

Honolulu, Hawaii

March 21, 2014

RE: S.B. No. 2845
S.D. 1
H.D. 2

Honorable Joseph M. Souki
Speaker, House of Representatives
Twenty-Seventh State Legislature
Regular Session of 2014
State of Hawaii

Sir:

Your Committee on Labor & Public Employment, to which was referred S.B. No. 2845, S.D. 1, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO APPOINTMENT OF EXEMPT PERSONNEL IN THE DEPARTMENT OF HUMAN SERVICES FOR THE STATE MEDICAL ASSISTANCE PROGRAMS,"

begs leave to report as follows:

The purpose of this measure is to allow the Director of Human Services to appoint and employ professional staff, exempt from civil service, prescribe their duties, and fix their salaries, when in the Director's determination, the services to be performed are unique and essential to the execution of the functions of the state medical assistance programs.

The Department of Human Services and the Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO provided comments on this measure.

Your Committee has amended this measure by:

- (1) Exempting from civil service the positions of the privacy and security compliance officer, health information technology officer, physicians, pharmacists, and dentists for a period of three years from its effective date;



- (2) Changing its effective date to July 1, 2114, for the purpose of encouraging further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Your Committee is pleased that the Department of Human Services has been able to reach a compromise regarding the exemption of employees from the civil service law, Chapter 76, Hawaii Revised Statutes (HRS). The exemptions from Chapter 76, HRS are not limited to the division administrator, branch and office administrators, finance officer, research officer, privacy and security compliance officer, and health information technology officer. This measure grants the additional positions that the Department of Human Services originally requested be exempt from Chapter 76, HRS a three-year exemption to allow the Department to develop and approve job descriptions for these positions.

As affirmed by the record of votes of the members of your Committee on Labor & Public Employment that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2845, S.D. 1, H.D. 1, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as S.B. No. 2845, S.D. 1, H.D. 2.

Respectfully submitted on
behalf of the members of the
Committee on Labor & Public
Employment,



MARK M. NAKASHIMA, Chair



State of Hawaii
House of Representatives
The Twenty-seventh Legislature

HSCR 1187-14

Record of Votes of the Committee on Labor & Public Employment

Bill/Resolution No.: SB 2845, SD1, HD1	Committee Referral: HUS, LAB, FIN	Date: 3-18-14		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
LAB Members	Ayes	Ayes (WR)	Nays	Excused
1. NAKASHIMA, Mark M. (C)	/			
2. YAMASHITA, Kyle T. (VC)	/			
3. AQUINO, Henry J.C.	/			
4. ICHIYAMA, Linda	/			
5. TAKAYAMA, Gregg	/			
6. ING, Kaniela				/
7. TAKUMI, Roy M.	/			
8. YAMANE, Ryan I.	/			
9. JOHANSON, Aaron Ling	/			
TOTAL (9)	8	-	-	1
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. <small style="margin-left: 100px;">committee acronym(s)</small>				
Vice Chair's or designee's signature: _____ 				
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