

Honolulu, Hawaii

FEB 11 2022

RE: S.B. No. 2666
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirty-First State Legislature
Regular Session of 2022
State of Hawaii

Sir:

Your Committee on Health, to which was referred S.B. No. 2666 entitled:

"A BILL FOR AN ACT RELATING TO THE WAIANAE COAST
COMPREHENSIVE HEALTH CENTER EMERGENCY DEPARTMENT,"

begs leave to report as follows:

The purpose and intent of this measure is to appropriate funds to the Waianae Coast Comprehensive Health Center for the operation of its twenty-four-hour emergency department.

Your Committee received testimony in support of this measure from the Waianae Coast Comprehensive Health Center, Hawai'i Primary Care Association, and Health Committee of the Democratic Party of Hawai'i. Your Committee received comments on this measure from the Department of the Attorney General, Department of Health, and Department of Budget and Finance.

Your Committee finds that the Waianae Coast Comprehensive Health Center (Center) is a community-owned, community-operated nonprofit medical facility serving the Waianae coast of Oahu. Sixty-five percent of the Center's patients are at one hundred percent of the federal poverty level or below; seven percent are uninsured; and fifty-eight percent are receiving coverage under QUEST, the State's Medicaid program. Unlike all other emergency departments located at State and private hospitals, the Center is unable to bill Medicaid or Medicare an "ER facility fee" and can



only charge these funding sources as a primary care outpatient visit. As such, the Center is only able to cover the costs of emergency medical care during day and evening hours. Without a state subsidy, the Center could not provide emergency medical services during the late night and early morning hours. This measure appropriates funds as a grant to the Center so it can operate its emergency services from midnight to 8:00 a.m.

Your Committee acknowledges the concerns of the Department of the Attorney General, which notes that the measure, as drafted, could be interpreted to be in violation of article VII, section 4, of the Hawaii State Constitution because the appropriation does not specify that the appropriation made to the Center is intended to be a grant.

Therefore, your Committee has amended this measure by:

- (1) Clarifying that the appropriation made to fund the Center's midnight to 8:00 a.m. emergency department operations is a grant;
- (2) Inserting a blank appropriation amount;
- (3) Inserting an effective date of July 1, 2050, to encourage further discussion;
- (4) Amending section 1 to reflect its amended purpose; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2666, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2666, S.D. 1, and be referred to your Committee on Ways and Means.



Respectfully submitted on
behalf of the members of the
Committee on Health,



JARRETT KEOHOKALOLE, Chair



The Senate
Thirty-First Legislature
State of Hawai'i

**Record of Votes
Committee on Health
HTH**

Bill / Resolution No.:* SB 2666	Committee Referral: HTH, NAM	Date: 2-7-2022		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
KEOHOKALOLE, Jarrett (C)	✓			
BAKER, Rosalyn H. (VC)	✓			
MORIWAKI, Sharon Y.	✓			
SAN BUENAVENTURA, Joy A.	✓			
FEVELLA, Kurt	✓			
TOTAL	5	—	—	—
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <div style="text-align: center; font-family: cursive; font-size: 1.2em;">Rosalyn H. Baker</div>				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes