
A BILL FOR AN ACT

RELATING TO THE DEPARTMENT OF HEALTH.

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

1 SECTION 1. The mission of the department of health is to
2 protect and improve the health and environment for all persons
3 in the State. The department of health provides oversight over
4 a wide range of areas, including diseases and immunization,
5 emergency preparedness and response, family health, injury
6 prevention and control, mental illness, substance abuse, and
7 behavioral health, as well as environmental health. The
8 legislature finds that Hawaii is one of the last two states with
9 a department of health that provides oversight over environment.

10 The purpose of this Act is to recognize the significance of
11 the environment and environmental issues under the department of
12 health by changing the name of the department of health to the
13 department of health and environmental services.

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

16 "**§26-4 Structure of government.** Under the supervision of
17 the governor, all executive and administrative offices,
18 departments, and instrumentalities of the state government and



1 their respective functions, powers, and duties shall be
2 allocated among and within the following principal departments
3 that are hereby established:

4 (1) Department of human resources development (Section 26-
5 5)

6 (2) Department of accounting and general services (Section
7 26-6)

8 (3) Department of the attorney general (Section 26-7)

9 (4) Department of budget and finance (Section 26-8)

10 (5) Department of commerce and consumer affairs (Section
11 26-9)

12 (6) Department of taxation (Section 26-10)

13 (7) University of Hawaii (Section 26-11)

14 (8) Department of education (Section 26-12)

15 (9) Department of health and environmental services
16 (Section 26-13)

17 (10) Department of human services (Section 26-14)

18 (11) Department of land and natural resources (Section 26-
19 15)

20 (12) Department of agriculture (Section 26-16)

21 (13) Department of Hawaiian home lands (Section 26-17)



- 1 (14) Department of business, economic development, and
2 tourism (Section 26-18)
- 3 (15) Department of transportation (Section 26-19)
- 4 (16) Department of labor and industrial relations (Section
5 26-20)
- 6 (17) Department of defense (Section 26-21)
- 7 (18) Department of public safety (Section 26-14.6)."

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

10 "**§26-13 Department of health[-] and environmental**
11 **services.** (a) The department of health and environmental
12 services shall be headed by a single executive to be known as
13 the director of health[-] and environmental services.

14 There shall be, within the department of health[-] and
15 environmental services, an advisory board to be known as the
16 board of health, which shall advise the director of health and
17 environmental services on matters within the jurisdiction of the
18 department of health[-] and environmental services. The board
19 of health shall consist of eleven voting members appointed by
20 the governor as provided in section 26-34 and shall include the
21 director of [+]human services[+] as an ex officio nonvoting
22 member. The appointed members shall include at least one



1 resident of each of the major counties including the county of
2 Kalawao. The appointed members shall serve without compensation
3 but shall be reimbursed for expenses, including travel expenses,
4 necessary for the performance of their duties.

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

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

20 The governor shall define and differentiate dental health
21 treatment from dental health instruction and shall provide for
22 the gradual transfer of any personnel within the definition of



1 dental health treatment to the department of health[?] and
2 environmental services. This section shall not be construed to
3 require the transfer from the department of education to the
4 department of health and environmental services of any dental
5 hygienist having a teacher's certificate and employed by the
6 department of public instruction immediately prior to November
7 25, 1959."

8 SECTION 4. The Hawaii Revised Statutes is amended by
9 substituting the words "department of health and environmental
10 services" and "director of health and environmental services",
11 or similar terms, whenever the words "department of health" and
12 "director of health", or similar terms, appear, as the context
13 requires.

14 SECTION 5. All rules, policies, procedures, guidelines,
15 and other material adopted or developed by the department of
16 health to implement provisions of the Hawaii Revised Statutes
17 that are made applicable to the department of health and
18 environmental services by this Act, shall remain in full force
19 and effect until amended or repealed by the department of health
20 and environmental services, pursuant to chapter 91, Hawaii
21 Revised Statutes.



1 In the interim, every reference to the department of health
 2 or the director of health in those rules, policies, procedures,
 3 guidelines, and other material is amended to refer to the
 4 department of health and environmental services or the director
 5 of health and environmental services, as appropriate.

6 SECTION 6. Statutory material to be repealed is bracketed
 7 and stricken. New statutory material is underscored.

8 SECTION 7. This Act shall take effect on January 1, 2015.

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H.B. NO. 2516

Report Title:

Department of Health and Environmental Services

Description:

Changes the name of the Department of Health to the Department of Health and Environmental Services. Effective January 1, 2015.

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