

SB 1337

TESTIMONY

**Testimony to the Senate Committee on Health
Friday, February 8, 2013 at 2:30 P.M.
Conference Room 229, State Capitol**

**RE: SENATE BILL 1337 RELATING TO HEALTH AND WELLNESS
PROGRAMS**

Chair Green, Vice Chair Baker, and Members of the Committee:

The Chamber of Commerce of Hawaii ("The Chamber") **supports** SB 1337 Relating to Health and Wellness Programs.

The Chamber is the largest business organization in Hawaii, representing over 1000 businesses. Approximately 80% of our members are small businesses with less than 20 employees. As the "Voice of Business" in Hawaii, the organization works on behalf of members and the entire business community to improve the state's economic climate and to foster positive action on issues of common concern.

Health insurance premiums, as mandated by the Prepaid Healthcare law, are a rising and uncontrollable cost for business. Many employers pay 90-100% of the total health insurance premium. Health wellness and prevention are a critical component in keeping employees healthy and addressing health care costs. We believe that this law will help programs to encourage healthy behavior.

Thank you for the opportunity to testify.

POLICE DEPARTMENT
CITY AND COUNTY OF HONOLULU

801 SOUTH BERETANIA STREET · HONOLULU, HAWAII 96813
TELEPHONE: (808) 529-3111 · INTERNET: www.honolulu.org



KIRK W. CALDWELL
MAYOR

LOUIS M. KEALOHA
CHIEF

DAVE M. KAJIHIRO
MARIE A. McCAULEY
DEPUTY CHIEFS

OUR REFERENCE **JI-TA**

February 8, 2013

The Honorable Josh Green, Chair
and Members
Committee on Health
State Senate
Hawaii State Capitol
415 South Beretania Street
Honolulu, Hawaii 96813

Dear Chair Green and Members:

Subject: Senate Bill No. 1337, Relating to Health Wellness Programs

I am Jerry Inouye, Captain of the Narcotics/Vice Division of the Honolulu Police Department, City and County of Honolulu.

The Honolulu Police Department opposes Senate Bill No. 1337, Relating to Health Wellness Programs.

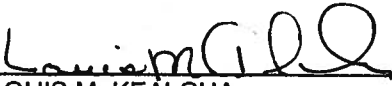
Hawaii's current gambling laws have been touted as some of the strongest in the nation. This is because the current statutes and related definitions are practical, clearly written, and allow for specific activities. These activities include bona fide business transactions as well as health and accident insurance. These allowances make the need for amendments regarding health insurance unnecessary.

Furthermore, the bill does not define "wellness program" and does not specify what activities would be involved. As long as lotteries or other contests of chance are not used in the promotion or application of the program, no changes to the current statutes or definitions are required.


The Honolulu Police Department urges you to oppose Senate Bill No. 1337, Relating to Health Wellness Programs.

Thank you for the opportunity to testify.

APPROVED:


LOUIS M. KEALOHA
Chief of Police

Sincerely,


JERRY INOUYE, Captain
Narcotics/Vice Division

TESTIMONY OF THE HAWAI`I POLICE DEPARTMENT

SENATE BILL 1337

RELATING TO HEALTH WELLNESS PROGRAMS

BEFORE THE COMMITTEE ON HEALTH

DATE : Friday, February 8, 2013

TIME : 2:30 P.M.

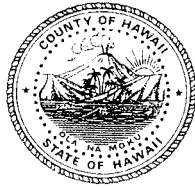
**PLACE : Conference Room 229
State Capitol
415 South Beretania Street**

PERSON TESTIFYING:

**Acting Police Chief Paul K. Ferreira
Hawai`i Police Department
County of Hawai`i**

(Written Testimony Only)

William P. Kenoi
Mayor



Harry S. Kubojiri
Police Chief

Paul K. Ferreira
Deputy Police Chief

County of Hawai'i

POLICE DEPARTMENT

349 Kapiolani Street • Hilo, Hawai'i 96720-3998
(808) 935-3311 • Fax (808) 961-8865

February 7, 2013

Senator Josh Green
Chairperson and Committee Members
Committee on Health
415 South Beretania Street, Room 229
Honolulu, Hawai'i 96813

Re: Senate Bill 1337 Relating to Health Wellness Programs

Dear Senator Green:

The Hawai'i Police Department opposes passage of Senate Bill 1337, relating to Health Wellness Programs. The intent of the appropriation is to amend the definition of "something of value" to clarify that participation in health wellness programs is not considered gambling or lottery participation under the Hawai'i Penal Code.

Our Department is opposed to this measure as currently written. Our concern is predicated upon the passage, "Payment for health insurance coverage **or** (emphasis mine) participation in a wellness program...", which could provide a source of ambiguity. We believe failure of this legislation to adequately define a wellness program could allow for a moderately liberal interpretation to apply this statute towards legalization of certain acts of gambling.

For instance, one could construe that a game of poker designed to promote dexterity to stave off arthritis could, in effect, allow the person in control of the property whereat the poker game is occurring to directly benefit from such gambling activity.

For these reasons, we oppose this legislation. Thank you for allowing the Hawai'i Police Department to provide comments relating to Senate Bill 1337.

Sincerely,

PAUL K. FERREIRA
ACTING POLICE CHIEF