
A BILL FOR AN ACT

RELATING TO HEALTH.

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

1 SECTION 1. The legislature finds that a clean environment
2 is essential for the overall health and well-being of the
3 citizens of Hawaii. Over the last thirty years, the protection
4 of the environment has been and continues to be a focus of the
5 United States as a whole. This has led to the creation of
6 several federal measures aimed at recognizing the intertwined
7 relationship between human health and the environment, including
8 the National Environmental Policy Act, the Clear Air Act, and
9 the Clean Water Act.

10 The legislature further recognizes the complex scale of
11 environmental issues, with culture, local events, and global
12 events all playing a role. To this end, the purpose of this Act
13 is to rename the department of health to the department of
14 health and environmental services. This follows the model
15 already adopted by several other states and will demonstrate to
16 Hawaii's citizens the State's commitment to addressing
17 environmental issues and concerns. The renaming will also serve



1 to bring awareness to already existing environmental procedures
2 currently under the department of health's jurisdiction.

3 SECTION 2. Section 26-13, Hawaii Revised Statutes, is
4 amended to read as follows:

5 "**§26-13 Department of health and environmental services.**

6 (a) The department of health and environmental services shall
7 be headed by a single executive to be known as the director of
8 health and environmental services.

9 There shall be, within the department of health and
10 environmental services, an advisory board to be known as the
11 board of health, which shall advise the director of health and
12 environmental services on matters within the jurisdiction of the
13 department of health and environmental services. The board of
14 health shall consist of eleven voting members appointed by the
15 governor as provided in section 26-34 and shall include the
16 director of [+]human services[+] as an ex officio nonvoting
17 member. The appointed members shall include at least one
18 resident of each of the major counties including the county of
19 Kalawao. The appointed members shall serve without compensation
20 but shall be reimbursed for expenses, including travel expenses,
21 necessary for the performance of their duties.



1 The department shall administer programs designed to
2 protect, preserve, care for, and improve the physical and mental
3 health of the people of the State. Without limit to the
4 generality of the foregoing, the programs shall include the
5 administration and enforcement of matters and laws of public
6 health of the State, including the state hospital, but excluding
7 assistance and care for the indigent and the medically indigent.

8 (b) The functions and authority heretofore exercised by
9 the board of health (excluding assistance and care for the
10 indigent and the medically indigent) and the department of
11 institutions with respect to the state hospital and the dental
12 health treatment function of the department of public
13 instruction as heretofore constituted are transferred to the
14 department of health and environmental services established by
15 this chapter.

16 The governor shall define and differentiate dental health
17 treatment from dental health instruction and shall provide for
18 the gradual transfer of any personnel within the definition of
19 dental health treatment to the department of health and
20 environmental services. This section shall not be construed to
21 require the transfer from the department of education to the
22 department of health and environmental services of any dental



1 hygienist having a teacher's certificate and employed by the
2 department of public instruction immediately prior to
3 November 25, 1959."

4 SECTION 3. Upon enactment of this Act, the revisor of
5 statutes shall substitute the words "department of health and
6 environmental services" wherever the words "department of
7 health" or like term, appears, as the context requires, and
8 every reference to the department of health or director of
9 health therein shall be construed as a reference to the
10 department of health and environmental services and the director
11 of health and environmental services, as appropriate.

12 SECTION 4. All rules, policies, procedures, guidelines,
13 and other material adopted or developed by the department of
14 health to implement provisions of the Hawaii Revised Statutes
15 that are made applicable to the department of health and
16 environmental services by this Act, shall remain in full force
17 and effect until amended or repealed by the department of health
18 and environmental services, pursuant to chapter 91, Hawaii
19 Revised Statutes.

20 In the interim, every reference to the department of health
21 or the director of health in those rules, policies, procedures,
22 guidelines, and other material is amended to refer to the



1 department of health and environmental services or the director
2 of health and environmental services, as appropriate.

3 SECTION 5. Statutory material to be repealed is bracketed
4 and stricken. New statutory material is underscored.

5 SECTION 6. This Act shall take effect upon its approval.

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INTRODUCED BY:

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JAN 24 2013



H.B. NO. 1272

Report Title:

Department of Health to Department of Health and Environmental Services

Description:

Renames the Department of Health to the Department of Health and Environmental Services.

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