



The Senate

STATE CAPITOL
HONOLULU, HAWAII 96813

August 12, 2021

Honorable Ronald D. Kouchi
President of the Senate
Thirty-first State Legislature
State of Hawaii

Dear Sir:

Re: Senate Special Investigating Committee on COVID-19

Meeting on August 5, 2021
2:00 p.m.
Hawaii State Capitol

Your Senate Special Investigating Committee on COVID-19, established pursuant to S.R. No. 198, S.D. 1 (Regular Session of 2020), begs leave to report as follows:

The purpose and intent of the Committee is to:

- (1) Assess and advise the Senate regarding the State of Hawaii's coronavirus disease 2019 (COVID-19) plans and procedures;
- (2) Confirm the development of state and county departmental plans and procedures;
- (3) Review and assess current state and county departmental plans and procedures;
- (4) Review and assess whether state and county departmental plans and procedures are properly and timely implemented to safeguard public health and safety;
- (5) Review, assess, and monitor the State's expenditure of federal and state COVID-19 relief funds;

- (6) Communicate and disseminate information obtained therefrom; and
- (7) Issue subpoenas.

On August 5, 2021, your Committee met with the following:

- (1) Mr. Hilton Raethel, President and CEO of Healthcare Association of Hawaii;
- (2) Mr. Dan Brinkman, CEO of Hilo Medical Center;
- (3) Mr. Keith Hayashi, Superintendent of Education, and other members of the Department of Education;
- (4) Major General Kenneth Hara, Adjutant General;
- (5) Mr. Jade Butay, Director of Transportation; and
- (6) Ms. Clare Connors, Attorney General.

FINDINGS OF THE COMMITTEE

I. Opening Statements

Senator Donovan Dela Cruz called the hearing to order and introduced the topics to be discussed.

II. Presentation from Hospital Industry Representatives

Messrs. Raethel and Brinkman began with a presentation that included the following information:

- There are currently approximately two thousand three hundred patients across the State. Of those patients, one hundred sixty-four have tested positive for COVID-19. Of those one hundred sixty-four who have tested positive, approximately ninety-five percent are unvaccinated.
- Hospitals are stretched thin. The hospitals are full of non-COVID-19 patients who put off treatment during the pandemic.

- Hospital staff are stressed and disheartened because they continue to see unvaccinated patients with COVID-19 despite the availability of COVID-19 vaccines.
- There is no issue with ventilator capacity. There may be shortages in particular hospitals, but overall there is adequate vent capacity. Shortages of ventilators in particular hospitals can be solved by shipping a ventilator from one hospital to another.
- Intensive care unit capacity is stretched. Because over ninety percent of individuals aged sixty-five and over have been vaccinated, the proportion of COVID-19 patients who are in the intensive care unit is lower than during the height of the pandemic in 2020.
- Hospitals are working with the Federal Emergency Management Agency (FEMA), Department of Health (DOH), and Hawaii Emergency Management Agency (HiEMA) to bring extra hospital personnel into the State. FEMA is providing funding to hire extra personnel to take care of COVID-19 patients only. In 2020, the State hired approximately one hundred forty mainland hospital staff to work in hospitals in the State. When state hospitals were surveyed this year, hospitals across the State requested five hundred additional staff. The additional staff will arrive in seven to ten days and will arrive in three waves. The additional staff will be here for eight weeks. Nearly all the major hospitals across the State have requested additional staff.
- There are approximately three thousand hospital beds across the State, of which around two thousand two hundred fifty are currently occupied. The hospitals have sufficient capacity and resources, but not enough staff. If numbers were to escalate, the situation would be untenable.
- The COVID-19 infection and positivity rate are both increasing. Because there is a time lag between infection rate and positivity rate, hospitalization rates will increase as well. Infection and positivity rates in the State are higher right now than at the peak last year in August. At current rates, the infection rate of the unvaccinated is more than double the infection rate at the peak of the pandemic last year and the rate is climbing.
- On the neighbor islands, the increase in COVID-19 patients is in younger populations.

In response to follow up questions from your Committee, Messrs. Raethel and Brinkman provided the following information:

- One of the reasons the hospital staffing shortfalls are much larger this year as compared to last is that, as the economy heated up, it has become more difficult to attract travel nurses to neighbor islands. The lack of rental cars and increase in the housing market has made hiring more difficult.
- The number of beds being used for COVID-19 patients is currently less than at last year's peak. However, the number of beds being used for COVID-19 patients is continuing to climb and is in addition to non-COVID-19 patients. Therefore, the load on hospitals is higher than at the peak last year.
- Even though the COVID-19 demand on hospitals is down, the total burden on hospitals is up year over year, because non-COVID-19 patients who elected to not go to the hospital last year are now returning. Hospitals have also faced reduced staff due to a burnout in nurses who opt to not return to the hospital.
- The Delta variant of COVID-19 is far more contagious than the flu. The Delta variant also has more severe symptoms than flu in younger people. The 2020 flu season was mild because of the practices already in place for COVID-19, such as mask wearing, hand washing, and social distancing.
- Because of the availability of vaccines and the experience of treating COVID-19, the risk metrics are not the same as last year. Less COVID-19 cases result in visits to the ICU and lengths of stay in the hospital are shorter. However, there are significantly more cases of infection.
- The hospitals' largest concern is not a big wave of COVID-19 related deaths due to vaccines and experience in treating the disease but instead, the general strain on the hospitals in accommodating both COVID-19 patients and non-COVID-19 patients. The health care community is also worried that the longer the pandemic goes on, another more dangerous variant may emerge.
- Accommodations are being made for the influx of out-of-state hospital workers. Because there is a shortage of rental vehicles, the Healthcare Association of Hawaii is reaching out to Roberts Hawaii to set up shuttles for workers, and hospitals will cover the cost of transportation for workers if necessary. Hotels on Oahu are working with the hospitals to quarter staff, but there is more difficulty on Maui and Hawaii island. The Association will reach out to the Hawaii Tourism Authority if more assistance is needed.

- If hospitals reach full bed capacity, they have several strategies to reduce the load. Capacity typically affects hospitals differentially, meaning one hospital will be full while another has empty beds. In this scenario, the hospitals can move patients from facility to facility. Hospitals can also decompress capacity by delaying non-urgent procedures, which was successfully implemented last year in anticipation of the rise in COVID-19 cases. If necessary, hospitals can set up tents and move administrative services into the tents. The last resort is to implement crisis standards of care.
- Every hospital has specific triggers to implement the various decompression measures. The triggers are not necessarily based on the positivity numbers because the high numbers do not always result in long hospital stays. Hospitals are currently formulating plans based on the daily numbers.
- Sources of new COVID-19 cases have been linked to social and family gatherings. There are some travel related cases, but those cases spread further through subsequent social gatherings. The larger the gathering, the more likely there is spread, while the smaller the gathering, the lesser the chance.
- While there are vaccinated individuals who have tested positive for COVID-19, only a tiny portion of those who tested positive were hospitalized. The vaccines are effective in preventing serious illness.
- Tripler Army Medical Center is a potential option to help state hospitals in the case they reach capacity.
- There is no data that indicates how long ago a person got vaccinated is a factor in terms of sickness or hospitalization. The latest data over the past six to seven months that the vaccines have been available, show that the vaccines have an eighty-four percent efficacy rate. It appears that the efficacy rate reduces one to two percentage points every month after a person receives the vaccine.
- Between one to three percent of COVID-19 hospitalizations across the state are children. It's too soon to know whether the social distancing measures implemented in schools will be sufficient to reduce the spread of the Delta variant. However, the Delta variant has proven just as transmissible in children as in adults. Currently, only children twelve years of age or older can get the vaccine, but Pfizer has applied for emergency use authorization in eight to eleven year olds. Hospitalization and death rates for children who contract the Delta variant are significantly lower than in adults.

- Not all testing centers ask whether a person is vaccinated when they receive a COVID-19 test. Most hospitals ask whether a person has been vaccinated, but there are many testing sites that are not located at hospitals.

III. Report from the Department of Education

Mr. Hayashi began with a presentation that included the following information:

- The Department of Education (DOE) is prioritizing in-person learning. Students need to be on campus for the best educational outcomes.
- The DOE will focus on three priorities for students. First is attendance. Second is academics, and third is social-emotional learning.
- The DOE will also focus on the well-being of staff members.
- The DOE's fifth priority is a safe return for all members.
- The DOE is in regular communication with DOH. As DOH advisories are updated, the DOE updates its guidance for classrooms and schools. They will promote core mitigation strategies, which are getting vaccinated, staying home if unwell, washing hands, and wearing masks.
- There are distance learning programs, but those options across the State are limited.
- DOE was granted a waiver to extend its free breakfast and free lunch program to all enrolled students in a DOE school. Meals are provided to approximately one hundred thousand student and staff across the State daily.
- The average number of teacher separation for school year 2020-2021 was only thirty-six more than the previous five-year average. DOE did not see as many separations as anticipated due to the COVID-19 pandemic.
- The DOE reports number of cases per school on its reporting website, found at bit.ly/hidoe-covid-updates. The report includes the date the student, staff, or individual who tested positively was last on a school campus.
- The DOE will continue to use their tier system. Based on future DOH guidance, the DOE will revisit current protocols to see where adjustments can be made.

- The DOE will promote their mitigation strategies, such as proper ventilation, ohana bubbles, disinfecting, and other strategies.

In response to follow up questions from your Committee, members of the DOE provided the following information:

- School leaders have the discretion to remove plexiglass barriers within the classroom to promote ventilation. Air conditioning is also implemented to increase circulation and comfort. Schools have also installed air filters and applied protocols from the Center for Disease Control and DOH.
- The DOE works primarily through complex area superintendents and principals to ensure that the classrooms are properly ventilated. In schools of higher concern, such as schools with no opening windows, the DOE make personal visits. If schools have questions of how to setup classrooms, they may call any of four access lines.
- School principals have the flexibility to require mask wearing within schools. Schools may implement strategies such as ohana bubbles at recess or requiring mask wearing even while outdoors. Children are cordoned off on the playground and told where they can and cannot play. Schools are also given leeway to provide mask breaks to students.
- The number of spectators of high school sports has been reduced and limited out of concern for large gatherings and community spread. As for the participating teams themselves, DOE has created guidance for schools based on national collegiate guidelines.
- DOE is still setting up the facilities to enable greater distance learning programs for students. There is currently a waitlist for distance learning because DOE is still attempting to hire teachers to fill positions. The main goal is still in-person learning.
- Every school has a contingency plan that they can execute to pivot back to distance learning. These plans are tied to State and DOH tiers.
- The demand for distance learning options is increasing. The DOE does not have sufficient resources to meet the request for distance learning. During the last school year, DOE set up mobile learning hubs such that students living in remote areas could come to a centralized location to use the internet and access distance learning.

- There are currently four hundred sixty students in grades K-8 participating in distance learning while one hundred forty-six are still on a waiting list. Teachers are being hired to get the one hundred forty-six students off the waiting list.
- Because of the pandemic, students are not being penalized for unexcused absences.
- DOE will ensure that parents are able to add their students' names to the waitlist if they want.

Your Committee also requested the DOE to:

- Provide daily, rather than weekly, reports regarding any positive COVID-19 cases in DOE schools.
- Reconsider its policies requiring high school athletes to be fully vaccinated to participate in athletics by September 24, 2021, so that they do not lose much of their season.
- Provide the Committee with copies of all of its updated guidance manuals.
- Provide the Committee with DOE's plan for its wider distance learning plan.
- Check with retired teachers to see if any would come back to teach virtual classrooms.

IV. Report from the Department of Defense

Mr. Butay noted that the Safe Travels program is maintained by the Department of Defense (DOD) and not the Department of Transportation (DOT). The DOT only provides a support role to the DOD. Mr. Butay requested that future inquiries regarding the program be directed to the DOD.

Major General Hara began with a presentation that included the following information:

- In the first week of 2021, the State saw approximately one hundred forty daily new cases on a seven-day average. There was a 3.48 positivity rate and one hundred five were hospitalized. Currently, the seven-day average is four hundred thirty-six daily new cases with a 6.86 positivity rate and one hundred sixty-six hospitalized. Travel related COVID-19 infections are low compared to COVID-19 infections from community spread.

- The DOD has approved a pre-departure document check program, whereby travelers to Hawaii can be pre-cleared at the departing airport. This saves the traveler time after landing in Hawaii.
- The State's data regarding travelers coming to Hawaii and the Safe Travels program can be found at <https://hawaiiicovid19.com/travel/data>.
- The State has added more testing partners from the mainland.

In response to follow up questions from your Committee, Major General Hara and Ms. Connors provided the following information:

- The current plan is to end the Safe Travels program once the State's vaccination rate is seventy percent. However, if the vaccination rate is seventy percent, and COVID-19 numbers continue to rise, the State will update its policy.
- The State still has a shortfall of enforcing quarantine for those travelers or returning residents to Hawaii who are required to quarantine.
- Critical infrastructure workers are exempted because those critical infrastructure workers have industry specific protocols or safety measures to assure the safety of those workers coming to the State. Those workers are also being tested post-arrival in the State.
- The Office of the Attorney General still conducts compliance checks with those travelers or returning residents who are required to quarantine. Currently, there are three thousand nine hundred or so compliance checks. Hotels are still following quarantine protocols and have been cooperating with mandatory quarantines. Enforcement agents are also doing compliance checks within communities.
- There are no current plans for mandatory post-arrival testing for travelers. The Governor's administration is considering whether to reverse the testing exemption for vaccinated travelers.
- Isolation and quarantine sites have been scaled back compared to last year.
- Airline crews have a limited exemption from the Safe Travels program. The Federal Aviation Administration pressed for the limited exemptions. Airline crews and other travelers who fall within the limited exemption, such as members of the military and critical infrastructure workers must remain in their

lodging and can only leave for necessities. They are not allowed to be tourists. Typically, airline workers stay in the State for only one or two nights, so it is impractical to require them to test before coming to the State. Airline workers, and others with limited exemptions, must also follow industry specific guidelines, which grant them the limited exemptions.

- The Hawaii State Fusion Center partners with local police to prevent large gatherings in violation of State restrictions of large social gatherings.

V. Miscellaneous Questions

Ms. Connors answered questions regarding the Governor's latest proclamation that all State employees must be vaccinated or submit to COVID-19 testing:

- If private businesses want to also have mandatory vaccinations for employees, they must comply with the Equal Employment Opportunity Commission (EEOC) guidance. The State is following the EEOC guidance in its vaccination policy. The counties were given the authority to have stricter allowances for employees.
- High school athletes face stricter vaccination policies because extracurricular activities are not core requirements. For high school sports, the DOE requires athletes to be vaccinated to participate, except for those with religious and medical exemptions who will be required to test on a twice weekly basis. The City and County of Honolulu may also have more stringent requirements for employees.
- The Governor's requirement that State employees be vaccinated applies to University of Hawaii faculty and staff.

Your Committee inquired further on various topics. The following information was provided:

- Community COVID-19 testing programs are expected to increase.
- The county mayors are discussing the tier systems to be approved by the Governor.
- The DOD is requesting the extension of the National Guard deployment through the end of December to aid the DOD in implementing the Safe Travels program.

CLOSING REMARKS

Your Committee noted that the meeting was concluded based on time restraints and the unavailability of some presenters and that a further hearing may be called to discuss these topics further.

Your Committee adjourned the meeting at 4:48 p.m.

Respectfully submitted,

Senate Special Investigating Committee
on COVID-19

Senator Donovan M. Dela Cruz
Senator Jarrett Keohokalole
Senator Michelle N. Kidani
Senator Donna Mercado Kim
Senator Sharon Y. Moriwaki
Senator Kurt Favella

cc: All Senators