

STAND. COM. REP. NO.

3688

Honolulu, Hawaii

JUN 26 2020

RE: H.B. No. 2502
H.D. 1
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirtieth State Legislature
Regular Session of 2020
State of Hawaii

Sir:

Your Committee on Commerce, Consumer Protection, and Health,
to which was referred H.B. No. 2502, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO HEALTH,"

begs leave to report as follows:

The purpose and intent of this measure is to require the
State Health Planning and Development Agency to consider the
relationship to the existing health care system of an area,
including workforce availability, as part of its certificate of
need review.

Prior to the hearing on this measure, your Committee posted
and made available for public review a proposed S.D. 1, which
deletes the contents of this measure and inserts language that:

- (1) Authorizes the Department of Health to screen, test, and
monitor travelers entering the State, under certain
conditions;
- (2) Provides for penalties for noncompliance;
- (3) Amends and adds definitions and procedural and
administrative provisions to chapter 325, Hawaii Revised
Statutes;



- (4) Establishes a travelers screening special fund;
- (5) Allocates funds from transient accommodations tax revenues into the travelers screening special fund; and
- (6) Appropriates funds for the purposes of the travelers screening special fund.

Your Committee received testimony in support of the proposed S.D. 1 from the Department of Health, Hawai'i Lodging and Tourism Association, Hawai'i Nurses' Association, Hawai'i Primary Care Association, Hawai'i - American Nurses Association, and more than a dozen individuals. Your Committee received testimony in opposition to the proposed S.D. 1 from one member of the Kaua'i County Council; Hawaii For Informed Consent; Ho'opae Pono Peace Project; The Wellbeing Manager; Ka Lei Papahi Kakuihewa; Calvary Chapel Pearl Harbor; Tristar Restaurant Group; North Shore Christian Fellowship; We Are One, Inc.; Accessing Health; Global Ecology Foundation; Yogarden LLC; Green Lifestyles Network; Ocean Tourism Coalition; Go Green Solutions; North Shore Livestock; Pohaku Nui Ranch; Conscious Commerce Coalition; Universal Life Church; Visayas Capital Group; Sailing Maui Inc.; RK Ventures; The Dharma Sanctuary; Aloha Condos, Inc.; Kaponu Builders; The Aloha Revolution; Soul Surfer and Company LLC; Keepyourrights.org; Sacred Health Arts LLC; The Sanctuary Christian Fellowship; Laakea Community LLC; Sacred Wisdom Healing Arts; and numerous individuals. Your Committee received comments on the proposed S.D. 1 from the Grassroot Institute of Hawaii and several individuals.

Your Committee finds that the State's experience with the COVID-19 pandemic demonstrates the need for preparation, flexibility, and quick action in the face of ongoing or new risks presented by outbreaks of communicable or dangerous diseases in the State or in other parts of the world. The State has learned from experience that a screening process for travelers is a key component in the containment or mitigation of the spread of disease. This measure serves to enhance the tools available to the State in its effort to contain or mitigate the spread of communicable or dangerous diseases, to enable the use of these tools without a governor's emergency proclamation, and to make the containment or mitigation effort more efficient and flexible to protect the public health and safety. Furthermore, your Committee



finds that the contents of this measure do not mandate universal immunization.

Your Committee has amended this measure by adopting the proposed S.D. 1 and further amending the measure by:

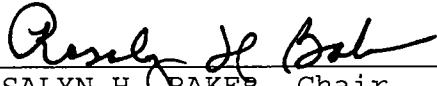
- (1) Clarifying that the Director of Health may declare a public health emergency only after consulting with and obtaining authorization from the Governor;
- (2) Specifying administrative rulemaking deadlines for the Department of Health;
- (3) Deleting language that would have allocated transient accommodations tax revenues into the travelers screening special fund;
- (4) Inserting language that repeals the statutory prohibitions on the use of telephone services as part of telehealth coverage, under certain conditions;
- (5) Inserting an effective date of July 1, 2050, to encourage further discussion;
- (6) Inserting a sunset date of June 30, 2025, for certain provisions; and
- (7) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

Your Committee notes that the purpose of including a sunset provision in this measure is to ensure that this measure receives legislative review at a future time when there is no longer a pandemic.

As affirmed by the record of votes of the members of your Committee on Commerce, Consumer Protection, and Health that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2502, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2502, H.D. 1, S.D. 1, and be referred to your Committee on Ways and Means.



Respectfully submitted on
behalf of the members of the
Committee on Commerce, Consumer
Protection, and Health,



ROSALYN H. BAKER, Chair



The Senate
Thirtieth Legislature
State of Hawai'i

Record of Votes
Committee on Commerce, Consumer Protection, and Health
CPH

Bill / Resolution No.:*	Committee Referral:	Date:		
HB2502 HD1	CPH, NAM	06/25/2020		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is:				
<input type="checkbox"/> Pass, unamended 2312	<input checked="" type="checkbox"/> Pass, with amendments 2311	<input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313		
Members	Aye	Aye (WR)	Nay	Excused
BAKER, Rosalyn H. (C)	/			
CHANG, Stanley (VC)				/
NISHIHARA, Clarence K.	/			
RUDERMAN, Russell E.		/		
THIELEN, Laura H.	/			
WAKAI, Glenn				/
FEVELLA, Kurt				/
TOTAL	3	1		3
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <i>Clarence K. Nishihara</i>				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes