

ACT 38

S.B. NO. 1138

A Bill for an Act Relating to the Office of Healthcare Assurance Special Fund.

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

SECTION 1. The purpose of this Act is to establish the annual expenditure ceiling of the office of health care assurance special fund through the state budget process and to fund increasing operational expenses that include contracts to implement a new management information system and background checks system.

SECTION 2. Section 321-1.4, Hawaii Revised Statutes, is amended to read as follows:

“§321-1.4 Office of health care assurance special fund; deposits; expenditures. (a) There is established within the department of health, to be administered by the department of health, the office of health care assurance special fund into which shall be deposited moneys collected under section 321-11.5(b), license fees for the administration of the durable medical equipment supplier license program collected pursuant to section 321-544, and all administrative penalties imposed and collected by the office of health care assurance pursuant to section 321-20.

(b) Moneys in the special fund shall be expended by the department of health:

- (1) To assist in offsetting operating costs and educational program expenses of the department of health’s office of health care assurance; and
- (2) For the purpose of enhancing the capacity of office of health care assurance programs to:
 - (A) Improve public health outreach efforts, program and community development, and consultations to industries regulated;
 - (B) Educate the public, the staff of the department of health, and other departments within the State, as well as staff and providers of all health care facilities and agencies regulated; and
 - (C) Administer and support the durable medical equipment supplier license program established pursuant to part XLIII.

~~[Not more than \$327,000 of the special fund may be used during any fiscal year for the activities carried out by the office of health care assurance.]~~

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~~(e) Any amount in the special fund in excess of \$387,500 on June 30 of each year shall be deposited into the general fund.~~

~~(4)]~~ (c) The department of health shall submit a report to the legislature concerning the status of the special fund, including the amount of moneys deposited into and expended from the special fund, and the sources of receipts and uses of expenditures, no later than twenty days prior to the convening of each regular session.”

SECTION 3. There is appropriated out of the office of health care assurance special fund the sum of \$710,000 or so much thereof as may be necessary for fiscal year 2022-2023 to complete the health care facility management information system project.

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

SECTION 4. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

SECTION 5. This Act shall take effect upon its approval; provided that section 3 of this Act shall take effect on July 1, 2022.

(Approved June 15, 2022.)