

## ACT 84

S.B. NO. 2348

A Bill for an Act Making an Emergency Appropriation to the Department of Health for Pandemic Influenza Preparedness.

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

SECTION 1. This Act is recommended by the governor for immediate passage in accordance with section 9 of article VII of the Constitution of the State of Hawaii.

SECTION 2. Although funds were appropriated to the department of health for control of infectious diseases for the fiscal period beginning July 1, 2005, and ending June 30, 2006, a critical funding emergency now exists.

Highly pathogenic avian influenza has spread across Asia and has been detected in Eastern Europe. While primarily affecting birds at the present time, at least one hundred forty-four human cases have been reported in China, Vietnam, Thailand, Indonesia, Cambodia, and Turkey, with a mortality rate of approximately fifty per cent. Scientists are particularly concerned about the highly pathogenic avian influenza (H5N1) currently circulating in Asia and parts of Europe and agree that another influenza pandemic is inevitable and possibly imminent.

Based on historical patterns, influenza pandemics can be expected to occur, on average, three to four times each century when new virus subtypes emerge and are readily transmitted from person to person. However, the occurrence of influenza pandemics is unpredictable. In the twentieth century, the great influenza pandemic of 1918-1919 that caused an estimated forty to fifty million deaths worldwide was followed by pandemics in 1957-1958 and 1968-1969.

An influenza pandemic has the potential to cause more death and illness than any other public health threat. If a pandemic influenza virus with similar virulence to the 1918 strain emerged today, in the absence of intervention, it is estimated that one million nine hundred thousand Americans could die and almost ten million could be hospitalized over the course of the pandemic that may evolve over a year or more. Preparedness to lessen the impact of a pandemic is imperative.

The purpose of this Act is to appropriate funds for fiscal year 2005-2006 to prepare for a novel strain of influenza by acquiring medications, mass clinic supplies, laboratory supplies and equipment, personal protective equipment, and a data management system for tracking cases and contacts.

SECTION 3. There is appropriated out of the general revenues of the State of Hawaii the sum of \$6,318,618 or so much thereof as may be necessary for fiscal year 2005-2006 to prepare for a pandemic of a novel strain of influenza.

There is appropriated out of the emergency and budget reserve fund of the State of Hawaii the sum of \$5,000,000, or so much thereof as may be necessary for fiscal year 2005-2006 to prepare for a pandemic of a novel strain of influenza by acquiring additional:

- (1) Medication;
- (2) Laboratory equipment;
- (3) Supplies;
- (4) Necessary personnel as determined by the director of health; or
- (5) Public education programs;

provided that moneys under this section shall not be expended unless a declaration or determination is made pursuant to subparagraph 328L-3(d)(4), Hawaii Revised Statutes.

## **ACT 84**

The sums appropriated shall be expended by the department of health for the purposes of the Act.

**SECTION 4.** Any provision of this Act to the contrary notwithstanding, the appropriation authorized under this Act shall not lapse at the end of the fiscal year for which the appropriation is made. Any unexpended and unencumbered balance of the appropriation made in this Act as of the close of the<sup>1</sup> business on June 30, 2007, shall lapse.

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

(Approved May 9, 2006.)

### **Note**

1. So in original.