

ACT 219

H.B. NO. 212

A Bill for an Act Relating to Health Care.

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

PART I

SECTION 1. The legislature finds that the island of Maui needs additional acute care beds and services. In 2004, the Hawaii Health Information Corporation published a document entitled “Maui Bed Needs Study, 2005 – 2025” in collaboration with Kaiser Permanente, Malulani Health Systems, Inc., the Maui county mayor’s office, the Maui Memorial Medical Center, and the state health planning and development agency. The Maui Bed Needs Study used scientific methodologies to predict the number of additional beds needed in the near term.

The legislature also finds that the Maui community wants to have a greater say in the health care planning process for the island. The purpose of this part is to empower the citizens of the county of Maui by creating the Maui health initiative task force to develop a comprehensive strategic health plan and by expediting the approval of new acute care facilities and medical or emergency services on the island of Maui.

SECTION 2. Maui health initiative task force. (a) There is created the temporary Maui health initiative task force within the state health planning and development agency for administrative purposes to develop a comprehensive strategic health plan for the county of Maui. The state health planning and development agency and the department of health shall provide technical and administrative support to the task force.

(b) The task force shall consist of fifteen members to be appointed without regard to section 26-34, Hawaii Revised Statutes, as follows:

- (1) The mayor of Maui shall appoint seven members who are residents of various regions of Maui, including east, west, central, upcountry, south, Molokai, and Lanai;
- (2) The president of the senate shall appoint four members; and
- (3) The speaker of the house of representatives shall appoint four members.

Members shall have diverse backgrounds and experiences, including health care (such as acute care, long term care, emergency medical services, and higher education as related to health care professions), finance, planning, or as a consumer. At least one member shall have statewide experience. No member shall be employed by the department of health or the state health planning and development agency attached to the department of health. Members shall not receive compensation but

shall be reimbursed for necessary expenses incurred in carrying out their duties, including travel expenses.

(c) The task force shall develop a comprehensive strategic health plan for the county of Maui that will:

- (1) Determine the current and future health care needs of Maui county;
- (2) Develop an integrated plan for providing health care, including primary, acute, and long-term care, urgent and emergency care, and disaster preparedness; and
- (3) Determine an appropriate role for Maui county health care facilities within the statewide system of emergency and trauma care.

(d) The task force may contract for services to obtain necessary information, data, and analysis. The task force shall utilize the Maui Bed Needs Study in its deliberations. The state health planning and development agency shall expedite any contracts required under chapter 103D, Hawaii Revised Statutes.

(e) The task force shall submit its final report, including findings, recommendations, and any necessary proposed legislation, to the legislature, the mayor of Maui county, and the state health planning and development agency no later than twenty days prior to the convening of the regular session of 2008. Within sixty days of receipt of the task force's report, the state health planning and development agency shall integrate the report into the activities of the tri-isle subarea health planning council.

(f) The task force shall convene its first meeting no later than July 15, 2007, and shall terminate on June 30, 2008.

SECTION 3. Any other law to the contrary notwithstanding, the state health planning and development agency shall grant expedited review to any application for a certificate of need whose health care service area is within Maui County that demonstrates financial viability and meets the Hawaii health performance plan relating to Maui county as revised pursuant to section 2(e). Any required hearings or reviews shall be held in Maui county.

SECTION 4. There is appropriated out of the general revenues of the State of Hawaii the sum of \$100,000 or so much thereof as may be necessary for fiscal year 2007-2008 for the operation of the Maui health initiative task force to carry out the purposes of this part.

The sum appropriated shall be expended by the state health planning and development agency for the purposes of this part.

PART II

SECTION 5. The legislature finds that the State's rapidly aging population will significantly increase the demand for health care services and long-term care. Regrettably, there is a growing shortage of health care professionals in Hawaii, especially on the neighbor islands and in rural areas. The problem is further aggravated by the fact that, as the State loses essential health care providers, the current health care workforce continues to age, exacerbating the growing shortage of providers. Low reimbursement rates, issues related to living and working in remote communities, challenging working conditions, and the cost of medical malpractice insurance also continue to create barriers to recruitment and retention of health care providers, especially in certain specialty areas.

While providing adequate health insurance for all of the people in the State remains a challenge, the health care workforce shortage will continue to leave many without access to appropriate care. A fully staffed, well-trained health care workforce is a key component in providing quality health care for all Hawaii residents.

The purpose of this part is to develop and maintain a secure statewide comprehensive health care workforce map and database, to identify healthcare workforce shortages through 2020, and to develop a plan to improve any workforce shortages. Nurses are exempt, as Act 198, Session Laws of Hawaii 2003, creates a center for nursing that addresses nursing workforce issues. Like the nursing shortage, workforce shortages in other health care professions must be seen as a long-term problem. Developing expertise within the State will be cost-effective over time. Therefore, a partnership between the state health planning and development agency and the University of Hawaii will be an important element in creating solutions to the health care workforce shortage problem.

SECTION 6. The John A. Burns school of medicine, in cooperation with the state health planning and development agency, shall:

- (1) Compile and analyze existing data on the supply and distribution of licensed health care practitioners, technicians, and other health care workers in the State by profession, specialty, and practice location;
- (2) Develop projections through 2020 of the workforce supply and demand to identify shortages;
- (3) Develop a plan to address and reduce any identified shortages of health care workers;
- (4) Develop a plan to collect and systematically update the data; and
- (5) Ensure that data collected is accurate and secure and that data specific to any practitioner is disclosed only with the express written consent of the practitioner.

PART III

SECTION 7. This Act shall take effect upon its approval; provided that section 4 shall take effect on July 1, 2007.

(Approved June 28, 2007.)