYS AND MEANS

DATE: Tuesday, February 23, 2010 **TIME:** 10:05 a.m.

LOCATION: State Capitol, Room 211

TESTIFIER(S): WRITTEN TESTIMONY ONLY. For more information, call Andrea J. Armitage, Deputy Attorney General, at 587-3050.

Chair Mercado Kim and Members of the Committee:

The Attorney General takes no position on the intent of this bill; however, there is a legal flaw that will need to be corrected if it is to accomplish its intended purpose.

This measure seeks to give a grant to the Waianae Coast Comprehensive Health Center pursuant to chapter 42F, Hawaii Revised Statutes (HRS).

The definition of the term "grant" in section 42F-1, HRS, requires that the Legislature specify the organization to which the grant will be awarded. The bill must state the correct legal name of the entity to which the grant is to be awarded, not the name under which the entity may be doing business.

In the case of this bill, our research indicates that the Waianae Coast Comprehensive Health Center is a trade name. This entity is registered with the Department of Commerce and Consumer Affairs as "Waianae District Comprehensive Health and Hospital Board, Incorporated." The bill should specify that the grant be awarded to Waianae District Comprehensive Health and Hospital Board, Incorporated, dba Waianae Coast Comprehensive Health Center.



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Senate Committee on Ways and Means

The Hon. Donna Mercado Kim, Chair

The Hon. Shan Tsutsui, Vice Chair

Testimony in Support of Senate Bill 1309 SD1

Making an Appropriation to the Wai'anāe Coast Comprehensive Health Center

Submitted by Beth Giesting, Chief Executive Officer

February 23, 2010, 10:05 a.m., Room 211

The Hawaii Primary Care Association requests your support for this bill. The Leeward Coast needs this critical service which has been provided so well by the Wai'anāe Coast Comprehensive Health Center for many years. Without a subsidy, WCCHC may have to restrict its hours and staffing, which could result in tragic circumstances for residents of the area.

Thank you for the opportunity to support this measure.

To: **Senate Committee on Ways and Means**
Senator Donna Mercado Kim, Chair
Senator Shan S. Tsutsui, Vice-Chair

RE: **COMMENTS IN SUPPORT OF SB 1309, SD 1: MAKING AN APPROPRIATION TO THE WAIANAE COAST COMPREHENSIVE HEALTH CENTER**
Decision Making: Tuesday, February 23, 2010
10:05am, Conference Room 211

Submitted by: Richard P. Bettini, MPH, MS, Chief Executive Officer
Waianae Coast Comprehensive Health Center
Contact – 697-3457 or wcchc@wcchc.com

The Waianae Coast Comprehensive Health Center must budget at least \$1.8 million to operate its emergency services between the hours of midnight and 8:00 am, 365 days a year. The budget takes into account the high number of uninsured patients who access emergency services, low volume between midnight and 8:00 am, and the medically necessary services including diagnostic laboratory and radiology services. With recent budget cuts and other economic downturns, the Health Center is unable to generate sufficient billings to support the costs of operating after-hour standby emergency medical services. **The operating loss from such after-hour emergency services for 2010-2011 is expected to be at least \$332,000.**

These emergency services are outpatient services provided to Waianae patients to address the numerous urgently needed medical care that may be presented at all hours of the day or night. The services provided by the Health Center include, but are not limited to:

1. physician services furnished to an outpatient of a federally qualified health center;
2. nursing care provided by or under the supervision of a registered professional nurse;
3. bed in connection with the furnishing of such nursing care;
4. medical social services;
5. other medically necessary items such drugs, biologicals, supplies, appliances, and equipment;
6. routine diagnostic services and other diagnostic or therapeutic services; and
7. such other services necessary to the health of the patients as are generally provided by health centers.

These services are above and beyond the normal work day primary health care services that are typically provided by a federally qualified health center. This operating subsidy, along with professional and facility fees collected from insurance companies, allows the Health Center to extend its normal workday hours into late evening and overnight hours. These services have also proved essential to the Statewide EMS system as the Waianae Coast is frequently isolated from the State's network of hospital-based emergency departments.

The Health Center is requesting support from the Legislature to enable emergency services to be available 24 hours a day to service the community.

As the primary medical provider on the Waianae Coast, the Health Center fills a major role in providing health services to the community, which allows the State to focus its limited resources on other areas.

Background on the Health Center's Emergency Services:

The State has provided subsidy funding for the Health Center's emergency medical services since 1976, and from 1986, through an increase in State funding, we have been able to provide emergency services 24 hours a day, 365 days a year. The ongoing support from the State is testament to their recognition of the value of emergency services to residents on the isolated Waianae Coast.

Without the subsidy, the emergency services operate at a substantial loss. Other rural communities receive a large State subsidy for such services through the State Hospital System. Our emergency services do not get proportionate support.

The necessity for 24-hour emergency medical services on the Waianae Coast has never diminished. Tragic and crisis episodes in the past few years, in particular those that close off access into and out of Waianae and the loss of the MAST helicopter medivac assistance demonstrate how crucial a role the Health Center plays by having 24-hour emergency medical services available in Waianae.

The Health Center's emergency services are some of the most heavily utilized on Oahu, serving 14,334 patients through a total of 21,036 visits annually.

The majority of emergency service visits are for conditions related to asthma, upper respiratory infection, complications from insulin-dependent diabetes, cardiovascular conditions such as chest pains and heart attacks, threatened labor, and injuries and wounds, many which are violence related. Time is crucial in many of these situations.

The Health Center's emergency services are also used by the Honolulu Police Department and Child Protective Services. The Honolulu Police Department brings individuals in custody to the emergency services department for medical care. If HPD had to take the individual to Hawaii Medical Center West, or another emergency facility, that would decrease police protection in the community. Child Protective Services uses the emergency services department for pre-placement physical exams when children are removed from their parents/guardians.

Subsidy funding allows the Health Center to support the difference between fees collected from services rendered and the actual cost of providing the services. Funding supports uninsured visits, staffing of the emergency services department, lab, radiology and security services, as well as other operational costs related to providing services during the hours of midnight to 8:00 am Monday through Saturday and all day on Sundays and holidays.

Without additional funding, due primarily to the increase of the number of uninsured patients and with continued operating losses due to insufficient or inconsistent payments from commercial health plans the Health Center faces discontinuation of emergency services from midnight to 8:00 am.

Mahalo for considering our request to support SB 1309 SD 1.