
A BILL FOR AN ACT

RELATING TO EMERGENCY MEDICAL SERVICES.

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

1 PART I

2 SECTION 1. Chapter 46, Hawaii Revised Statutes, is amended
3 by adding a new part to be appropriately designated and to read
4 as follows:

5 "PART .

6 COUNTY EMERGENCY MEDICAL SERVICES SYSTEM

7 §46- Definitions. As used in this part, unless the
8 context clearly requires otherwise:

9 "Advanced life support" means initiating all basic life
10 support care as well as invasive patient care designed to
11 stabilize and support a patient's condition due to sudden
12 illness or injury. The care rendered, excluding basic life
13 support, constitutes the practice of medicine.

14 "Basic life support" means initiating noninvasive emergency
15 patient care designed to optimize the patient's chances of
16 surviving the emergency situation. The care rendered consists
17 of all first-aid procedures needed, but does not include



1 invasive procedures that constitute the practice of medicine;
2 provided that state-approved basic life support personnel may
3 use fully automatic external defibrillators, initiate
4 intravenous lines, and perform manual external defibrillation
5 under the direction and personal supervision of a mobile
6 intensive care technician and in accordance with rules adopted
7 by the department.

8 "Community paramedicine program" means an enhanced and
9 expanded service in the county emergency medical services system
10 that allows state-licensed health care professionals and
11 community health workers to assist with public health, primary
12 care, and prevention services, including services through
13 telehealth.

14 "County" means any county having a population of five
15 hundred thousand or more.

16 "County system" means the county emergency medical services
17 system.

18 "Emergency aeromedical services" means a secondary response
19 system that provides immediate critical care and transport by
20 rotary-wing aircraft of a patient to a facility that provides
21 specialized medical care.



1 "Emergency medical services for children" means emergency
2 medical services including preventive, pre-hospital, hospital,
3 rehabilitative, and other post-hospital care for children.

4 "Emergency medical services personnel" means any mobile
5 intensive care technician or emergency medical technician who is
6 certified or licensed by the State.

7 **§46- County emergency medical services system;**
8 **establishment.** Each county shall establish, administer, and
9 maintain a county emergency medical services system to serve the
10 emergency health needs of the people in the county. The county,
11 in the implementation of this part, shall plan, coordinate, and
12 provide assistance to all entities and agencies, public and
13 private, involved in the county system. All emergency medical
14 services or ambulance services conducted by or under the
15 authority of the county shall be consistent with this part.

16 **§46- County, functions; duties.** In addition to other
17 functions and duties assigned under this part, the county shall:

- 18 (1) Establish emergency medical services in the county,
19 including emergency aeromedical services, which shall
20 meet the requirements of this part;



- 1 (2) Review and approve the curricula and syllabi of
2 training courses offered to emergency medical services
3 personnel who work in the county who provide basic,
4 intermediate, and advanced life support, consult and
5 coordinate with the university of Hawaii, or any other
6 accredited community college, college, or university,
7 or any professional organization that provides
8 emergency medical services training, regarding the
9 training for basic, intermediate, and advanced life
10 support personnel, as provided in section 321-229;
11 (3) Establish, administer, and maintain a communication
12 system for the county system;
13 (4) Implement public information and education programs to
14 inform the public of the county system and its use,
15 and disseminate other emergency medical information,
16 including appropriate methods of medical self-help and
17 first-aid, and the availability of first-aid training
18 programs in the county;
19 (5) Establish standards and provide training for
20 dispatchers in the county system, and maintain a



1 program of quality assurance for dispatch equipment
2 and operations;

3 (6) Establish a program that will enable emergency service
4 personnel within the county to provide early
5 defibrillation; and

6 (7) Establish within the county the emergency medical
7 service system for children in the county.

8 **§46- Emergency medical services; fees.** (a) The county
9 may establish reasonable fees to be collected from individuals
10 who are:

11 (1) Transported by emergency ground ambulance services to
12 a health care facility within the county designated by
13 the county for the care of the individual; or

14 (2) Provided health care by emergency medical services
15 personnel within the county but not transported by
16 ground ambulance to a health care facility.

17 (b) No ambulance services, or any other emergency medical
18 services available from or under the authority of this chapter
19 shall be denied to any person on the basis of the ability of the
20 person to pay or because of the lack of prepaid health care
21 coverage or proof of the ability or coverage.



1 (c) The county may adopt rules pursuant to chapter 91
2 necessary to effectuate the purposes of this section.

3 **§46- Community paramedicine program; established.** (a)
4 The county shall establish and administer the community
5 paramedicine program.

6 (b) The county shall:

7 (1) Develop guidelines for community paramedicine;

8 (2) Explore and develop partnerships with public and
9 private health care entities, insurers, and community
10 organizations; and

11 (3) Employ telehealth to enhance access and improve the
12 patient experience.

13 (c) The county shall submit a report on the status of the
14 community paramedicine program, including an accounting of
15 expenses and source of funds, to the legislature no later than
16 twenty days prior to the convening of each regular session.

17 (d) The county shall adopt rules pursuant to chapter 91 to
18 effectuate the purposes of this section.

19 **§46- Fall prevention and early detection coordinator.**

20 A fall prevention and early detection coordinator shall



1 coordinate the provision of public and private fall prevention
2 and early detection services for the elderly within the county.

3 **§46- Emergency medical services; levels of service;**
4 **contracts.** The county shall determine the levels of emergency
5 medical services that shall be implemented throughout the
6 county. The county may contract to provide emergency medical
7 services, including emergency aeromedical services, or any
8 necessary component of the county emergency services system.
9 Any private agency contracting to provide emergency medical
10 ambulance services under this section shall be required by the
11 county to implement those services in a manner and at a level
12 consistent with the levels determined under this section.

13 **§46- Grants.** The county system may seek and accept any
14 funds or property and other desirable support and assistance
15 from any source whatsoever, whether gift, grant, services, or
16 any combination thereof, subject to applicable laws.

17 **§46- Immunity and limitation on liability for emergency**
18 **aeromedical services.** The county shall not be liable for any
19 claim of injury or death based on a failure to establish or
20 continue emergency aeromedical services in any part of the
21 county.



1 **§46- Emergency medical services; use of latex gloves.**
2 The county may enact a county ordinance to prohibit the use of
3 latex gloves by personnel providing ambulance services or
4 emergency medical services pursuant to this part.

5 **§46- Rules.** The county may adopt rules necessary for
6 the implementation of this part, subject to chapter 91."

7 SECTION 2. Chapter 321, Hawaii Revised Statutes, is
8 amended by adding a new section to part XVIII to be
9 appropriately designated and to read as follows:

10 "§321- Retention of relevant documentation.
11 Notwithstanding any provision of this part or any other state or
12 county law to the contrary, the department shall retain data
13 repository, charts, patient information, data submission, and
14 epidemiology information for all emergency medical services
15 within the State, including emergency medical services provided
16 within a county outside of the service area pursuant to
17 part of chapter 46."

18 SECTION 3. Section 321-221, Hawaii Revised Statutes, is
19 amended to read as follows:

20 **"§321-221 Findings and purpose.** The legislature finds
21 that the establishment of a state comprehensive emergency



1 medical services system ~~[to include but not be limited to]~~,
2 including emergency medical services for children, is a matter
3 of compelling state interest and necessary to protect and
4 preserve ~~[the]~~ public health ~~[of the people of the State]~~. A
5 system designed to reduce medical emergency deaths, injuries,
6 and permanent long-term disability through the implementation of
7 a fully integrated, cohesive network of components, the
8 legislature further finds, will best serve ~~[the]~~ public health
9 needs ~~[of the people]~~. Accordingly, the purpose of this part is
10 to establish and maintain a state comprehensive emergency
11 medical services system ~~[throughout the]~~ in communities that can
12 be most effectively served by the State, and to fix the
13 responsibility for the administration of this state system,
14 which shall provide for the arrangement of personnel,
15 facilities, and equipment for the effective and coordinated
16 delivery of health care services under emergency conditions,
17 whether occurring as the result of a patient's condition ~~[or~~
18 ~~of]~~, from natural disasters, or from other causes. The system
19 shall provide for personnel, personnel training, communications,
20 emergency transportation, facilities, coordination with
21 emergency medical and critical care services, coordination and



1 use of available public safety agencies, promotion of consumer
2 participation, accessibility to care, mandatory standard medical
3 recordkeeping, consumer information and education, independent
4 review and evaluation, disaster linkage, mutual aid agreements,
5 and other components necessary to meet the purposes of this
6 part."

7 SECTION 4. Section 321-222, Hawaii Revised Statutes, is
8 amended by adding a new definition to be appropriately inserted
9 and to read as follows:

10 "Service area" means the State, excluding any county
11 having a population of five hundred thousand or more."

12 SECTION 5. Section 321-223, Hawaii Revised Statutes, is
13 amended to read as follows:

14 "[~~§~~§321-223~~§~~] **State comprehensive emergency medical**
15 **services system, establishment.** The department of health shall
16 establish, administer, and maintain the state comprehensive
17 emergency medical services system to serve the emergency health
18 needs of the people [~~of~~] in the [~~State.~~] service area. The
19 department [~~of health~~], in the implementation of this part,
20 shall plan, coordinate, and provide assistance to all entities
21 and agencies, public and private, involved in the state system.



1 All emergency medical services or ambulance services conducted
2 by or under the authority of the department [~~of health~~] or any
3 county within the service area shall be consistent with this
4 part."

5 SECTION 6. Section 321-224, Hawaii Revised Statutes, is
6 amended by amending subsection (a) to read as follows:

7 "(a) In addition to other functions and duties assigned
8 under this part, the department shall:

9 (1) Regulate ambulances and ambulance services[~~+~~]

10 statewide;

11 (2) Establish emergency medical services throughout the
12 [~~State,~~] service area, including emergency aeromedical
13 services, which shall meet the requirements of this
14 part, subject to section 321-228;

15 (3) Review and approve the curricula and syllabi of
16 training courses offered to emergency medical services
17 personnel who work in the service area and who provide
18 basic, intermediate, and advanced life support,
19 consult and coordinate with the University of Hawaii,
20 or any other accredited community college, college, or
21 university, or any professional organization that



1 provides emergency medical services training,
2 regarding the training for basic, intermediate, and
3 advanced life support personnel, as provided in
4 section 321-229;

5 (4) Collect and evaluate data for the continued evaluation
6 of [~~the state system,~~] emergency services within the
7 State, including services provided within a county
8 outside of the service area, subject to
9 section 321-230;

10 (5) Coordinate, on a statewide basis, emergency medical
11 resources and the allocation of [~~the state system's~~]
12 emergency services and facilities in the event of mass
13 casualties, natural disasters, national emergencies,
14 and other emergencies, ensuring linkage to local,
15 state, and national disaster plans, and participation
16 in exercises to test these plans;

17 (6) Establish, administer, and maintain a communication
18 system for the [~~state system,~~] service area and
19 maintain communication with any emergency services
20 management system provided within a county outside of
21 the service area;



- 1 (7) Assist each county in the development of a "911"
2 emergency telephone system~~[+]~~, regardless of whether
3 the county is located within the service area;
- 4 (8) Secure technical assistance and other assistance and
5 consultation necessary for the implementation of this
6 part, subject to section 321-230;
- 7 (9) Implement public information and education programs to
8 inform the public of the state system and its use, and
9 disseminate other emergency medical information,
10 including appropriate methods of medical self-help and
11 first-aid, and the availability of first-aid training
12 programs in the ~~[State+]~~ service area;
- 13 (10) Establish standards and provide training for
14 dispatchers in the ~~[state system+]~~ service area, and
15 maintain a program of quality assurance for dispatch
16 equipment and operations;
- 17 (11) Establish a program that will enable emergency service
18 personnel working in the service area to provide early
19 defibrillation;
- 20 (12) Establish within the department the emergency medical
21 service system for children~~[+]~~ in the service area;



1 (13) Consult with the advisory committee on matters
2 relating to the implementation of this part; and

3 (14) Establish and maintain statewide standards for
4 emergency medical services course instructor
5 qualifications and statewide requirements for
6 emergency medical services training facilities."

7 SECTION 7. Section 321-224.2, Hawaii Revised Statutes, is
8 amended by amending subsection (a) to read as follows:

9 "(a) The department shall establish reasonable fees to be
10 collected from individuals who are:

11 (1) Transported by emergency ground ambulance services to
12 a health care facility within the service area
13 designated by the department for the care of the
14 individual; or

15 (2) Provided health care by emergency medical services
16 personnel within the service area but not transported
17 by ground ambulance to a health care facility."

18 SECTION 8. Section 321-224.4, Hawaii Revised Statutes, is
19 amended by amending subsection (a) to read as follows:



1 "(a) The department [~~of health~~] shall establish and
2 administer the community paramedicine program[~~-~~] within the
3 service area."

4 SECTION 9. Section 321-225, Hawaii Revised Statutes, is
5 amended by amending subsection (b) to read as follows:

6 "(b) The advisory committee shall be composed of [~~twenty~~]
7 seventeen members: three nonvoting ex-officio members, who
8 shall be the director of transportation, the adjutant general,
9 and the administrator of the state health planning and
10 development agency, or the designated representatives thereof,
11 and [~~seventeen~~] fourteen members representing all counties [~~of~~
12 ~~the State~~] within the service area who shall be appointed by the
13 governor subject to section 26-34 as follows:

14 (1) Five members who shall be physicians experienced in
15 the conduct and delivery of emergency medical
16 services; provided that at least two shall be engaged
17 in the practice of emergency medicine and be
18 board-eligible or board-certified by the American
19 Board of Emergency Medicine[~~-and~~]; provided further
20 that at least one physician shall be engaged in the



1 practice of pediatrics and be board-eligible or
2 board-certified by the American Board of Pediatrics;

- 3 (2) [~~Four~~] Three members, one from each county within the
4 service area, who shall be consumers of health care
5 and who shall have no connection with or relationship
6 to the health care system of the State [~~and who shall~~
7 ~~be representative of all counties~~];

- 8 (3) [~~Four~~] Three members [~~of~~], one from each county within
9 the service area, who are in allied health professions
10 related to emergency medical services; and

- 11 (4) [~~Four~~] Three members, one from each county[~~7~~] within
12 the service area, who shall be mobile intensive care
13 technicians or emergency medical technicians engaged
14 in the practice of pre-hospital emergency medical
15 service.

16 The members of the advisory committee shall serve without
17 compensation, but shall be reimbursed for necessary expenses
18 incurred in the performance of their duties, including travel
19 expenses. The chairperson of the advisory committee shall be
20 elected by the members from among their numbers. A majority of
21 the members of the advisory committee shall constitute a quorum



1 for the conduct of business of the advisory committee. A
2 majority vote of the members present at a meeting at which a
3 quorum is established shall be necessary to validate any action
4 of the committee."

5 SECTION 10. Section 321-225.5, Hawaii Revised Statutes, is
6 amended to read as follows:

7 "[~~§~~]**§321-225.5**[~~§~~] **Fall prevention and early detection**
8 **coordinator.** There is established within the emergency medical
9 services and injury prevention system branch a fall prevention
10 and early detection coordinator to coordinate the provision of
11 public and private fall prevention and early detection services
12 for the elderly[~~÷~~] within the service area."

13 SECTION 11. Section 321-226, Hawaii Revised Statutes, is
14 amended to read as follows:

15 "**§321-226 Emergency medical services and systems,**
16 **standards.** The department [~~of health~~] shall establish statewide
17 standards for emergency medical services and for emergency
18 medical service systems consistent with [~~the state system~~] this
19 part and applicable federal guidelines for [~~such~~] those
20 services, including a requirement that ambulance service
21 providers licensed by the State establish and maintain an



1 alcohol and substance abuse policy for employees that the
2 department [~~of health~~] deems is equivalent to, or exceeds the
3 provisions of, the safety and health standards established by
4 the federal Department of Transportation for holders of
5 commercial driver's licenses. In the event the standards are
6 determined or regulated by any other law, or by applicable
7 federal guidelines, standards required to be set by this section
8 shall be at least equivalent to or exceed the other state and
9 federal standards."

10 SECTION 12. Section 321-227, Hawaii Revised Statutes, is
11 amended to read as follows:

12 "**§321-227 Regulation of ambulances.** The department of
13 health shall adopt, amend, and repeal rules under chapter 91 for
14 the regulation of ambulances within the State, including but not
15 limited to the certification of vehicles, equipment, supplies,
16 and communications systems[-]; provided that any county
17 operating a county emergency medical services system pursuant to
18 part of chapter 46 shall be responsible for the purchase,
19 maintenance, and servicing of all vehicles, equipment, supplies,
20 and communication systems. Any person who provides emergency



1 medical service as an employee of any emergency ambulance
2 service shall be subject to chapter 453."

3 SECTION 13. Section 321-228, Hawaii Revised Statutes, is
4 amended to read as follows:

5 "**§321-228 Emergency medical services; counties.** The
6 department shall determine, in consultation with the advisory
7 committee under section 321-225, the levels of emergency medical
8 services that shall be implemented in each county~~[-]~~ within the
9 service area. The department may contract to provide emergency
10 medical services, including emergency aeromedical services, or
11 any necessary component of ~~[a county]~~ the emergency services
12 system of a county within the service area in conformance with
13 the state system. ~~[In the event]~~ If any county within the
14 service area shall apply to the department to operate emergency
15 medical ambulance services within the respective county, the
16 department may contract with the county for the provision of
17 those services. The department shall operate emergency medical
18 ambulance services or contract with a private agency in those
19 counties ~~[which]~~ within the service area that do not apply to it
20 under this section. Any county or private agency contracting to
21 provide emergency medical ambulance services under this section



1 shall be required by the department to implement those services
2 in a manner and at a level consistent with the levels determined
3 under this section."

4 SECTION 14. Section 321-229, Hawaii Revised Statutes, is
5 amended by amending subsections (a) and (b) to read as follows:

6 "(a) The University of Hawaii shall provide training
7 courses in basic, intermediate, and advanced life support for
8 emergency medical services personnel. The curricula and syllabi
9 of these courses shall be approved in advance by the department
10 ~~[of health.]~~ and by any county operating a county emergency
11 medical services system pursuant to part of chapter 46. The
12 curricula and syllabi of courses for ambulance personnel shall
13 be consistent with the scope and level of the practice of
14 emergency medical services associated with emergency ambulance
15 personnel certification defined by the Hawaii medical board
16 under part II of chapter 453.

17 (b) The University of Hawaii, or other accredited
18 community college, college, or university, or any professional
19 organization that is approved by the department ~~[of health]~~ to
20 provide emergency medical services training, shall consult with
21 the department ~~[of health]~~ and any county operating a county



1 emergency medical services system pursuant to part of
2 chapter 46 to determine the number and type of emergency medical
3 services courses necessary to support the staffing requirements
4 for emergency medical services. The basic life support and
5 advanced life support training programs shall be relevant to and
6 consistent with the training course required for certification
7 under chapter 453."

8 SECTION 15. Section 321-230, Hawaii Revised Statutes, is
9 amended by amending subsections (a) and (b) to read as follows:

10 "(a) The department may contract for technical assistance
11 and consultation, including [~~but not limited to~~] categorization,
12 data collection, and evaluation appropriate to the needs of
13 emergency services within the [~~state system.~~] State. The
14 collection and analysis of statewide emergency medical services
15 data, including pediatrics, trauma, cardiac, medical, and
16 behavioral medical emergencies, shall be for the purpose of
17 improving the quality of services provided.

18 The department may implement and maintain a trauma registry
19 for the collection of information concerning the treatment of
20 critical trauma patients at state designated trauma centers, and
21 carry out a system for the management of that information. The



1 system may provide for the recording of information concerning
2 treatment received before and after a trauma patient's admission
3 to a hospital or medical center. All state designated trauma
4 centers shall submit to the department [~~of health~~] periodic
5 reports of each patient treated for trauma in the state system
6 in [~~such~~] the manner as the department shall specify.

7 For the purposes of this subsection, "categorization" means
8 systematic identification of the readiness and capabilities of
9 hospitals and their staffs to adequately, expeditiously, and
10 efficiently receive and treat emergency patients.

11 (b) The department shall establish, administer, and
12 maintain an aeromedical emergency medical services system
13 designed to collect and analyze data to measure the efficiency
14 and effectiveness of each phase of [~~an~~] the emergency
15 aeromedical program[~~-~~] established by the department and any
16 emergency aeromedical program that may be established by any
17 county operating a county emergency medical services system
18 pursuant to part of chapter 46.

19 The aeromedical emergency medical services system shall
20 serve the emergency health needs of the people of the State by
21 identifying:



1 (1) The ~~[system's]~~ strengths and weaknesses~~[,]~~ of
2 aeromedical emergency medical services with the State;
3 (2) The allocation of resources; and
4 (3) The development of rotary-wing emergency aeromedical
5 services standards;
6 provided that emergency helicopter use, including triage
7 protocols, shall be based on national aeromedical triage and
8 transport guidelines established by the Association of Air
9 Medical Services, the American College of Surgeons and the
10 National Association of Emergency Medical Service Physicians.
11 The department, in the implementation of this subsection, shall
12 plan, coordinate, and provide assistance to all entities and
13 agencies, public and private, involved in the system."

14 SECTION 16. Section 321-232, Hawaii Revised Statutes, is
15 amended as follows:

16 1. By amending subsection (a) to read:
17 "(a) The department ~~[of health]~~ shall establish reasonable
18 fees for services rendered to the public within the service area
19 by the department ~~[of health]~~, any county~~[,]~~ within the service
20 area, or private agency under this part; provided that all
21 ~~[such]~~ revenues ~~[which shall be]~~ collected by the department ~~[of~~



1 ~~health~~] and the respective counties pursuant to this section
2 shall be deposited into the state general fund, except [~~such~~]
3 amounts necessary to provide for collection services for bad
4 debt accounts. Fees required to be set by this section shall be
5 established in accordance with chapter 91."

6 2. By amending subsection (c) to read:

7 "(c) In the event of nonpayment of any fees required to be
8 assessed by this section, the department [~~of health~~] shall
9 determine whether the recipient of [~~such~~] services is
10 financially able to pay [~~such~~] the fees and make every
11 reasonable effort to collect [~~such~~] the fees. In the event the
12 department finds the person is without sufficient resources to
13 pay for the services, no further action to collect the fees
14 shall be taken. If the services are paid by a county or any
15 other entity, and collection of [~~such~~] the fee is delegated by
16 contractual agreement to the county or other agency [~~which~~] that
17 provides the services, the county or other agency shall forward
18 records relating to unpaid fees for action by the department [~~of~~
19 ~~health~~] under this subsection. No county or other entity shall
20 make a final determination of the ability of a person to pay
21 under this subsection. Any determination of ability to pay for



1 purposes of this subsection shall be in accordance with rules
2 ~~[which]~~ that the department ~~[of health]~~ shall adopt, subject to
3 chapter 91, governing ~~[such]~~ the determinations."

4 SECTION 17. Section 321-236, Hawaii Revised Statutes, is
5 amended to read as follows:

6 "[~~§~~§321-236~~§~~] **Emergency medical services; use of latex**
7 **gloves prohibited.** The use of latex gloves by personnel
8 providing ambulance services or emergency medical services
9 within the service area pursuant to this part shall be
10 prohibited."

11 PART II

12 SECTION 18. (a) The transition of all rights, powers,
13 functions, and duties of the department of health under
14 part XVIII of chapter 321, Hawaii Revised Statutes, that are
15 exercised within the island of Oahu are hereby transferred to
16 the city and county of Honolulu and such transition shall
17 commence with the transfer of all training and billing for
18 emergency services on July 1, 2021. The transition of all
19 rights, powers, functions, and duties of the department of
20 health under part XVIII of chapter 321, Hawaii Revised Statutes,



1 to the city and county of Honolulu shall be completed no later
2 than June 30, 2025.

3 (b) Funding for the transition of all rights, powers,
4 functions, and duties of the department of health under
5 part XVIII of chapter 321, Hawaii Revised Statutes, to the city
6 and county of Honolulu shall be allocated as follows:

7 (1) For the first year of the transition, the city and
8 county of Honolulu shall receive one hundred per cent
9 of all funds allocated for fiscal year 2021-2022 for
10 the operation of an emergency medical service system
11 in the city and county of Honolulu;

12 (2) For the second year of the transition, the city and
13 county of Honolulu shall receive fifty per cent of all
14 funds allocated for fiscal year 2022-2023 for the
15 operation of an emergency medical services system in
16 the city and county of Honolulu;

17 (3) For the third year of the transition, the city and
18 county of Honolulu shall receive ten per cent of all
19 funds allocated for fiscal year 2023-2024 for the
20 operation of an emergency medical services system in
21 the city and county of Honolulu; and



1 (4) For the fourth year of the transition and every year
2 thereafter, the city and county of Honolulu shall
3 receive no funds for the operation of an emergency
4 medical services system in the city and county of
5 Honolulu.

6 SECTION 19. Notwithstanding any other provision of this
7 Act or other law to the contrary, any member of the state
8 emergency medical services advisory committee who resides in the
9 city and county of Honolulu pursuant to section 321-225(b) (2),
10 (3), or (4), Hawaii Revised Statutes, in the form in which it
11 read on the day before the effective date of this Act, may
12 remain a member of the committee for the duration of the term
13 for which the member was originally appointed; provided that if
14 a member remaining on the committee pursuant to this section
15 dies, resigns, or is otherwise removed from the committee, the
16 member shall not be replaced.

17 SECTION 20. All employees who occupy civil service
18 positions and whose functions are transferred to the city and
19 county of Honolulu by this Act shall retain their civil service
20 status, whether permanent or temporary. Employees shall be
21 transferred without loss of salary, seniority (except as



1 prescribed by applicable collective bargaining agreements),
2 retention points, prior service credit, any vacation and sick
3 leave credits previously earned, and other rights, benefits, and
4 privileges, in accordance with state personnel laws and this
5 Act; provided that the employees possess the minimum
6 qualifications and public employment requirements for the class
7 or position to which transferred or appointed, as applicable;
8 provided further that subsequent changes in status may be made
9 pursuant to applicable civil service and compensation laws.

10 Any employee who, prior to this Act, is exempt from civil
11 service and is transferred as a consequence of this Act may
12 retain the employee's exempt status, but shall not be appointed
13 to a civil service position as a consequence of this Act. An
14 exempt employee who is transferred by this Act shall not suffer
15 any loss of prior service credit, vacation or sick leave credits
16 previously earned, or other employee benefits or privileges as a
17 consequence of this Act; provided that the employees possess
18 legal and public employment requirements for the position to
19 which transferred or appointed, as applicable; provided further
20 that subsequent changes in status may be made pursuant to
21 applicable employment and compensation laws. The city and



1 county of Honolulu may prescribe the duties and qualifications
2 of these employees and fix their salaries without regard to
3 chapter 76, Hawaii Revised Statutes.

4 SECTION 21. All rules, policies, procedures, guidelines,
5 and other material adopted or developed by the department of
6 health to implement provisions of the Hawaii Revised Statutes
7 that are reenacted or made applicable to the city and county of
8 Honolulu by this Act shall remain in full force and effect until
9 amended or repealed by the city and county of Honolulu pursuant
10 to chapter 91, Hawaii Revised Statutes. In the interim, every
11 reference to the department of health or director of health in
12 those rules, policies, procedures, guidelines, and other
13 material is amended to refer to the city and county of Honolulu.

14 SECTION 22. All deeds, leases, contracts, loans,
15 agreements, permits, or other documents executed or entered into
16 by or on behalf of the department of health, pursuant to the
17 provisions of the Hawaii Revised Statutes, that are reenacted or
18 made applicable to the city and county of Honolulu by this Act
19 shall remain in full force and effect. Effective July 1, 2021,
20 every reference to the department of health or the director of
21 health in those deeds, leases, contracts, loans, agreements,



1 permits, or other documents shall be construed as a reference to
2 the city and county of Honolulu.

3 SECTION 23. All appropriations, records, equipment,
4 machines, files, supplies, contracts, books, papers, documents,
5 maps, and other personal property heretofore made, used,
6 acquired, or held by the department of health relating to the
7 functions transferred to the city and county of Honolulu shall
8 be transferred with the functions to which they relate; provided
9 that the department of health shall retain data repository,
10 charts, patient information, data submission, and epidemiology
11 information for all emergency medical services within the State.

12 PART III

13 SECTION 24. There is appropriated out of the general
14 revenues of the State of Hawaii the sum of \$ or so
15 much thereof as may be necessary for fiscal year 2021-2022 and
16 half of that sum or so much thereof as may be necessary for
17 fiscal year 2022-2023 for emergency medical services in the city
18 and county of Honolulu.

19 The sum appropriated shall be expended by the city and
20 county of Honolulu for the purposes of this Act.



1 SECTION 25. Notwithstanding section 321-234(b), Hawaii
2 Revised Statutes, or any other law to the contrary, there is
3 appropriated out of the emergency services special fund
4 established pursuant to section 321-234, Hawaii Revised
5 Statutes, the sum of \$ or so much thereof as may be
6 necessary for fiscal year 2021-2022 and the same sum or so much
7 thereof as may be necessary for fiscal year 2022-2023 for the
8 purpose of transferring half of the moneys in the special fund
9 in each respective fiscal year to general fund.

10 The sums appropriated shall be expended by the city and
11 county of Honolulu for the purposes of this Act.

12 PART IV

13 SECTION 26. Section 321-234, Hawaii Revised Statutes, is
14 amended to read as follows:

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, except
18 in the city and county of Honolulu, and shall not be used to
19 supplant funding for emergency medical services authorized prior
20 to [†]July 1, 2004[†]."



1 PART V

2 SECTION 27. This Act does not affect rights and duties
3 that matured, penalties that were incurred, and proceedings that
4 were begun before its effective date.

5 SECTION 28. Statutory material to be repealed is bracketed
6 and stricken. New statutory material is underscored.

7 SECTION 29. This Act shall take effect on July 1, 2021.



Report Title:

Emergency Medical Services; Transfer of Duties; DOH; City and County of Honolulu; Appropriation

Description:

Establishes a four-year transfer of certain duties, functions, and powers relating to emergency medical services for the city and county of Honolulu from the department of health to the city and county of Honolulu. Begins transition with the training and billing for emergency services on 7/1/2021. Appropriates general funds to the city and county of Honolulu for emergency medical services for fiscal years 2021-2022 and 2022-2023. Appropriates half of the moneys in the emergency medical services special fund to the general for fiscal years 2021-2022 and 2022-2023. Phases out state funding for emergency medical services in the city and county of Honolulu by 6/30/2025. (HD1)

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

