
SENATE CONCURRENT RESOLUTION

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

1 WHEREAS, the Native Hawaiian Health Care Improvement Act,
2 originally enacted as the Native Hawaiian Health Care Act of
3 1988, and codified under title 42 United States Code chapter
4 122, states in section 11701 in pertinent part:

5
6 "(17) The authority of the Congress under the United
7 States Constitution to legislate in matters affecting the
8 aboriginal or indigenous peoples of the United States
9 includes the authority to legislate in matters affecting
10 the native peoples of Alaska and Hawaii.

11
12 (18) In furtherance of the trust responsibility for the
13 betterment of the conditions of Native Hawaiians, the
14 United States has established a program for the provision
15 of comprehensive health promotion and disease prevention
16 services to maintain and improve the health status of the
17 Hawaiian people."; and

18
19 WHEREAS, title 42 United States Code section 11702 states,
20 in pertinent part, as follows:

21
22 "The Congress hereby declares that it is the policy of
23 the United States in fulfillment of its special
24 responsibilities and legal obligations to the indigenous
25 people of Hawaii resulting from the unique and historical
26 relationship between the United States and the Government
27 of the indigenous people of Hawaii-

28
29 (1) to raise the health status of Native Hawaiians to the
30 highest possible health level; and
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1 (2) *to provide existing Native Hawaiian health care*
2 *programs with all resources necessary to effectuate this*
3 *policy.*" (emphasis added); and
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5 WHEREAS, title 42 United States Code section 11705(h)
6 authorizes appropriations necessary for fiscal years 1993
7 through 2019; and
8

9 WHEREAS, stakeholders face continued uncertainty regarding
10 long-term funding beyond fiscal year 2019; and
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12 WHEREAS, according to the United States Census Bureau's
13 report, "The Native Hawaiian and Other Pacific Islander
14 Population: 2010", the nation's Native Hawaiian population
15 increased by 31.4 percent between 2000 and 2010 with
16 approximately fifty-five percent of that population living in
17 Hawaii, and the American Community Survey produced an estimate
18 of approximately 568,000 Native Hawaiians nationwide in 2015;
19 and
20

21 WHEREAS, Act 42, Session Laws of Hawaii 2003, codified as
22 section 10-18, Hawaii Revised Statutes, established the Hui 'Imi
23 Advisory Council within the Office of Hawaiian Affairs; and
24

25 WHEREAS, the Department of Health published a report in
26 2011, entitled "Chronic Disease Disparities Report 2011: Social
27 Determinants", which found that chronic diseases—such as heart
28 disease, cancer, stroke, diabetes, and chronic lower respiratory
29 diseases—are the most prevalent, most disabling, and most costly
30 of all diseases; and
31

32 WHEREAS, the Department of Native Hawaiian Health of the
33 John A. Burns School of Medicine at the University of Hawaii at
34 Manoa published a report in 2013, entitled "Assessment and
35 Priorities for Health and Well-Being in Native Hawaiians and
36 other Pacific Peoples", which found that Hawaii's Native
37 Hawaiian population had a lower life expectancy than other
38 populations and had higher rates of death from heart disease,
39 cancer, stroke, diabetes, and injuries compared to the State's
40 overall population; and half of Native Hawaiian and Pacific
41 Islanders report being obese; and
42



1 WHEREAS, social determinants of health and other factors
2 contribute to the continued health disparities that affect the
3 Native Hawaiian population; and
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5 WHEREAS, while Hawaii and the country in general have made
6 strides toward improving the health of Native Hawaiians, long-
7 term federal funding for necessary health programs and services
8 remains at risk; and
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10 WHEREAS, the Indian Health Care Improvement Act is intended
11 to provide descendants of the indigenous people of the
12 continental United States assistance with health services; and
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14 WHEREAS, section 1680o of the Indian Health Care
15 Improvement Act (title 25 United States Code chapter 18)
16 provides for permanent funding of the Act beginning in fiscal
17 year 2010 and each fiscal year thereafter, to remain available
18 until expended; and
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20 WHEREAS, Native Hawaiians should have the same assurance
21 given to other indigenous people in the United States regarding
22 federal funding for health programs and services; now,
23 therefore,
24

25 BE IT RESOLVED by the Senate of the Twenty-ninth
26 Legislature of the State of Hawaii, Regular Session of 2018, the
27 House of Representatives concurring, that the United States
28 Congress is requested to make permanent the authority of the
29 Native Hawaiian Health Care Improvement Act, with all the
30 funding resources necessary to effect this policy; and
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32 BE IT FURTHER RESOLVED that certified copies of this
33 Concurrent Resolution be transmitted to the President Pro
34 Tempore of the United States Senate, Speaker of the House of
35 Representatives of the United States Congress, Majority Leader
36 of the United States Senate, Majority Leader of the United
37 States House of Representatives, members of Hawaii's
38 congressional delegation, United States Secretary of Health and
39 Human Services, Governor of the State of Hawaii, Chairperson of
40 the Board of Trustees of the Office of Hawaiian Affairs,
41 President of the University of Hawaii System, Director of
42 Health, Mayor of each county in the State of Hawaii, President



1 of the Board of Directors of Papa Ola Lokahi, and Executive
2 Director of Papa Ola Lokahi, who in turn is requested to
3 transmit copies of this measure to the Chair of the Board of
4 each Native Hawaiian health care system, as defined in the
5 Native Hawaiian Health Care Improvement Act.

