

A Bill for an Act Relating to the Board of Health.

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

SECTION 1. The legislature finds that the board of health was originally intended to serve as an advisory panel to the director of health. However, given the current breadth and complexity of public health issues and prominent guidance from federal programs, the legislature, and the private sector, the board of health has been rendered obsolete and no longer adds value to department of health operations.

The legislature further finds that the board of health has been historically difficult to fill and currently has no members. Abolishing the board of health would more accurately reflect the reality of decision making at the department of health and would reduce the administrative burden on the department.

The purpose of this Act is to abolish the board of health.

SECTION 2. Section 10-41, Hawaii Revised Statutes, is amended by amending subsection (a) to read as follows:

“(a) The training required by this part shall apply to members of the land use commission, board of land and natural resources, commission on water resource management, environmental council, board of directors of the agribusiness development corporation, board of agriculture, legacy land conservation commission, natural area reserves system commission, and Hawaii historic places review board[ ~~and board of health~~].”

SECTION 3. Section 26-13, Hawaii Revised Statutes, is amended by amending subsection (a) to read as follows:

“(a) The department of health shall be headed by a single executive to be known as the director of health.

[~~There shall be, within the department of health, an advisory board to be known as the board of health, which shall advise the director of health on matters within the jurisdiction of the department of health. The board of health shall consist of eleven voting members appointed by the governor as provided in section 26-34 and shall include the director of [human services] as an ex officio nonvoting member. The appointed members shall include at least one resident of each of the major counties including the county of Kalawao. The appointed members shall serve without compensation but shall be reimbursed for expenses, including travel expenses, necessary for the performance of their duties.~~]

The department shall administer programs designed to protect, preserve, care for, and improve the physical and mental health of the people of the State. Without limit to the generality of the foregoing, the programs shall include the administration and enforcement of matters and laws of public health of the State, including the state hospital, but excluding assistance and care for the indigent and the medically indigent.”

SECTION 4. Section 321-5, Hawaii Revised Statutes, is amended by amending subsection (c) to read as follows:

“(c) As used in this section, unless the text clearly otherwise indicates:

“Hawaii personnel” means public health nurses, sanitary officers, and medical officers.

“Health department” means the [~~board of health,~~] department of health[ ~~president of the board of health,~~] or other public authority authorized by law to administer or administering the public health laws of any state.

“State” means any state or territory of the United States, or county or municipality of any such state or territory.”

SECTION 5. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

SECTION 6. This Act shall take effect upon its approval.

(Approved July 2, 2019.)