



## The Senate

STATE CAPITOL  
HONOLULU, HAWAII 96813

Wednesday, July 15, 2020

### MEMORANDUM

TO: Senate President Ronald D. Kouchi  
FROM: Senate Special Committee on COVID-19  
RE: Senate Special Committee on COVID-19 Report

Dear Senate President,

Please see the attached report prepared following the May 4, 2020, Senate Special Committee on COVID-19 meeting with the following:

- Department of the Attorney General
- Department of Health
- Department of Transportation – Airports Division
- Hawaii Tourism Authority

Sincerely,

Senator Donovan M. Dela Cruz  
Senator Jarrett Keohokalole  
Senator Michelle N. Kidani

Senator Donna Mercado Kim  
Senator Sharon Moriwaki  
Senator Kurt Fevella

Attachment

Cc: All Senators

**Office of the Attorney General (AG), Department of Health (DOH), Department of Transportation – Airports Division (DOT), & Hawaii Tourism Authority (HTA)**

Ms. Clare Connors, Attorney General; Dr. Bruce Anderson, Director of DOH; Dr. Sarah Park, State Epidemiologist; Mr. Ford Fuchigami, Airports Administrator; and Mr. Chris Tatum, CEO of HTA, provided the Committee with the following update.

Future Tourism

- Pre Travel Testing Program
  - AG Connors informed the Committee that the pre-travel testing program for persons who are returning residents and tourists has been pushed back to September 1.
    - The decision was made based on concerns surrounding operational and policy matters.
  - Keeping in mind the increase in cases on the mainland and the number of tests and services the State can carry out, many fear that should Hawaii open too soon, the system could be overwhelmed.
- The State was able to build on the health screening process used for interisland travel, which was rolled out on June 16.
  - This includes the State’s new Travel Declaration form, which has allowed the screening of more than 12,200 people traveling inter-island.
- AG Connors informed the Committee that the State is moving toward a Trans-Pacific arrival procedure similar to what has been rolled out for interisland travel.
  - This will include the use of the State’s mandatory Travel Declaration form beginning August 4.
  - AG Connors informed members that the form is available on [health.hawaii.gov](http://health.hawaii.gov), and upon completion, will be sent to the appropriate county enforcement agencies.
    - Information on the form will be shared with the counties immediately as part of the ESRI system.
- The State will promote this form through HTA and Go Hawaii outreach.

Quarantine Updates

- Per the Committee’s inquiry, Dr. Park mentioned that there is no set timeline for the length of this pandemic, and would caution against plans to open soon.
  - Dr. Park provided the example of the 1918 flu pandemic, which swept the mainland in three waves over three years.
  - Dr. Park stressed that the success of our regulations depends on the dynamics of mainland residents and travelers.
  - The Committee and DOH expressed the shared goal of ramping up investments in containment infrastructure.
- In addition to the State’s quarantine order, the Director Health has the authority to isolate someone who has tested positive for COVID-19.

- The AG reiterated that the State’s quarantine order is legally defensible and that all visitors must provide a signature indicating they are aware of the order upon arrival.
  - This order has been agreed upon by all county police departments and prosecutors.
  - The AG noted the need to support county police departments in the enforcement of quarantine violation citations and arrests.
    - AG Connors also mentioned how helpful the public has been in reporting quarantine breakers, and is thankful that Hawaii has become a national example of containment.
  - AG Connors explained that her office issues a press release when an arrest is executed.
    - This is done both to inform the public and highlight the seriousness of enforcing our rules.
- The Judiciary has the number of quarantine breaker citations that are identified and filed in court.
- AG Connors indicated that her Department tracks violators and report on numbers Oahu only.
  - The AG stated that the Department does not have a presence on the neighbor islands and thus is unsure how the neighbor islands are monitoring and reporting their numbers.
    - Members of the Committee emphasized the importance of tracking these numbers and details of how people violate the order, to better help the update of current tactics.
- Per the request of the Committee, the AG will publically provide all statistics on quarantine, investigations, and arrests once a week.
  - The Committee requested that the AG and all four counties coordinate the release of data.

#### Testing Process at Airports

- The AG’s office and the Department of Health expanded on the layers of testing.
- While the Lieutenant Governor is pushing pre-departure testing, members of the Committee pushed for more inclusive travel safeguards.
  - The AG shared the multi-layered procedure that would include:
    1. A pre-test prior to departure;
    2. Health screening consisting of a thermal scan; and
    3. Completion of the State’s Travel Declaration form to be verified by Hawaii officials, including agreeing to the emergency quarantine order.
    - The AG’s office hopes to roll out the screening procedure and health declaration form by August 1.
  - There is also a secondary screening process for travelers with temperatures above 100.4 degrees consisting of a questionnaire to identify COVID symptoms.

- Upon completion of the questionnaire, suspected cases will be offered a COVID-19 test.
  - It was stressed that the State could not mandate the test at this time.
- If a test is refused, the only legal option is to offer health guidance before they depart for their designated quarantine location.
- Both the DOH and the AG clarified that a negative test would not exempt an individual from the quarantine order, and this is a matter of policy for the AG's office.
- Additionally, the AG explained that the State legally prevented from discriminating between resident and non-resident arrivals under the constitution.
  - The only exceptions made relate to military and other federal government workers for which the State has no jurisdiction.

#### Mandatory Quarantine Locations

- Per the Committee's inquiry, the AG confirmed that there are still no mandatory quarantine locations other than the hotels and motels where travelers are staying.
- However, the AG mentioned that they are working to designate certain hotels as quarantine locations.
  - In order to be designated, these hotels must meet stringent criteria, and provide additional plans on how they will ensure safe practices, in addition to proving they have the staffing capability to monitor and ensure compliance with the quarantine order.
    - The AG is currently working on identifying these hotels.
  - Further, AG Connors mentioned that the Governor would be able to mandate quarantine locations in the next emergency proclamation.
- Hotels that can effectively monitor guests would need to be utilized as large quarantine areas if we start having 2,000-10,000 visitors a day
  - If the daily visitor rate gets any larger than previously mentioned, effective quarantine and monitoring become impractical.
  - Bed and Breakfasts and Short Term Rentals need to be closed; they cannot be designated as quarantine sites under the Governor's and mayors' emergency proclamations.
- The travelers will be responsible for the cost of staying at the designated quarantine site.

#### Travel Bubble

- Per reports, hotels are studying the demand for, and economics of visitors arriving and staying in a "travel bubble."
- According to the DOH, it is possible to accommodate travel bubbles on neighbor island resorts.
  - This is due to the fact that neighbor island resorts are relatively isolated in comparison to resorts on Oahu.

- People could be potentially housed and supported for a couple of weeks at these resorts without any significant problems.
- Per DOH, they are having conversations with the mayors about this option.
- In the event of a positive case, the Department would be able to isolate those individuals centrally, and conduct contact tracing more efficiently amongst those in the “bubble.”

#### Contact Tracing

- Dr. Anderson mentioned 179 positions within DOH are contact tracing specific, while there are other employees within the Department trained and ready to assist with tracing protocols.
  - Of the 179, 50 DOH staffers are actively working on contact tracing operations.
- Dr. Park expressed the importance of having more tracers at her disposal, as they will play a vital role in ramping up tracing efforts should the state experience a surge
- The DOH intends to contract with the UH to train contract tracers; the contract is with the Department of Budget and Finance for review and awaits Governor’s approval.
  - DOH hopes to have the training process completed in the next few weeks.
  - Dr. Park is contacting UH now in order to activate volunteers to get ahead of the preparation process.
  - Additionally, DOH estimates that there are about 200 volunteers in the queue who have not begun training.
  - Over 1,000 individuals have volunteered for the contact tracing training.
  - Dr. Park expressed a need for a staff of at least 20 contact tracers to act as a buffer, but up to 100 would be needed should there be a surge.
- Per DOH figures, 300 people will be trained as contact tracers before the end of July to be part of the volunteer training program.
- Additionally, Dr. Anderson mentioned that they need this program to have onboard trained tracers as hiring independent tracers or contracting out would be unfeasible due to varying standards.
- DOH believes it currently has enough contact tracing staff and reserves to keep up with the current rate of increased infections.
- Citing reports of impersonations, Dr. Anderson expressed the importance of having the public ask contact tracers to verify their identity.
  - He explained one way to do this is to self-report positive cases, in addition to verifying the identity of tracers with the DOH.
- According to the Department, most confirmed cases today are associated with clusters.
- According to the DOH, the process to confirm close contacts takes a minimum of 24 hours.
- Members of the Committee inquired about the potential of deputizing groups that monitor quarantine breakers to allow them some law enforcement powers.
  - The AG insisted that messaging the State’s quarantine orders should be the primary focus at this time.

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- Additionally, AG Connors mentioned that more money from the CARES Act would help, but was unsure how to translate money into direct help best at this time.

CARES Act Money for Contact Tracing, Testing, and PPE

- AG Connors and DOH members explained that their departments could only expend CARES Act funds for COVID-19 purposes.
  - This money currently totals \$15 million.
- Members explained that they could allocate funds to ‘Quarantine Breakers’ initiatives to improve preventative measures.
  - These programs could be used to train and deputize contact tracing volunteers, as previously inquired by some members of the Committee.
- Per the request of the Committee, AG Connors will follow up with the Governor to urge him to sign SB126, which includes vital COVID relief funding, as residents cannot wait until September 1.

DOH Contact Tracing App (“Aloha Safe”)

- Dr. Park mentioned the importance of using this app for contact tracing, especially for tourists, as they may be unable to tell tracers where they have been due to geographic unfamiliarity.
- Dr. Park hopes to have this app up and running in the next few weeks, pending legal review.
  - Upon implementation, the Aloha Safe app will allow tracers to track previous locations visited, possibly assisting with thousands of cases.
  - AG Connors mentioned that voluntary participation with the app could potentially allow visitors to forgo quarantine.
  - Dr. Park mentioned that this would not exempt the public from social distancing and mask-wearing, but simply assist tracing efforts.
  - The Committee wishes to remind the public that the application does not communicate tracing data unless willingly shared by the individual with the Department of Health.
  - The goal is to have the app operational by September 1.
- Per the request of the Committee, DOH will update the Committee, upon completion of the app.
- DOH submitted a request for \$50 million for testing facilities, which is pending approval
  - Funding will likely come from CARES funding.
  - The application is expected to be approved.

Mask Mandate

- AG Connors fielded questions from members of the Committee about the possibility of a mask mandate.

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- Doctors Park and Anderson emphasize mask uses effectiveness in preventing virus spread, the Committee asked the Attorney General to ask the Governor to take the lead mandating the use of masks to prevent spread.
- The AG discussed some of the varying county needs that have resulted in the Governor's decision to continue to allow mask mandates do be instituted at the county level.
- Members of the Committee maintained their desire for the Governor to mandate mask-wearing statewide as opposed to continuing to allow a county by county approach.
- Per the request of the Committee, the DOH agreed to direct its outreach and messaging staff to educate the public on proper hygiene protocols, including mask-wearing.