

MAR 10 2017

SENATE RESOLUTION

REQUESTING THE UNITED STATES CONGRESS TO AMEND THE NATIVE
HAWAIIAN HEALTH CARE IMPROVEMENT ACT TO ENSURE THAT THE ACT
RECEIVES PERMANENT FUNDING.

1 WHEREAS, the Native Hawaiian Health Care Improvement Act
2 (42 U.S.C. 122), originally enacted as the Native Hawaiian
3 Health Care Act of 1988, states, in pertinent part, under title
4 42 United States Code section 11701:

5
6 "(17) The authority of the Congress under the United
7 States Constitution to legislate in matters affecting the
8 aboriginal or indigenous peoples of the United States
9 includes the authority to legislate in matters affecting
10 the native peoples of Alaska and Hawaii.

11
12 (18) In furtherance of the trust responsibility for the
13 betterment of the conditions of Native Hawaiians, the
14 United States has established a program for the provision
15 of comprehensive health promotion and disease prevention
16 services to maintain and improve the health status of the
17 Hawaiian people."; and

18
19 WHEREAS, section 11702 of the United States Code states, in
20 pertinent part, as follows:

21
22 "The Congress hereby declares that it is the policy of
23 the United States in fulfillment of its special
24 responsibilities and legal obligations to the indigenous
25 people of Hawaii resulting from the unique and historical
26 relationship between the United States and the Government
27 of the indigenous people of Hawaii-

28
29 (1) to raise the health status of Native Hawaiians to the
30 highest possible health level; and

31
32 (2) *to provide existing Native Hawaiian health care*
33 *programs with all resources necessary to effectuate this*
34 *policy.*" (emphasis added); and
35



S.R. NO. 73

1 WHEREAS, title 42 United States Code section 11705(h)
2 authorizes appropriations necessary for fiscal years 1993
3 through 2019; and
4

5 WHEREAS, stakeholders face continued uncertainty regarding
6 long-term funding beyond fiscal year 2019; and
7

8 WHEREAS, according to the United States Census Bureau's
9 report, "The Native Hawaiian and Other Pacific Islander
10 Population: 2010", the nation's Native Hawaiian population
11 increased by 31.4 per cent between 2000 and 2010 with
12 approximately fifty-five per cent of that population living in
13 Hawaii, and by 2015, the Native Hawaiian population was 568,067
14 nationwide; and
15

16 WHEREAS, Act 42, Session Laws of Hawaii 2003, codified as
17 section 10-18, Hawaii Revised Statutes, established the Hui 'Imi
18 Advisory Council within the Office of Hawaiian Affairs; and
19

20 WHEREAS, the Department of Health published a report in
21 2011, entitled "Chronic Disease Disparities Report 2011: Social
22 Determinants", which found that chronic diseases—such as heart
23 disease, cancer, stroke, diabetes, and chronic lower respiratory
24 diseases—are the most prevalent, most disabling, and most costly
25 of all diseases; and
26

27 WHEREAS, the Department of Native Hawaiian Health of the
28 John A. Burns School of Medicine at the University of Hawaii at
29 Manoa published a report in 2013, entitled "Assessment and
30 priorities for Health and Well-Being in Native Hawaiians and
31 other Pacific Peoples", which found that: Hawaii's Native
32 Hawaiian population had a lower life expectancy than other
33 populations and had higher rates of death from heart disease,
34 cancer, stroke, diabetes, and injuries compared to the State's
35 overall population; and half of Native Hawaiian and Pacific
36 Islanders report being obese; and
37

38 WHEREAS, social determinants of health and other factors
39 contribute to the continued health disparities that affect the
40 Native Hawaiian population; and
41



S.R. NO. 73

1 WHEREAS, while Hawaii and the country in general have made
2 strides toward improving the health of Native Hawaiians, long-
3 term federal funding for necessary health programs and services
4 remains at risk; and
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6 WHEREAS, the Indian Health Care Improvement Act is intended
7 to provide descendants of the indigenous people of the
8 continental United States assistance with health services; and
9

10 WHEREAS, title 25 United States Code section 1680o of the
11 Indian Health Care Improvement Act provides for permanent
12 funding of the Act beginning in fiscal year 2010 and each fiscal
13 year thereafter, to remain available until expended; and
14

15 WHEREAS, Native Hawaiians should have the same assurance
16 given to other indigenous people in the United States regarding
17 federal funding for health programs and services; now,
18 therefore,
19

20 BE IT RESOLVED by the Senate of the Twenty-ninth
21 Legislature of the State of Hawaii, Regular Session of 2017,
22 that the United States Congress is requested to amend the Native
23 Hawaiian Health Care Improvement Act to ensure that the Act
24 receives permanent funding; and
25


26 BE IT FURTHER RESOLVED that certified copies of this
27 Resolution be transmitted to the President Pro Tempore of the
28 United States Senate, Speaker of the House of Representatives of
29 the United States Congress, Majority Leader of the United States
30 Senate, Majority Leader of the United States House of
31 Representatives, Hawaii's congressional delegation, United
32 States Secretary of Health and Human Services, Governor of the
33 State of Hawaii, Chairperson of the Board of Trustees of the
34 Office of Hawaiian Affairs, President of the University of
35 Hawaii System, Director of Health, Mayor of each county in the
36 State of Hawaii, President of the Board of Directors of Papa Ola
37 Lokahi, and Executive Director of Papa Ola Lokahi, who in turn
38



S.R. NO. 73

1 is requested to transmit this measure to the Chair of the Board
2 of each Native Hawaiian health care system, as defined in the
3 Native Hawaiian Health Care Improvement Act.
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OFFERED BY:



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