
A BILL FOR AN ACT

RELATING TO ACT 212, SESSION LAWS OF HAWAII 2021.

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

1 SECTION 1. Act 212, Session Laws of Hawaii 2021, as
2 amended by section 2 of Act 150, Session Laws of Hawaii 2022, is
3 amended as follows:

4 1. By amending sections 2 and 3 to read:

5 "SECTION 2. [~~Section 323F-2, Hawaii Revised Statutes, is~~
6 ~~amended by amending subsection (b) to read as follows:~~

7 "~~(b) The corporate organization shall be divided into four~~
8 ~~regional systems, as follows:~~

9 ~~(1) The Kauai regional health care system;~~

10 ~~(2) The Maui regional health care system;~~

11 ~~(3) The east Hawaii regional health care system,~~

12 ~~comprising the Puna district, north Hilo district,~~

13 ~~south Hilo district, Hamakua district, and Kau~~

14 ~~district; and~~

15 ~~(4) The west Hawaii regional health care system,~~

16 ~~comprising the north Kohala district, south Kohala~~



1 ~~district, north Kona district, and south Kona~~
 2 ~~district,~~
 3 ~~and shall be identified as regional systems I, II, III, and IV,~~
 4 ~~respectively.] Repealed.~~

5 SECTION 3. [~~Section 323F-3, Hawaii Revised Statutes, is~~
 6 ~~amended to read as follows:~~

7 ~~"§323F-3 Corporation board. (a) The corporation shall be~~
 8 ~~governed by a fifteen member board of directors that shall carry~~
 9 ~~out the duties and responsibilities of the corporation other~~
 10 ~~than those duties and responsibilities relating to the~~
 11 ~~establishment of any captive insurance company pursuant to~~
 12 ~~section 323F-7(c)(20) and the operation thereof.~~

13 ~~(b) The members of the corporation board shall be~~
 14 ~~appointed as follows:~~

- 15 ~~(1) The director of health as an ex officio, voting~~
 16 ~~member,~~
- 17 ~~(2) The four regional chief executive officers as ex~~
 18 ~~officio, nonvoting members,~~
- 19 ~~(3) Three members who reside in the county of Maui, two of~~
 20 ~~whom shall be appointed by the Maui regional system~~



1 ~~board and one of whom shall be appointed by the~~
2 ~~governor, all of whom shall serve as voting members;~~
3 ~~(4) Two members who reside in the eastern section of the~~
4 ~~county of Hawaii, one of whom shall be appointed by~~
5 ~~the East Hawaii regional system board and one of whom~~
6 ~~shall be appointed by the governor, both of whom shall~~
7 ~~serve as voting members;~~
8 ~~(5) Two members who reside in the western section of the~~
9 ~~county of Hawaii, one of whom shall be appointed by~~
10 ~~the West Hawaii regional system board and one of whom~~
11 ~~shall be appointed by the governor, both of whom shall~~
12 ~~serve as voting members;~~
13 ~~(6) Two members who reside on the island of Kauai, one of~~
14 ~~whom shall be appointed by the Kauai regional system~~
15 ~~board and one of whom shall be appointed by the~~
16 ~~governor, both of whom shall serve as voting members;~~
17 ~~(7) One member who shall be appointed by the governor and~~
18 ~~serve as an at large voting member.~~

19 ~~The appointed board members who reside in the county of~~
20 ~~Maui, eastern section of the county of Hawaii, western section~~
21 ~~of the county of Hawaii, and on the island of Kauai shall each~~



1 ~~serve for a term of four years; provided that the terms of the~~
2 ~~initial appointments of the members who are appointed by their~~
3 ~~respective regional system boards shall be as follows: one of~~
4 ~~the initial members from the county of Maui shall be appointed~~
5 ~~to serve a term of two years and the other member shall be~~
6 ~~appointed to serve a term of four years; the initial member from~~
7 ~~East Hawaii shall be appointed to serve a term of two years; the~~
8 ~~initial member from West Hawaii shall be appointed to serve a~~
9 ~~term of four years; and the initial member from the island of~~
10 ~~Kauai shall be appointed to serve a term of two years; and~~
11 ~~provided further that the terms of the initial appointments of~~
12 ~~the members who are appointed by the governor shall be four~~
13 ~~years. The at large member appointed by the governor shall~~
14 ~~serve a term of two years.~~

15 ~~Any vacancy shall be filled in the same manner provided for~~
16 ~~the original appointments. The corporation board shall elect~~
17 ~~its own chair from among its members. Appointments to the~~
18 ~~corporation board shall be as representative as possible of the~~
19 ~~system's stakeholders as outlined in this subsection. The board~~
20 ~~member appointments shall strive to create a board that includes~~



1 ~~expertise in the fields of medicine, finance, health care~~
2 ~~administration, government affairs, human resources, and law.~~

3 ~~(c) The selection, appointment, and confirmation of any~~
4 ~~nominee shall be based on ensuring that board members have~~
5 ~~diverse and beneficial perspectives and experiences and that~~
6 ~~they include, to the extent possible, representatives of the~~
7 ~~medical, business, management, law, finance, and health sectors,~~
8 ~~and patients or consumers. Members of the board shall serve~~
9 ~~without compensation but may be reimbursed for actual expenses,~~
10 ~~including travel expenses, incurred in the performance of their~~
11 ~~duties.~~

12 ~~(d) Any member of the board may be removed for cause by~~
13 ~~vote of a two-thirds majority of the board's members then in~~
14 ~~office. For purposes of this section, cause shall include~~
15 ~~without limitation:~~

- 16 ~~(1) Malfeasance in office,~~
17 ~~(2) Failure to attend regularly called meetings,~~
18 ~~(3) Sentencing for conviction of a felony, to the extent~~
19 ~~allowed by section 831-2, or~~



1 ~~(4) Any other cause that may render a member incapable or~~
2 ~~unfit to discharge the duties required under this~~
3 ~~chapter.~~

4 ~~Filing nomination papers for elective office or appointment to~~
5 ~~elective office, or conviction of a felony consistent with~~
6 ~~section 831-3.1, shall automatically and immediately disqualify~~
7 ~~a board member from office.~~

8 ~~(c) Upon completion of the transition of the Oahu regional~~
9 ~~health care system into the department of health, the~~
10 ~~corporation board shall have no legal relationship with the Oahu~~
11 ~~regional health care system or its facilities."] Repealed."~~

12 2. By amending section 14 to read:

13 "SECTION 14. This Act shall take effect on July 1, 2021 [~~+~~

14 ~~provided that part II of this Act shall take effect on December~~

15 ~~31, 2025] ."~~

16 SECTION 2. The Oahu regional health care system and the

17 department of health shall enter into an agreement regarding

18 Oahu regional health care system taking care of low acuity

19 patients in the department of health's custody by the end of

20 2024.



1 SECTION 3. Statutory material to be repealed is bracketed
2 and stricken. New statutory material is underscored.

3 SECTION 4. This Act shall take effect on December 31,
4 2050.



Report Title:

HHSC; DOH; Oahu Regional System; Transfer; Repeal; Low Acuity Patients; Agreement

Description:

Repeals the requirement to transfer the Oahu Regional Health Care System from the Hawaii Health Systems Corporation to the Department of Health. Requires the Oahu Regional Health Care System to enter into an agreement with the Department of Health regarding Oahu Regional Health Care System taking care of low acuity patients in the Department's custody by the end of 2024. Takes effect 12/31/2050. (SD1)

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