



Senator Roz Baker

*Chair, Committee on Commerce, Consumer Protection and Health
6th Senatorial District– South and West Maui
Toll Free: 984-2400 ext. 66070
senbaker@capitol.hawaii.gov*

Aloha!

The 2016 session of the Hawai'i State Legislature has adjourned. We were kept very busy this session. The Committee on Commerce, Consumer Protection and Health heard a total of 328 bills and resolutions, confirmed 139 Governor's nominations and reported out 257 measures and 91 await action by the Governor. As of sine die, May 5, 2016, the Legislature sent 250 bills to the Governor. This newsletter contains information about some of the significant bills we passed that impact our community's health and well-being. Also included is a breakdown of the \$230 million in Capital Improvement Project (CIP) funding for various projects in Maui County. You can find even more information regarding specific legislation or the State budget on the Legislature's website www.capitol.hawaii.gov.

Although the Legislature has adjourned for the year, my capitol staff and I continue working for you. I can be reached at senbaker@capitol.hawaii.gov and my office staff Peggy and Kelli-Rose at 808-586-6070. I look forward to hearing from you and seeing you around Maui.

A hui hou,

Notable CIP Funding for Maui County

Education

- \$37.5 million—design and construction for a new high school in Kihei
- \$770,000—air conditioning and improvements at Lahainaluna High school
- \$1.95 million—improvements at Maui High School
- \$600,000—amphitheater improvements for King Kekaulike High School
- \$1.4 million—plans and design for a classroom building at Pā'ia Elementary School
- \$4.7 million—plans, design and construction to expand the Moloka'i Public Library
- \$3.4 million—improvements for Baldwin High School

Health

- \$6 million—Maui Health Systems transition
- \$656,000—improvements for Kalaupapa Settlement

Recreation

- \$1 million—improvements for Maui Raceway Park
- \$500,000—Maintenance and signage for Lipoa Point at Honolua Bay

Airports

- \$21 million—improvements at Kahului
- \$12.3 million—improvements for Hāna
- \$3 million—runway improvements for Moloka'i
- \$5.2 million—improvements for Lāna'i

Supporting Jobs on Maui and throughout Hawai'i

SB2077 SD1 HD2 CD2 authorizes a severance or special retirement benefit for an employee who is separated from government service due to the transfer of management and operations of the Hawai'i Health Systems Corporation, Maui Regional System. These public employees may face additional economic hardship in addition to job loss. Implementation of this measure attempts to mitigate such loss by authorizing a severance or retirement adjustment.

HB2605 HD1 SD2 CD1 appropriates funds to establish, administer and support job training and other supportive services for Maui residents who become unemployed due to the closure of Hawaiian Commercial & Sugar Company, Makena Beach & Golf Resort and Sports Authority. Providing additional assistance will enable these dislocated workers to transition to new employment and lessen the disruption on their lives and Maui County's economy.

SB2659 SD2 HD1 CD1 establishes a pilot program to allow the cultivation of industrial hemp. The Department of Agriculture will be able to issue licenses for agricultural or academic research on the long term viability of growing this commodity in Hawai'i. Industrial hemp is a fast growing, versatile plant that may help Hawai'i meet its long term renewable energy goals as well as expanding options for use of agricultural lands on Maui and throughout the State.



Getting ready to record an edition of "Maui Mana'o" with my fellow Maui Senators!

Harbors

- \$10.5 million—improvements for Kahului
- \$800,000—improvements at Kīhei Boat Ramp
- \$3.7 million—plans, design and construction for dredging at Ma‘alaea Small Boat Harbor

Roadways

- \$7 million—design and construction to mitigate rockfalls and potential landslide areas along Hāna Highway
- \$5 million—construction for a new alignment of Honoapiilani Highway from Lahainaluna Road to the vicinity of Launiupoko
- \$3.5 million—improvements along Makakuapaia Stream Bridge on Moloka‘i
- \$1 million—improvements on state highways throughout Maui
- \$250,000—plans, design and construction of a crosswalk in Haiku on Hāna Highway
- \$2 million—traffic signal improvements on Pi‘ilani Highway at Kulanihakoī Street and entrance to new high school

Water Infrastructure

- \$3.5 million—improvements to the Moloka‘i irrigation system
- \$4.5 million—plan, design and construction for irrigation and water delivery system for East Maui

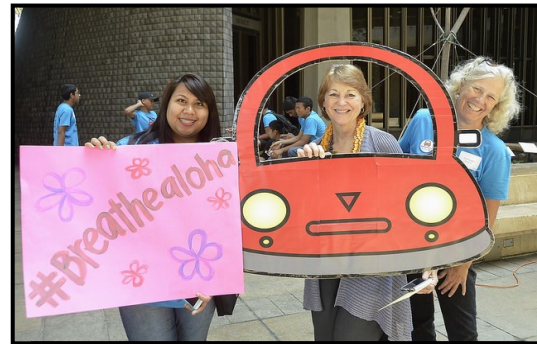
Veterans

- \$4 million—plans, design and construction of a parking lot and installation of a septic tank for Moloka‘i Veterans Center

Health and Wellness Bills

SB2395 SD1 HD2 CD1 improves access to medical services via telehealth, using secure telecommunication technologies to diagnose, consult and educate patients about their care. Telehealth has the potential to be particularly effective in states like Hawai‘i, where segments of the population living in rural and underserved areas experience challenges in accessing quality health care. This measure removes artificial barriers that have hindered adoption and utilization of virtual health services and improves the quality and accessibility of health care for patients throughout the State.

HB2252 HD1 SD2 CD1 supports Hawai‘i families by requiring hospitals to adopt patient-centered discharge policies. It gives patients the opportunity to designate a caregiver and allows that caregiver to participate in the discharge planning process. Proper discharge planning along with medical support and education for caregivers can extend the quality of our seniors lives and substantially lower hospital readmission rates.



**Celebrating Kick Butts Day at the Capitol
with Tobacco Free Hawai‘i!**

Education Bills

SB3126 SD2 HD2 CD1, Act 47 is a crucial measure to cool down our hottest schools. SB3126 provides \$100 million to provide air conditioning and heat abatement equipment to Hawai‘i's hottest schools. With high summer temperatures and early August start dates, classroom heat levels have reached unbearably high levels. Lahaina Intermediate and Kaunakakai Elementary are among our hottest schools. The goal is to reduce classroom temperatures to 76 degrees. This measure was a priority for the Legislature. Our keiki and school personnel will greatly benefit!

SB2557 SD2 HD1 CD1 further protects student athletes through the expansion of the concussion education program established in 2012 by Act 197. Concussions are a common athletic injury that can have severe repercussions for the health and future of our young athletes. This program will focus on our high school and middle school athletes. With more education about prevention and the development of protocols regarding concussions, our youth will be better protected.

HB2772 HD1 SD2 CD1 affirms strong support of Title IX compliance and our resolve to create safe environments for Hawai‘i's college students. The University of Hawai‘i will be required by law to train its employees and students about policies and procedures regarding sexual harassment, sexual assault, domestic violence, dating violence and stalking. UH is also required to designate a confidential advocate to whom students can go for support and information. The vision of violence-free campuses can be achieved by empowering staff and students through information.

Maui Non-Profit Awards

Grants-in-Aid—Capital Improvement Projects

- \$1.5 million—design and construction of Hale Mahaolu senior affordable rental housing at Kulamalu Town Center subdivision
- \$1.3 million—plans, design, construction to redevelop of the Kiowea Park Facilities for Kalamaula Homesteaders Association
- \$1.7 million—design, construction and equipment to improve and renovate Lanikeha Center and for commercial kitchen for Moloka'i Homestead Farmers Alliance
- \$975,000—design and construction to restore old Kaupo School as a community center
- \$600,000—complete the renovation of J. Walter Cameron Center
- \$600,000—plans, land acquisition, design and construction for non-potable agricultural waterline in Keokea, Maui
- \$50,000—Renovation construction at Mental Health Kokua to develop homeless housing

Grants-in-Aid Operating

- \$350,000—Hale Makua Health Services
- \$300,000—Hui Malama Learning Center
- \$250,000—Hale Mahaolu
- \$246,550—Women Helping Women program services for Lāna'i
- \$192,000—ARC of Maui County
- \$100,000—Read Aloud America for Maui Program
- \$65,814 — Grow Some Good for school gardens
- \$10,000 — Maui High School Band Booster Club

Education Bills Continued

SB2476 SD2 HD2 CD1 establishes a working group to investigate new resources, tools and strategies for teachers and parents of children who are deaf, hard of hearing or deaf-blind. It will also help enhance early intervention language services for those children. Most children who are deaf, hard of hearing, or deaf-blind don't develop language the same way hearing children do. They often begin kindergarten without the necessary language skills to acquire the knowledge that will allow them to be successful later in life. This bill will begin to address these needs.



Celebrating SB2476 passed out of Conference Committee! L to R: Peter Fritz, Rep. James Tokioka, LisaAnn Tom, Colin Whited, Sen. Roz Baker, Rep. Della Au Bellati, and Nikki Kepo'o.

SB2981 SD1 HD1 CD1 officially recognizes American Sign Language as a world language allowing public school students enrolled in ASL courses to receive credit

toward their graduation requirements. ASL has already been recognized for credit in 42 states, and students are exposed to a new language as well as thriving, dynamic culture. **SB2981** allows students to gain high school credit while preparing them for college where they can further their studies in American Sign Language.

Strengthening Consumer Protection

HB260 HD1 SD1 CD1 closes the insurance gaps associated with transportation network companies (TNC) like Uber and Lyft by establishing motor vehicle insurance requirements for the company and their drivers. Each TNC must disclose in writing to their drivers the insurance coverage and limits of liability provided to them. It also clarifies that a TNC driver's personal motor vehicle insurance policy may not provide any required or optional coverage when a driver uses a personal vehicle for prearranged rides since those rides are considered commercial activity. A driver must also have a primary motor vehicle insurance policy that is maintained while they are logged into the TNC app and are engaged in prearranged rides. The Legislature has asked the Insurance Commissioner to examine the effects of this measure on personal motor vehicle insurance policy rates in the State and submit a written report to the Legislature. If there are negative impacts, the Legislature can update the law accordingly. Implementation of this measure will ensure that TNC drivers and their passengers are covered by insurance in case of an accident.

SB911 SD2 HD2 CD1 seeks to significantly reduce the risk of harm from exposure to latex allergens. This bill prohibits the use of latex gloves in the food service industry, in dental and healthcare facilities and by emergency medical personnel with limited exceptions. As many as 3,000,000 people in the US have latex allergies. An allergic reaction can range from a mild rash to impaired breathing and deadly anaphylaxis. An allergic reaction can worsen with each subsequent exposure. Currently the only medically approved treatment is strict avoidance to exposure. This measure will help save lives and enable latex allergy sufferers to enjoy a improved quality of life.

Consumer Protection Bills Continued

HB2707 HD1 SD2 CD1 strengthens and clarifies tax application, research opportunities, definitions and various aspects of the licensing framework for medical marijuana dispensaries established by Act 241, 2015. With enactment of **HB2707**, advanced practice registered nurses (APRN) will be able to prescribe medical marijuana, thus improving access.

HB1756 HD3 SD2 CD1 authorizes the Board of Nursing to investigate applicants for licensure, renewal and reactivation and to require criminal history record checks for any nurse applying for a Hawai'i license. Of the fifty-five boards of nursing nationwide, Hawai'i's BON is one of only twelve that are not required to conduct federal and state criminal background checks on applicants. Currently, nurses are required to self-report any misconduct or criminal history. The data shows that many nurses with criminal histories fail to report the information. **HB1756** will improve patient safety by ensuring that applicants with a criminal history or irresponsible conduct will not be licensed in Hawai'i.

SB2319 SD1 HD3 CD1 requires all insurers in Hawai'i, including EUTF and Medicaid managed care, to cover the reimbursement of contraceptive supplies for up to a 12-month period. Most insurance plans reimburse for a 30 or 90-day supply. However, many women face barriers to coverage such as limited pharmacy or provider access in rural areas and frequent travel for school or business. **SB2319** will encourage greater continuity of contraceptive use which may lead to fewer unplanned or unwanted pregnancies.

Helping those in Need

This year's Easter Basket drive for the Institute for Human Services Shelter sponsored by the Women's Legislative Caucus produced more than 120 brightly colored baskets filled with useful household items, school supplies and personal items for moms and their keiki. In keeping with the tradition, the Easter Bunny stopped by to help load the delivery truck. What a fun way to help others in our community!



Caucus Co-Conveners Sen. Laura Thielen, Sen. Roz Baker, Rep. Della Au Belatti and Rep. Lauren Matsumoto are joined by the Easter Bunny aka Rep. Scott Nishimoto.

An Intern's Experience

My classmate, Lia McCullum, RN, and I, Eve Teeter-Balin, RN, are Masters of Science in Nursing (MSN) students at UH Mānoa, who have had the honor of interning in Senator Baker's office this legislative session. I have bachelor's degrees in Economics, Molecular Biology, and Nursing; Lia has bachelor's degrees in Biology and Nursing. Needless to say, we are not your typical legislative staff. Yet, these last five months have brought out our inner passion for policy.



2016 Session Staff L to R: Peggy Mierzwa, Kyra Ziesk-Socolov, Haley Saba, Chris DeMerville, Sen. Baker, James Nash, Kelli-Rose Simmons, Christina Yan, Eve Teeter-Balin.
*Not pictured is Lia McCullum.

Nurses are patient advocates. We are trained to speak on behalf of our patients and to coordinate their care. Very few nurses are engaged in policy, but through this internship we have learned that participating in the legislative process is a way to be the ultimate patient advocate. State laws dictate almost every aspect of our healthcare including licensure and scope of practice, funding for public health programs and hospitals, and health insurance coverage just to name a few. Although passing legislation is difficult, the benefits to our patients are priceless. Our goal will always be to provide our patients with the best care possible, but our future might be in advocating for our patients outside of the hospital. We want to give a HUGE mahalo to Senator Baker and her wonderful staff who warmly welcomed us into their office for this busy session!

Protecting Women and Children

SB2317 SD2 HD1 CD1 requires the Department of Health to conduct multidisciplinary reviews of maternal and child deaths, submit reports annually of their findings to the Legislature and establishes funding for an ongoing program to collect data to focus on ways to prevent future infant deaths, as well as those of pregnant women, during labor and the year following childbirth. The Hawai'i child death review system was established in 1997, but it wasn't mandatory and has been inactive since 2011. In addition, no maternal mortality review has ever been conducted. **SB2317 CD1** ensures that useful information is presented to policy makers and state agencies to better understand risk factors and formulate policies to improve the health of women and children in our State.

HB1902 HD2 SD1 CD1 clarifies the term "sex trafficking" and adds it to parts of the penal code addressing prostitution and violent crimes. It strengthens law enforcement capabilities to combat sex trafficking offenses and expands both criminal penalties and civil liability. It increases the penalty for those who employ or coerce a minor into prostitution, and creates a separate offense for those who knowingly engage with an individual (minor or adult) that is clearly being trafficked for sex, i.e. coerced into such work. **HB1902 CD1** also creates a separate offense for minors who engage in prostitution that would allow them to be dealt with in Family Court.

HB1897 HD1 SD1 CD1 harmonizes Hawai'i statute with federal law requiring the coverage of STD screening tests. It requires all insurers in the State, including EUTF, to reimburse for the full spectrum of STD testing, including the human immunodeficiency virus and acquired immunodeficiency syndrome. Now all patients in Hawai'i will receive the full STD testing coverage benefit guaranteed by the Affordable Care Act of 2010.

HB1907 HD2 SD2 CD1 begins to address the large number of untested rape kits held by county police departments in Hawai'i. It establishes the process to inventory untested kits and provides funding to test at least 500 of the "backlog" of untested kits. Going forward, the bill outlines the process to prioritize rape kits for testing and the development of standards and protocols to address victim concerns. **HB1907 CD1** also requires reporting of county police department data on sex assault to the Attorney General who in turn will provide the Legislature with compiled statistics, progress on improving the system and other recommendations.

SB2310, Act 4 prohibits the court from granting mutual protective orders unless both petitions are filed separately and the person who originally filed for the protection order is notified. Mutual protective orders are a short cut that trivializes the underlying abuse, empowers the abuser and re-victimizes the individual experiencing the abuse, and diminishes evidence that can be presented against the abuser in future actions. When abuse is framed as a mutual problem, it places mutual blame. However, the reality of abuse is almost always a complete imbalance of power and control. **SB2310** redefines the law to reflect that reality!

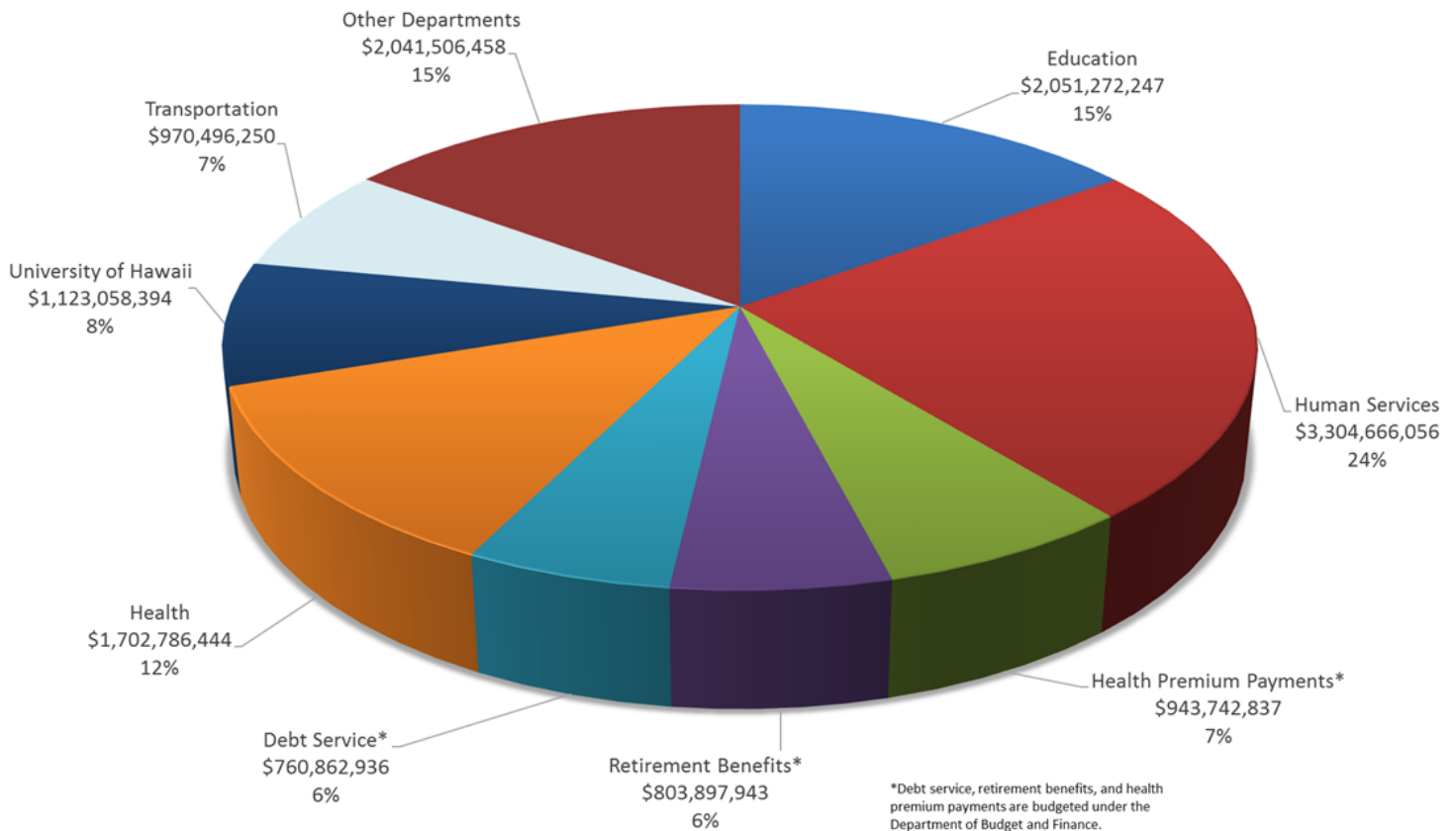
SB2312 SD1 HD1, Act 16 amends the terminology used to describe "sexual conduct" in connection with child sexual assault. The measure aims to align the definition more closely with federal statute.

SB2315 SD2 HD2, Act 46 allows breastfeeding mothers an exemption from jury duty for up to two years following the birth of a child. Studies prove that breastfeeding is beneficial for both mothers and babies. Therefore, barriers to breastfeeding should be removed. Also lactating mothers need to be able to express milk at regular intervals during the day in a private, hygienic space with access to sterile instruments and supplies. This may not always be possible during a jury trial. **Act 46** appropriately balances the needs of jury service in the court process and those of a breast feeding mother and child.



2016 Women's Legislative Caucus

FISCAL YEAR 2016-2017
ALL FUNDS = \$13,702,289,565
BY DEPARTMENTS (EXCEPT FOR DEBT SERVICE*, HEALTH PREMIUM PAYMENTS*, RETIREMENT BENEFITS*)



The Budget: HB1700 CD1

Budget deliberations must conclude before most conference committees considering “fiscal” bills can complete their work. Thanks to the spirit of cooperation and collaboration demonstrated by the Senate Committee on Ways and Means and the House Committee on Finance, the State budget bill, **HB1700 CD1** was passed significantly ahead of the final decking deadline. The timely budget completion in conference allowed the other conference committees to thoughtfully complete their work by the agreed upon 6 pm deadline. The budget conference recommended an executive supplemental budget of \$13.7 billion for the fiscal year beginning July 1, 2017. Both chambers passed HB1700 CD1 unanimously.

In addition to operating funds for personnel and program expenses for the various departments, the budget bill contains funding for public works or capital improvement projects (CIP). Please refer to pages 1 and 2 to recap notable CIP projects for Maui County.

To review the budget bill, other bills and resolutions that passed as well as the budget worksheets and a complete list of Grant-in-Aid awardees, please visit the Legislature's website www.capitol.hawaii.gov

The Maui Senate Team

Senator Gilbert S.C. Keith-Agaran

Chair, Judiciary and Labor
5th District: Wailuku, Waihe`e,
Kahului
Toll Free: 984-2400 ext. 67344
senkeithagaran@capitol.hawaii.gov

Senator Roz Baker

Chair, Commerce, Consumer
Protection and Health
6th District: South and West Maui
Toll Free: 984-2400 ext. 66070
senbaker@capitol.hawaii.gov

Senator J. Kalani English

Majority Leader
7th District: Hana, East &
Upcountry Maui, Moloka`i, Lana`i, &
Kaho`olawe
Toll Free: 984-2400 ext. 77225
senenglish@capitol.hawaii.gov