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# A BILL FOR AN ACT

RELATING TO EMERGENCY MEDICAL SERVICES.

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

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PART I

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SECTION 1. The legislature finds that anti-tobacco

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campaigns have played a major role in the overall decline of

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cigarette smoking. A key tool of tobacco use control has been

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taxation policy, which has been shown to be particularly

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effective for youth, who are generally more price-sensitive, and

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thus less likely to start or maintain cigarette smoking when it

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is expensive.

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The health effects of smoking are well established and

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include increased risk of heart attack, stroke, and other

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medical events to which Hawaii's emergency medical services

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system routinely responds. A clear nexus thus exists between

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cigarette smoking and utilization of the emergency health care

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system. However, due to declining rates of smoking, the long-

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term sustainability of the cigarette tax as a revenue source for

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the emergency medical system special fund is not guaranteed.



1           The purpose of this part is to repeal the emergency medical  
2 services special fund, redirect the fund's revenue sources,  
3 which are the cigarette tax, motor vehicle registration fee, and  
4 investment pool returns, to the general fund, and appropriate an  
5 equal dollar amount to the department of health for purposes of  
6 overseeing the state comprehensive emergency medical system with  
7 no discernable disruptions.

8           In fiscal year 2015-2016, emergency medical services  
9 special fund revenues from cigarette sales were \$8,800,000;  
10 revenues from vehicle registration fees were \$6,538,865; and  
11 revenues from the investment pool account were \$151,502.46.  
12 Total emergency medical system special fund revenues in fiscal  
13 year 2015-2016 were \$15,490,367.46.

14           SECTION 2. Section 36-27, Hawaii Revised Statutes, is  
15 amended by amending subsection (a) to read as follows:

16           "(a) Except as provided in this section, and  
17 notwithstanding any other law to the contrary, from time to  
18 time, the director of finance, for the purpose of defraying the  
19 prorated estimate of central service expenses of government in  
20 relation to all special funds, except the:



- 1 (1) Special out-of-school time instructional program fund
- 2 under section 302A-1310;
- 3 (2) School cafeteria special funds of the department of
- 4 education;
- 5 (3) Special funds of the University of Hawaii;
- 6 (4) State educational facilities improvement special fund;
- 7 (5) Convention center enterprise special fund under
- 8 section 201B-8;
- 9 (6) Special funds established by section 206E-6;
- 10 (7) Aloha Tower fund created by section 206J-17;
- 11 (8) Funds of the employees' retirement system created by
- 12 section 88-109;
- 13 (9) Hawaii hurricane relief fund established under chapter
- 14 431P;
- 15 (10) Hawaii health systems corporation special funds and
- 16 the subaccounts of its regional system boards;
- 17 (11) Tourism special fund established under section 201B-
- 18 11;
- 19 (12) Universal service fund established under section 269-
- 20 42;



- 1 (13) Emergency and budget reserve fund under section 328L-
- 2 3;
- 3 (14) Public schools special fees and charges fund under
- 4 section 302A-1130;
- 5 (15) Sport fish special fund under section 187A-9.5;
- 6 [+](16)[+] Neurotrauma special fund under section 321H-4;
- 7 [+](17)[+] Glass advance disposal fee established by section
- 8 342G-82;
- 9 [+](18)[+] Center for nursing special fund under section
- 10 304A-2163;
- 11 [+](19)[+] Passenger facility charge special fund
- 12 established by section 261-5.5;
- 13 [+](20)[+] Solicitation of funds for charitable purposes
- 14 special fund established by section 467B-15;
- 15 [+](21)[+] Land conservation fund established by section
- 16 173A-5;
- 17 [+](22)[+] Court interpreting services revolving fund under
- 18 section 607-1.5;
- 19 [+](23)[+] Trauma system special fund under section 321-
- 20 22.5;
- 21 [+](24)[+] Hawaii cancer research special fund;



1    [+] (25) [+]       Community health centers special fund;  
2    [+(26)] ~~Emergency medical services special fund;~~  
3    [+(27)] (26)    Rental motor vehicle customer facility charge  
4                   special fund established under section 261-5.6;  
5    [+(28)] (27)    Shared services technology special fund under  
6                   section 27-43;  
7    [+(29)] (28)    Automated victim information and notification  
8                   system special fund established under section 353-136;  
9    [+(30)] (29)    Deposit beverage container deposit special fund  
10                   under section 342G-104;  
11   [+(31)] (30)    Hospital sustainability program special fund  
12                   under [+]section 346G-4[+];  
13   [+(32)] (31)    Nursing facility sustainability program special  
14                   fund under [+]section 346F-4[+];  
15   [+(33)] (32)    Hawaii 3R's school improvement fund under  
16                   section 302A-1502.4;  
17   [+(34)] (33)    After-school plus program revolving fund under  
18                   section 302A-1149.5; and  
19   [+(35)] (34)    Civil monetary penalty special fund under  
20                   section 321-30.2,



1 shall deduct five per cent of all receipts of all other special  
2 funds, which deduction shall be transferred to the general fund  
3 of the State and become general realizations of the State. All  
4 officers of the State and other persons having power to allocate  
5 or disburse any special funds shall cooperate with the director  
6 in effecting these transfers. To determine the proper revenue  
7 base upon which the central service assessment is to be  
8 calculated, the director shall adopt rules pursuant to chapter  
9 91 for the purpose of suspending or limiting the application of  
10 the central service assessment of any fund. No later than  
11 twenty days prior to the convening of each regular session of  
12 the legislature, the director shall report all central service  
13 assessments made during the preceding fiscal year."

14 SECTION 3. Section 36-30, Hawaii Revised Statutes, is  
15 amended by amending subsection (a) to read as follows:

- 16 "(a) Each special fund, except the:
- 17 (1) Special out-of-school time instructional program fund  
18 under section 302A-1310;
  - 19 (2) School cafeteria special funds of the department of  
20 education;
  - 21 (3) Special funds of the University of Hawaii;



- 1 (4) State educational facilities improvement special fund;  
2 (5) Special funds established by section 206E-6;  
3 (6) Aloha Tower fund created by section 206J-17;  
4 (7) Funds of the employees' retirement system created by  
5 section 88-109;  
6 (8) Hawaii hurricane relief fund established under chapter  
7 431P;  
8 (9) Convention center enterprise special fund established  
9 under section 201B-8;  
10 (10) Hawaii health systems corporation special funds and  
11 the subaccounts of its regional system boards;  
12 (11) Tourism special fund established under section 201B-  
13 11;  
14 (12) Universal service fund established under section 269-  
15 42;  
16 (13) Emergency and budget reserve fund under section 328L-  
17 3;  
18 (14) Public schools special fees and charges fund under  
19 section 302A-1130;  
20 (15) Sport fish special fund under section 187A-9.5;  
21 [+](16)[+] Neurotrauma special fund under section 321H-4;



1    [+] (17) [+]       Center for nursing special fund under section  
2                    304A-2163;

3    [+] (18) [+]       Passenger facility charge special fund  
4                    established by section 261-5.5;

5    [+] (19) [+]       Court interpreting services revolving fund under  
6                    section 607-1.5;

7    [+] (20) [+]       Trauma system special fund under section 321-  
8                    22.5;

9    [+] (21) [+]       Hawaii cancer research special fund;

10   [+] (22) [+]       Community health centers special fund;

11   ~~[+(23)] Emergency medical services special fund;~~

12   ~~+(24)]~~ (23)     Rental motor vehicle customer facility charge  
13                    special fund established under section 261-5.6;

14   ~~+(25)]~~ (24)     Shared services technology special fund under  
15                    section 27-43;

16   ~~+(26)]~~ (25)     Nursing facility sustainability program special  
17                    fund established pursuant to [+]section 346F-4 [+];

18   ~~+(27)]~~ (26)     Automated victim information and notification  
19                    system special fund established under section 353-136;

20   ~~+(28)]~~ (27)     Hospital sustainability program special fund  
21                    under [+]section 346G-4 [+]; and





1     ~~[(29)]~~ (28) Civil monetary penalty special fund under  
2             section 321-30.2,  
3 shall be responsible for its pro rata share of the  
4 administrative expenses incurred by the department responsible  
5 for the operations supported by the special fund concerned."

6             SECTION 4. Section 245-15, Hawaii Revised Statutes, is  
7 amended to read as follows:

8             "**§245-15 Disposition of revenues.** All moneys collected  
9 pursuant to this chapter shall be paid into the state treasury  
10 as state realizations to be kept and accounted for as provided  
11 by law; provided that, of the moneys collected under the tax  
12 imposed pursuant to:

13             (1) Section 245-3(a)(5), after September 30, 2006, and  
14             prior to October 1, 2007, 1.0 cent per cigarette shall  
15             be deposited to the credit of the Hawaii cancer  
16             research special fund, established pursuant to section  
17             304A-2168, for research and operating expenses and for  
18             capital expenditures;

19             (2) Section 245-3(a)(6), after September 30, 2007, and  
20             prior to October 1, 2008:



1 (A) 1.5 cents per cigarette shall be deposited to the  
2 credit of the Hawaii cancer research special  
3 fund, established pursuant to section 304A-2168,  
4 for research and operating expenses and for  
5 capital expenditures;

6 (B) 0.25 cents per cigarette shall be deposited to  
7 the credit of the trauma system special fund  
8 established pursuant to section 321-22.5; and

9 (C) 0.25 cents per cigarette shall be deposited to  
10 the credit of the emergency medical services  
11 special fund established pursuant to section 321-  
12 234;

13 (3) Section 245-3(a)(7), after September 30, 2008, and  
14 prior to July 1, 2009:

15 (A) 2.0 cents per cigarette shall be deposited to the  
16 credit of the Hawaii cancer research special  
17 fund, established pursuant to section 304A-2168,  
18 for research and operating expenses and for  
19 capital expenditures;



- 1 (B) 0.5 cents per cigarette shall be deposited to the  
2 credit of the trauma system special fund  
3 established pursuant to section 321-22.5;
- 4 (C) 0.25 cents per cigarette shall be deposited to  
5 the credit of the community health centers  
6 special fund established pursuant to section 321-  
7 1.65; and
- 8 (D) 0.25 cents per cigarette shall be deposited to  
9 the credit of the emergency medical services  
10 special fund established pursuant to section 321-  
11 234;
- 12 (4) Section 245-3(a)(8), after June 30, 2009, and prior to  
13 July 1, 2013:
- 14 (A) 2.0 cents per cigarette shall be deposited to the  
15 credit of the Hawaii cancer research special  
16 fund, established pursuant to section 304A-2168,  
17 for research and operating expenses and for  
18 capital expenditures;
- 19 (B) 0.75 cents per cigarette shall be deposited to  
20 the credit of the trauma system special fund  
21 established pursuant to section 321-22.5;



- 1 (C) 0.75 cents per cigarette shall be deposited to  
2 the credit of the community health centers  
3 special fund established pursuant to section 321-  
4 1.65; and
- 5 (D) 0.5 cents per cigarette shall be deposited to the  
6 credit of the emergency medical services special  
7 fund established pursuant to section 321-234;
- 8 (5) Section 245-3(a)(11), after June 30, 2013, and prior  
9 to July 1, 2015:
- 10 (A) 2.0 cents per cigarette shall be deposited to the  
11 credit of the Hawaii cancer research special  
12 fund, established pursuant to section 304A-2168,  
13 for research and operating expenses and for  
14 capital expenditures;
- 15 (B) 1.5 cents per cigarette shall be deposited to the  
16 credit of the trauma system special fund  
17 established pursuant to section 321-22.5;
- 18 (C) 1.25 cents per cigarette shall be deposited to  
19 the credit of the community health centers  
20 special fund established pursuant to section 321-  
21 1.65; and



- 1 (D) 1.25 cents per cigarette shall be deposited to  
2 the credit of the emergency medical services  
3 special fund established pursuant to section 321-  
4 234; [and]
- 5 (6) Section 245-3(a)(11), after June 30, 2015, and  
6 ~~[thereafter:]~~ prior to July 1, 2017:
- 7 (A) 2.0 cents per cigarette shall be deposited to the  
8 credit of the Hawaii cancer research special  
9 fund, established pursuant to section 304A-2168,  
10 for research and operating expenses and for  
11 capital expenditures;
- 12 (B) 1.125 cents per cigarette, but not more than  
13 \$7,400,000 in a fiscal year, shall be deposited  
14 to the credit of the trauma system special fund  
15 established pursuant to section 321-22.5;
- 16 (C) 1.25 cents per cigarette, but not more than  
17 \$8,800,000 in a fiscal year, shall be deposited  
18 to the credit of the community health centers  
19 special fund established pursuant to section 321-  
20 1.65; and



1 (D) 1.25 cents per cigarette, but not more than  
2 \$8,800,000 in a fiscal year, shall be deposited  
3 to the credit of the emergency medical services  
4 special fund established pursuant to section 321-  
5 234 [-]; and

6 (7) Section 245-3(a)(11), on and after July 1, 2017:

7 (A) 2.0 cents per cigarette shall be deposited to the  
8 credit of the Hawaii cancer research special  
9 fund, established pursuant to section 304A-2168,  
10 for research and operating expenses and for  
11 capital expenditures;

12 (B) 1.125 cents per cigarette, but not more than  
13 \$7,400,000 in a fiscal year, shall be deposited  
14 to the credit of the trauma system special fund  
15 established pursuant to section 321-22.5; and

16 (C) 1.25 cents per cigarette, but not more than  
17 \$8,800,000 in a fiscal year, shall be deposited  
18 to the credit of the community health centers  
19 special fund established pursuant to section 321-  
20 1.65.



1 The department shall provide an annual accounting of these  
2 dispositions to the legislature."

3 SECTION 5. Section 249-31, Hawaii Revised Statutes, is  
4 amended by amending subsection (b) to read as follows:

5 "(b) From each annual motor vehicle registration fee, the  
6 director shall deposit \$40 into the state highway fund and \$5  
7 into the [~~emergency medical services special fund.~~] general  
8 fund."

9 SECTION 6. Section 321-234, Hawaii Revised Statutes, is  
10 repealed.

11 [~~"§321-234 Emergency medical services special fund. (a)~~  
12 ~~There is established within the state treasury a special fund to~~  
13 ~~be known as the emergency medical services special fund to be~~  
14 ~~administered and expended by the department.~~

15 ~~(b) The moneys in the special fund shall be used by the~~  
16 ~~department for operating a state comprehensive emergency medical~~  
17 ~~services system including enhanced and expanded services, and~~  
18 ~~shall not be used to supplant funding for emergency medical~~  
19 ~~services authorized prior to [July 1, 2004].~~

20 ~~(c) Fees remitted pursuant to section 249-31, cigarette~~  
21 ~~tax revenues designated under section 245-15, interest and~~



1 ~~investment earnings attributable to the moneys in the special~~  
2 ~~fund, legislative appropriations, and grants, donations, and~~  
3 ~~contributions from private or public sources for the purposes of~~  
4 ~~the fund, shall be deposited into the special fund.~~

5 ~~(d) The department shall submit an annual report to the~~  
6 ~~legislature no later than twenty days prior to the convening of~~  
7 ~~each regular session that outlines the receipts of, and~~  
8 ~~expenditures from, the special fund." ]~~

9 SECTION 7. There is appropriated out of the general  
10 revenues of the State of Hawaii the sum of \$                    or so much  
11 thereof as may be necessary for fiscal year 2017-2018 and the  
12 same sum or so much thereof as may be necessary for fiscal year  
13 2018-2019 for the state comprehensive emergency medical services  
14 system.

15 The sums appropriated shall be expended by the department  
16 of health for the purpose of this part.

17 PART II

18 SECTION 8. The legislature finds that a high percentage of  
19 calls for emergency medical services are from repeat callers who  
20 call multiple times per day for issues that do not require an  
21 emergency response. Most 911 calls originate from residences,





1 and many involve medical concerns that could be addressed by a  
2 functioning community paramedic system. The volume of calls for  
3 emergency medical services rises each year due to growth in  
4 population and tourism and often outpaces the availability of  
5 resources. The legislature finds that community paramedic  
6 services can provide appropriate services to non-emergency  
7 callers who would otherwise be using valuable emergency medical  
8 services needed by other individuals by addressing calls  
9 involving non-emergency services, post hospital discharge care,  
10 the homeless population, hospice care, behavioral health, and  
11 acute and chronic medical conditions such as infectious  
12 diseases, diabetes, hypertension, and asthma.

13 The purpose of this part is to appropriate funds to the  
14 department of health for community paramedic services.

15 SECTION 9. There is appropriated out of the general  
16 revenues of the State of Hawaii the sum of \$ or so much  
17 thereof as may be necessary for fiscal year 2017-2018 and the  
18 same sum or so much thereof as may be necessary for fiscal year  
19 2018-2019 for community paramedic services.

20 The sums appropriated shall be expended by the department  
21 of health for the purposes of this part.



1 PART III

2 SECTION 10. Statutory material to be repealed is bracketed  
3 and stricken. New statutory material is underscored.

4 SECTION 11. This Act shall take effect on July 1, 2090.



**Report Title:**

Emergency Medical Services; Emergency Medical Services Special Fund; Community Paramedic Services; Appropriation

**Description:**

Repeals the Emergency Medical Services Special Fund and appropriates an equal amount of general funds to the Department of Health for emergency medical services. Appropriates funds for community paramedic services. Effective 7/1/2090. (SD1)

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

