HOUSE OF REPRESENTATIVES
TWENTY-NINTH LEGISLATURE, 2018
STATE OF HAWAII

H.R. NO. 77

HOUSE RESOLUTION

REQUESTING THE UNITED STATES CONGRESS TO AMEND THE NATIVE HAWAIIAN HEALTH CARE IMPROVEMENT ACT TO ENSURE THAT THE ACT RECEIVES PERMANENT FUNDING.

WHEREAS, the Native Hawaiian Health Care Improvement Act, originally enacted as the Native Hawaiian Health Care Act of 1988, and codified under title 42 United States Code Annotated chapter 122, states in section 11701 in pertinent part:

"(17) The authority of the Congress under the United States Constitution to legislate in matters affecting the aboriginal or indigenous peoples of the United States includes the authority to legislate in matters affecting the native peoples of Alaska and Hawaii.

(18) In furtherance of the trust responsibility for the betterment of the conditions of Native Hawaiians, the United States has established a program for the provision of comprehensive health promotion and disease prevention services to maintain and improve the health status of the Hawaiian people."; and

WHEREAS, title 42 United States Code Annotated section 11702 states, in pertinent part, as follows:

"The Congress hereby declares that it is the policy of the United States in fulfillment of its special responsibilities and legal obligations to the indigenous people of Hawaii resulting from the unique and historical relationship between the United States and the Government of the indigenous people of Hawaii—

(1) to raise the health status of Native Hawaiians to the highest possible health level; and

(2) to provide existing Native Hawaiian health care programs with all resources necessary to effectuate this policy." (emphasis added); and
WHEREAS, title 42 United States Code Annotated section 11705(h) authorizes appropriations necessary for fiscal years 1993 through 2019; and

WHEREAS, stakeholders face continued uncertainty regarding long-term funding beyond fiscal year 2019; and

WHEREAS, according to the United States Census Bureau's report, "The Native Hawaiian and Other Pacific Islander Population: 2010", the nation's Native Hawaiian population increased by 31.4 percent between 2000 and 2010 with approximately fifty-five percent of that population living in Hawaii, and the American Community Survey produced an estimate of approximately 568,000 Native Hawaiians nationwide in 2015; and

WHEREAS, Act 42, Session Laws of Hawaii 2003, codified as section 10-18, Hawaii Revised Statutes, established the Hui 'Imi Advisory Council within the Office of Hawaiian Affairs; and

WHEREAS, the Department of Health published a report in 2011, entitled "Chronic Disease Disparities Report 2011: Social Determinants", which found that chronic diseases—such as heart disease, cancer, stroke, diabetes, and chronic lower respiratory diseases—are the most prevalent, most disabling, and most costly of all diseases; and

WHEREAS, the Department of Native Hawaiian Health of the John A. Burns School of Medicine at the University of Hawaii at Manoa published a report in 2013, entitled "Assessment and Priorities for Health and Well-Being in Native Hawaiians and other Pacific Peoples", which found that Hawaii's Native Hawaiian population had a lower life expectancy than other populations and had higher rates of death from heart disease, cancer, stroke, diabetes, and injuries compared to the State's overall population; and half of Native Hawaiian and Pacific Islanders report being obese; and

WHEREAS, social determinants of health and other factors contribute to the continued health disparities that affect the Native Hawaiian population; and
WHEREAS, while Hawaii and the country in general have made strides toward improving the health of Native Hawaiians, long-term federal funding for necessary health programs and services remains at risk; and

WHEREAS, the Indian Health Care Improvement Act is intended to provide descendants of the indigenous people of the continental United States assistance with health services; and

WHEREAS, section 1680o of the Indian Health Care Improvement Act (title 25 United States Code Annotated chapter 18) provides for permanent funding of the Act beginning in fiscal year 2010 and each fiscal year thereafter, to remain available until expended; and

WHEREAS, Native Hawaiians should have the same assurance given to other indigenous people in the United States regarding federal funding for health programs and services; now, therefore,

BE IT RESOLVED by the House of Representatives of the Twenty-ninth Legislature of the State of Hawaii, Regular Session of 2018, that the United States Congress is requested to amend the Native Hawaiian Health Care Improvement Act to ensure that the Act receives permanent funding; and

BE IT FURTHER RESOLVED that certified copies of this Resolution be transmitted to the President Pro Tempore of the United States Senate, Speaker of the House of Representatives of the United States Congress, Majority Leader of the United States Senate, Majority Leader of the United States House of Representatives, Hawaii's congressional delegation, United States Secretary of Health and Human Services, Governor of the State of Hawaii, Chairperson of the Board of Trustees of the Office of Hawaiian Affairs, President of the University of Hawaii System, Director of Health, Mayor of each county in the State of Hawaii, President of the Board of Directors of Papa Ola Lokahi, and Executive Director of Papa Ola Lokahi, who in turn is requested to transmit this measure to the Chair of the Board
of each Native Hawaiian health care system, as defined in the
Native Hawaiian Health Care Improvement Act.