

ACT 154

H.B. NO. 702

A Bill for an Act Relating to Correctional Health Care.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. The legislature finds that providing for the health care needs of inmates is a priority for the department of public safety. This responsibility requires a program administrator and physicians who are not only experts in the profession, but who also understand the unique aspects of delivering health care services in a correctional environment. Program administrators and physicians who possess these dual qualities demand greater compensation than others, often beyond what the civil service pay scale allows, due to the unusual work conditions and characteristics of the clientele. In light of this, to hire qualified health care administrators and

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physicians, the department resorts to contracting for the purchase of professional services.

The purpose of this Act is to establish a correctional health care program within the department of public safety and to allow the department to hire a program administrator and physicians based on specialized abilities, and to provide that the program administrator and physician positions shall be exempt from the civil service process.

SECTION 2. Chapter 353C, Hawaii Revised Statutes, is amended by adding a new section to be appropriately designated and to read as follows:

“§353C- Correctional health care program. There is established a correctional health care program within the department. The administrator of the correctional health care program and physicians who provide care to inmates shall be appointed by the director without regard to chapters 76 and 77.”

SECTION 3. Any physician appointed under chapter 76, Hawaii Revised Statutes, and working in the correctional health care program for the department of public safety as of the effective date of this Act shall have the option of:

- (1) Remaining under chapter 76, Hawaii Revised Statutes; or
- (2) Becoming an exempt employee under section 2 of this Act;

provided that option (2) shall be exercised within sixty days after this Act takes effect.

SECTION 4. New statutory material is underscored.¹

SECTION 5. This Act shall take effect upon its approval.

(Approved May 25, 2001.)

Note

1. Edited pursuant to HRS §23G-16.5.