

HB-365

Submitted on: 2/1/2021 11:13:10 AM

Testimony for GVR on 2/3/2021 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Dr. Jim Shon	Individual	Oppose	No

Comments:

Mr. Chairman, Members of the Committee. This bill invites micromanagement and political intrusion into two essential functions: the ability of a director to put together a workable team; and the timely replacement of a deputy director.

Personal experience as Health Chair during the 1990s suggests that both the governor and a department director need to be able to assemble senior administrators that are best suited to meet both long term and emerging needs. The current pandemic reminds us that we never know when personal health or family circumstances will require the replacement of a deputy on short notice.

For these reasons, please hold this bill.

DAVID Y. IGE
GOVERNOR



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DEPARTMENT OF HUMAN SERVICES

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February 1, 2021

TO: The Honorable Representative Angus L.K. McKelvey, Chair
House Committee on Government Reform

FROM: Cathy Betts, Director

SUBJECT: **HB 365 – RELATING TO THE ADVICE AND CONSENT OF THE SENATE.**

Hearing: Wednesday, February 3, 2021, 8:30 a.m.
Via videoconference, State Capitol

DEPARTMENT'S POSITION: The Department of Human Services (DHS) provides comments.

PURPOSE: The purpose of the bill requires nominees for the position of deputy director of principal departments to be subject to advice and consent of the senate.

Assuming the responsibilities of the Director's Office of the Department of Human Services is a formidable task, the learning curve is steep and intense. Currently, only the Administrative Assistant and the Public Information Officer are permanent civil servant positions in the Director's Office.

During administrative leadership transitions, potentially only the Administrative Assistant and Public Information Officer remain to assist and advise new leadership with the transition. Four of the five professional temporarily exempt positions (i.e., Special Assistant to the Director, Policy Director, Community and Project Development Director, and Policy and Project Specialist) in the Director's office are time limited; these five professional positions are at-will employees that serve at the behest of the Director. Four other exempt positions (i.e., the Enterprise Officer, information security and privacy compliance officer, security and privacy

compliance engineer, and security and privacy compliance analyst) are focused on maintaining the DHS Enterprise and IT security.

It is the rare event when a Director of the Department of Human Services is nominated from within the agency, so ideally the Deputy Director should be someone familiar with civil service and government processes or has state government leadership experience. Because of the temporary nature of these executive positions and the relentless pace of work, few top private sector leadership executives in the field are positioned or willing to take on the Deputy Director position. The best scenario would be for the Deputy Director to have DHS experience so that administrative decisions, such as programmatic procurement and personnel matters, continue seamlessly as the Director learns the complexities of the Department's many programs and administrative priorities. Requiring Senate confirmation for the Deputy Director position may discourage worthy and knowledgeable applicants, especially those with civil service, procurement, and DHS agency experience from seeking departmental leadership roles.

Thank you for the opportunity to provide comments on this measure.