
A BILL FOR AN ACT

RELATING TO HEALTH.

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

1 SECTION 1. Chapter 325, Hawaii Revised Statutes, is
2 amended by adding a new section to be appropriately designated
3 and to read as follows:

4 "§325- Disease outbreak response fund. (a) The
5 director shall submit requests to the legislature to appropriate
6 from the general revenues of the State sufficient moneys as may
7 be necessary for expenditure by or under the direction of the
8 governor for immediate relief in response to an epidemic control
9 suppression or prevention activity subject to section 325-6 in
10 any part of the State; provided that:

11 (1) The director of health has declared that an epidemic
12 is imminent or has occurred; and

13 (2) The director of health may not expend in excess of
14 \$5,000,000 for immediate relief as a result of any
15 single emergency or disaster.



1 In expending the moneys, the director of health may allot any
2 portion thereof to any agency, office, or employee of the State
3 or a county for the most efficient relief for the population.

4 (b) No later than one month after any allotment by the
5 director of health or the expenditure of any fund moneys, the
6 director shall report to the legislature on the purpose of the
7 allotment or expenditure.

8 (c) Any federal reimbursement moneys received for epidemic
9 relief shall be deemed to be trust moneys and may be deposited
10 into a trust account with and under the control of the
11 department of health. These moneys and any interest earned
12 thereon shall be used for the purpose identified in subsection
13 (a) and shall not lapse to the general fund."

14 SECTION 2. Section 321-1, Hawaii Revised Statutes, is
15 amended to read as follows:

16 "**§321-1 General powers and duties of the department.** (a)
17 The department of health shall have general charge, oversight,
18 and care of the health and lives of the people of the State, and
19 shall pursue as a goal, the achievement of health equity. The
20 department shall consider social determinants of health in the
21 assessment of state needs for health.



1 (b) The department may conduct epidemiologic
2 investigations of diseases and injuries that threaten or are
3 deemed by the department to threaten the public health and
4 safety.

5 (c) The department shall have authority in matters of
6 quarantine and other health matters and may declare and enforce
7 quarantine when none exists and modify or release quarantine
8 when it is established.

9 (d) When it is determined that there is imminent danger of
10 epidemic or serious outbreak of communicable disease, the
11 department may refuse, modify, or limit attendance at any school
12 in the State.

13 (e) When in the judgment of the director, there is deemed
14 to be a potential health hazard, the department may take
15 precautionary measures to protect the public through the
16 imposition of an embargo, the detention of products regulated by
17 the department, the removal of products regulated by the
18 department from the market, the declaration of quarantine, or by
19 sequestering items suspected to be contaminated by toxic or
20 infectious substances; provided that the director shall find
21 evidence of a health hazard within seven days of the action



1 taken or rescind the action. The director shall make public the
2 findings.

3 (f) All county health authorities, sheriffs, police
4 officers, and all other officers and employees of the State, and
5 every county thereof, shall enforce the rules of the department.
6 All such powers in health matters as have been or may be
7 conferred upon any county shall be concurrent with those of the
8 department.

9 (g) The department may establish charges and collect fees
10 for any of its services; provided that the department shall not
11 refuse to provide services to any person due to the person's
12 inability to pay the fee for the service. The department,
13 through the director, shall make an annual report to the
14 governor, showing in detail all its expenditures and
15 transactions, and such other information regarding the public
16 health as the department may deem of special interest.

17 (h) The department, during the prevalence of any severe
18 pestilence or epidemic, shall publish a weekly report of the
19 public health.

20 (i) The department shall establish and administer
21 programs, and adopt rules as deemed necessary, for the



1 prevention of domestic and sexual violence and the protection
2 and treatment of victims of domestic and sexual violence.

3 (j) The director of health may declare an epidemic or
4 imminent epidemic and use moneys in the disease outbreak
5 response fund established pursuant to section 325- .

6 [~~j~~] (k) As used in this section:

7 "Health equity" means assuring equal opportunity for all
8 people in the State to attain their full health potential.

9 "Social determinants of health" means the complex,
10 integrated, and overlapping social structures and economic
11 systems that contribute to health inequities. These social
12 structures and economic systems include the social environment,
13 physical environment, health services, and structural and
14 societal factors."

15 SECTION 3. There is appropriated out of the general
16 revenues of the State of Hawaii the sum of \$ or so
17 much thereof as may be necessary for fiscal year 2016-2017 for
18 deposit into the disease outbreak response fund established by
19 this Act for immediate relief in response to an emergency or
20 disaster in any part of the State.



H.B. NO. 1745

1 SECTION 4. Statutory material to be repealed is bracketed
2 and stricken. New statutory material is underscored.

3 SECTION 5. This Act shall take effect on July 1, 2016.

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INTRODUCED BY: Cindy Evans

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JAN 21 2016



H.B. NO. 1745

Report Title:

Health; Disease Outbreak Response Fund; Appropriation

Description:

Establishes a disease outbreak response fund for epidemic control. Authorizes the Director of Health, rather than the Governor, to declare an epidemic and to use moneys in the disease outbreak response fund for relief. Makes an appropriation.

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