

[CHAPTER 322H]
HAWAII HEALTH AUTHORITY

Section

- 322H-1 Hawaii health authority; establishment
- 322H-2 Hawaii health authority; duties and responsibilities

" **[§322H-1] Hawaii health authority; establishment.** (a) There is established within the department of budget and finance for administrative purposes the Hawaii health authority. The authority shall be an autonomous public body corporate and politic and an instrumentality of the State.

(b) The authority shall be composed of nine members appointed by the governor as provided in section 26-34; provided that three members shall be appointed from a list of nominees submitted by the speaker of the house of representatives and three members shall be appointed from a list of nominees submitted by the president of the senate. All members shall be appointed for terms of four years each.

(c) One member shall be selected to be the executive director and confirmed by a majority vote of a quorum of the members of the Hawaii health authority.

(d) Each member shall hold office until the member's successor is appointed and qualified.

(e) Five members shall constitute a quorum, whose affirmative vote shall be necessary for all valid actions by the authority. [L Sp 2009, c 11, pt of §2]

Attorney General Opinions

Subsection (d) is constitutional, with regard to the use of the phrase "appointed and qualified" to describe when a successor's appointment terminates a holdover member's position. Att. Gen. Op. 16-3.

" **§322H-2 Hawaii health authority; duties and responsibilities.** (a) The authority shall be responsible for overall health planning for the State and shall be responsible for determining future capacity needs for health providers, facilities, equipment, and support services providers.

(b) The authority shall develop a comprehensive health plan that includes:

- (1) Establishment of eligibility for inclusion in a health plan for all individuals;
- (2) Determination of all reimbursable services to be paid by the authority;
- (3) Determination of all approved providers of services in a health plan for all individuals;
- (4) Evaluation of health care and cost effectiveness of all aspects of a health plan for all individuals; and
- (5) Establishment of a budget for a health plan for all individuals in the State.

(c) The authority shall determine the waivers that are necessary and available by federal law, rule, or regulation necessary to implement and maintain this chapter.

(d) The authority shall adopt rules pursuant to chapter 91 necessary for the purposes of this chapter.

(e) The authority shall submit a comprehensive health plan for all individuals in the State, including its findings and recommendations, to the legislature no later than twenty days prior to the convening of the regular session of 2012. [L Sp 2009, c 11, pt of §2; am L 2011, c 8, §1]