A BILL FOR AN ACT

RELATING TO THE HAWAII HEALTH SYSTEMS CORPORATION.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

SECTION 1. Section 323F-3, Hawaii Revised Statutes, is amended by amending subsection (b) to read as follows:

"(b) The members of the corporation board shall be appointed as follows:

(1) The director of health as an ex officio, voting member;

(2) The five regional chief executive officers as ex officio, nonvoting members;

(3) Three members who reside in the county of Maui, two of whom shall be appointed by the Maui regional system board and one of whom shall be appointed by the governor, all of whom shall serve as voting members;

(4) Two members who reside in the eastern section of the county of Hawaii, one of whom shall be appointed by the East Hawaii regional system board and one of whom shall be appointed by the governor, both of whom shall serve as voting members;
(5) Two members who reside in the western section of the county of Hawaii, one of whom shall be appointed by the West Hawaii regional system board and one of whom shall be appointed by the governor, both of whom shall serve as voting members;

(6) Two members who reside on the island of Kauai, one of whom shall be appointed by the Kauai regional system board and one of whom shall be appointed by the governor, both of whom shall serve as voting members;

(7) Two members who reside on the island of Oahu, [one of whom shall be appointed by the Oahu regional system board and one of whom] who shall be appointed by the governor, both of whom shall serve as voting members; and

(8) One member who shall be appointed by the governor and serve as an at-large voting member.

The appointed board members who reside in the county of Maui, eastern section of the county of Hawaii, western section of the county of Hawaii, on the island of Kauai, and on the island of Oahu shall each serve for a term of four years; provided that the terms of the initial appointments of the
members who are appointed by their respective regional system boards shall be as follows: one of the initial members from the county of Maui shall be appointed to serve a term of two years and the other member shall be appointed to serve a term of four years; the initial member from East Hawaii shall be appointed to serve a term of two years; the initial member from West Hawaii shall be appointed to serve a term of four years; the initial member from the island of Kauai shall be appointed to serve a term of two years; and the initial member from the island of Oahu shall be appointed to serve a term of four years; and provided further that the terms of the initial appointments of the members who are appointed by the governor shall be four years. The at-large member appointed by the governor shall serve a term of two years.

Any vacancy shall be filled in the same manner provided for the original appointments[...]. provided that after June 30, 2019, all members who reside on Oahu shall be appointed by the governor. The corporation board shall elect its own chair from among its members. Appointments to the corporation board shall be as representative as possible of the system's stakeholders as outlined in this subsection. The board member appointments
shall strive to create a board that includes expertise in the
fields of medicine, finance, health care administration,
government affairs, human resources, and law."

SECTION 2. Section 323F-3.5, Hawaii Revised Statutes, is
amended as follows:

1. By amending subsection (a) to read:

"(a) [There] Except for the Oahu regional health care
system, there is hereby established a regional system board of
directors to govern each of the [five] regional systems
specified in section 323F-2, no later than January 1, 2008. The
regional system boards of directors shall carry out the duties
and responsibilities as set forth in this chapter and as further
delegated by the corporation. For the Oahu regional health care
system, all duties and responsibilities set forth in this
chapter or otherwise delegated to a regional system board shall
be carried out by the corporation board beginning on July 1,
2019."

2. By amending subsection (c) to read:

"(c) [Each] Except for the Oahu regional health care
system, each regional system shall be governed by a regional
system board of directors to consist of not less than seven
members and not more than fifteen members, as determined by the regional system board after the initial regional system board is established.

(1) Each regional system board shall initially consist of twelve members to be appointed by the governor under section 26-34 or as provided in this section, as follows:

(A) Four members shall be appointed by the governor within thirty days of receipt of a qualified list of candidates as follows:

(i) Two members shall be chosen from a list of four individuals submitted by the speaker of the house of representatives within fifteen days of July 1, 2007; provided that this list shall not include physicians; and

(ii) Two members shall be chosen from a list of four individuals submitted by the president of the senate within fifteen days of July 1, 2007; provided that this list shall not include physicians;
(B) Four members shall be appointed by the governor within thirty days from a list of eight individuals nominated by the regional public health facility management advisory committee within fifteen days of July 1, 2007. These individuals may be medical and health care providers and professionals, consumers, and knowledgeable individuals in other appropriate areas such as business, finance, and law; provided that these individuals shall not be physicians currently in active practice;

(C) Three physicians shall be appointed by the governor within thirty days from a list submitted within fifteen days of July 1, 2007, of six physicians nominated by a majority vote of the medical staff of the public health facilities in the regional system present at a duly noticed meeting from a list of qualified candidates submitted by the medical executive committees in the regional system; and
(D) The corporation board chairperson or chairperson's designee shall serve as an ex officio, nonvoting member of each regional system board;

(2) One member of each regional system board nominated by the speaker of the house of representatives, the president of the senate, and medical executive committees in a regional system shall be appointed for a term of two years;

(3) One member of each initial regional system board nominated by the regional public health facility management advisory committee for the regional system shall be appointed for a term of two years;

(4) The remaining members of each initial regional system board and all members appointed thereafter shall be appointed for terms of three years; and

(5) New regional system board members appointed to any regional system board after the initial regional system board shall be selected by a two-thirds affirmative vote of the existing regional system board members.
Except for the ex officio members of each regional system board, all other members of a regional system board shall be residents of the region. Each regional system board shall elect its own chair.

SECTION 3. All rights, powers, functions, and duties of the Oahu regional system board of directors are transferred to the Hawaii health systems corporation board of directors.

All employees who occupy civil service positions and whose functions are transferred to the Hawaii health systems corporation board of directors by this Act shall retain their civil service status, whether permanent or temporary. Employees shall be transferred without loss of salary, seniority (except as prescribed by applicable collective bargaining agreements), retention points, prior service credit, any vacation and sick leave credits previously earned, and other rights, benefits, and privileges, in accordance with state personnel laws and this Act; provided that the employees possess the minimum qualifications and public employment requirements for the class or position to which transferred or appointed, as applicable; provided further that subsequent changes in status may be made pursuant to applicable civil service and compensation laws.
Any employee who, prior to this Act, is exempt from civil
service and is transferred as a consequence of this Act may
retain the employee's exempt status, but shall not be appointed
to a civil service position as a consequence of this Act. An
exempt employee who is transferred by this Act shall not suffer
any loss of prior service credit, vacation or sick leave credits
previously earned, or other employee benefits or privileges as a
consequence of this Act; provided that the employees possess
legal and public employment requirements for the position to
which transferred or appointed, as applicable; provided further
that subsequent changes in status may be made pursuant to
applicable employment and compensation laws. The chair of the
Hawaii health systems corporation board may prescribe the duties
and qualifications of these employees and fix their salaries
without regard to chapter 76, Hawaii Revised Statutes.

SECTION 4. All appropriations, records, equipment,
machines, files, supplies, contracts, books, papers, documents,
maps, and other personal property heretofore made, used,
acquired, or held by the Oahu regional system board of directors
relating to the functions transferred to the Hawaii health
systems corporation board of directors shall be transferred with
the functions to which they relate.

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

SECTION 6. This Act shall take effect on July 1, 2019.

INTRODUCED BY:  

JAN 23 2019
Report Title:
HHSC; Oahu Regional System

Description:
Repeals the Oahu regional system board of HHSC.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.