



STATE OF HAWAII
DEPARTMENT OF HEALTH
KA 'OIHANA OLAKINO
P. O. Box 3378
Honolulu, HI 96801-3378
doh.testimony@doh.hawaii.gov

**Testimony in SUPPORT of SB1432
RELATING TO CHANGES TO RESPONSIBILITIES OF THE DEPARTMENT OF HEALTH
CONCERNING PATIENTS, THE COUNTY OF KALAWAO, AND THE KALAUPAPA SETTLEMENT
SENATOR JOY SAN BUENAVENTURA, CHAIR
SENATE COMMITTEE ON HEALTH AND HUMAN SERVICES**

SENATOR GLENN WAKAI, CHAIR
SENATE COMMITTEE ON ENERGY AND INTERGOVERNMENTAL AFFAIRS

Hearing Date: February 6, 2025 @3 pm

Room Number: 016

- 1 **Fiscal Implications:** The Department of Health (“Department”) requests that this measure be
- 2 considered as a vehicle to provide potential needed funding so long as it does not supplant the
- 3 priorities and requests outlined in the Governors executive budget request.
- 4 **Department Position:** The Department supports this measure.
- 5 **Department Testimony:** The Communicable Disease and Public Health Nursing Division
- 6 (CDPHND) provides the following testimony on behalf of the Department. In preparation for
- 7 the eventual transfer of responsibilities following the future conclusion of patient care at
- 8 Kalaupapa, the Department proposes amendments to Chapter 326, Hawaii Revised Statutes
- 9 (HRS) which addresses Hansen's Disease and the Department’s role at Kalaupapa. Sections of
- 10 Chapter 326, HRS that are not specific to Kalaupapa but apply to the Department’s ongoing role
- 11 in disease surveillance/monitoring, and the treatment and care of persons with Hansen’s
- 12 Disease in the community shall be retained.
- 13 The Department’s role at Kalaupapa is focused on the care and well-being of the patients on
- 14 the Kalaupapa Registry who reside and visit there. While the Department continues to manage

1 some of the operations at Kalaupapa, many non-patient related responsibilities have been
2 transferred to the National Park Service (NPS) since the Kalaupapa National Historical Park was
3 established at the request of the patients in 1980 to protect the historical, cultural and natural
4 resources of this sacred place.

5 When there is no longer a patient care role at Kalaupapa, the Department expects to transfer
6 its remaining operational responsibilities to NPS or the landowning state agencies (Department
7 of Hawaiian Home Lands (DHHL) and Department of Land and Natural Resources (DLNR)) and
8 close out its day-to-day operations on the peninsula. The Department also intends to continue
9 to work on long-term environmental remediation projects after patient care responsibilities
10 end.

11 When there are no longer patients at Kalaupapa, sections of Chapter 326, HRS will no longer
12 apply. This bill presents amendments that would take effect one year after the passing of the
13 last Kalaupapa Registry patient to repeal the Department's statutory responsibilities at
14 Kalaupapa.

15 When there are no longer patients at Kalaupapa, this measure proposes to include Kalawao
16 County into the County of Maui, as the Department will no longer be required to provide
17 patient care. Since many typical "county" functions are not feasible at Kalaupapa, it may be
18 prudent to exempt this area from the many statutes that require action from the counties,
19 similar to how Kalawao County is currently exempted from these statutes. To help define the
20 area, the Department proposes that the area currently known as Kalawao County, which is also
21 the area designated as a National Historical Park, be designated as a State Historical Area. This
22 State Historical Area designation would be in addition to the current designations as both a
23 state and federal historic site and a National Historical Park.

24 This proposed measure reflects lessons DOH has learned through years of cooperative
25 management experience with the National Park Service, ongoing consultations with State

1 agencies holding statutory and landowner responsibilities at Kalaupapa (DHHL, DLNR, and the
2 Department of Transportation), experiences related to a long-term mutual aid agreement with
3 Maui County to provide fire, law enforcement and emergency response for Kalaupapa, and
4 collaboration with patients, staff, and individuals and organizations that comprise the
5 “Kalaupapa community.” Additionally, DOH engaged members of the public interested in the
6 future of Kalaupapa to encourage a broad and inclusive perspective.

7 While DOH will not have a significant role in the post-patient era of Kalaupapa, it remains
8 staunchly supportive of the preservation and sharing of the history, memories, and stories of
9 the remarkable people who lived there.

10 **Offered Amendments:** None

11 Thank you for the opportunity to testify on this measure.

JOSH GREEN, M.D.
GOVERNOR | KE KIA'ĀINA

SYLVIA LUKE
LIEUTENANT GOVERNOR | KA HOPE KIA'ĀINA



STATE OF HAWAII | KA MOKU'ĀINA 'O HAWAII'
DEPARTMENT OF LAND AND NATURAL RESOURCES
KA 'OIHANA KUMUWAIWAI 'ĀINA

P.O. BOX 621
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DAWN N.S. CHANG
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE
MANAGEMENT

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FIRST DEPUTY

CIARA W.K. KAHAHANE
DEPUTY DIRECTOR - WATER

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BOATING AND OCEAN RECREATION
BUREAU OF CONVEYANCES
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CONSERVATION AND RESOURCES
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FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

Testimony of
DAWN N. S. CHANG
Chairperson

Before the Senate Committee on
HEALTH AND HUMAN SERVICES
And
ENERGY AND INTERGOVERNMENTAL AFFAIRS
Thursday, February 6, 2025
3:00 PM
State Capitol Conference Room 016 & Videoconference

In consideration of
SENATE BILL 1432
RELATING TO CHANGES TO RESPONSIBILITIES OF THE DEPARTMENT OF HEALTH
CONCERNING PATIENTS, THE COUNTY OF KALAWAO, AND THE KALAUPAPA
SETTLEMENT

Senate Bill 1432 proposes several measures to address the continued and immediate treatment of Hansen's disease patients as well as the long-term management needs of managing natural and cultural resources at Kalaupapa. Additionally, it will reunite Kalawao County with the County of Maui. **The Department of Land and Natural Resources (Department) supports this measure.**

The proposed measure recognizes the historic and cultural significance of Kalaupapa and commemorates those resources by establishing the Kalaupapa State Historical Area. Kalaupapa has been identified by the United States Department of the Interior as a National Historic Landmark, the nation's highest recognition for historic resources. It is also listed in the Hawaii and National Registers of Historic Places. The recognition of Kalaupapa as a State Historical Area is appropriate for the long-term preservation and use of the settlement and the historic and cultural resources located throughout the peninsula.

Furthermore, the County of Maui has established its own historic preservation program and has been recognized as a Certified Local Government through the National Park Service. The County of Maui and the Maui County Cultural Resources Commission will be an important partner in continuing to preserve, protect, and share the important history of Kalaupapa and its patients.

Mahalo for the opportunity to provide testimony on this measure.

JOSH GREEN, M.D.
GOVERNOR
STATE OF HAWAII
*Ke Kia'āina o ka Moku'āina 'o
Hawaii*

SYLVIA J. LUKE
LT. GOVERNOR
STATE OF HAWAII
*Ka Hope Kia'āina o ka Moku'āina
'o Hawaii*



KALI WATSON
CHAIRPERSON, HHC
Ka Luna Ho'okele

KATIE L. LAMBERT
DEPUTY TO THE CHAIR
Ka Hope Luna Ho'okele

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS
Ka 'Oihana 'Āina Ho'opulapula Hawaii'i

P. O. BOX 1879
HONOLULU, HAWAII 96805

TESTIMONY OF KALI WATSON, CHAIR
HAWAIIAN HOMES COMMISSION
BEFORE THE SENATE COMMITTEE ON HEALTH AND HUMAN SERVICES AND
THE SENATE COMMITTEE ON ENERGY AND INTERGOVERNMENTAL AFFAIRS
HEARING ON FEBRUARY 6, 2025 AT 3:00PM IN CR 016

**SB 1432, RELATING TO CHANGES TO RESPONSIBILITIES OF THE DEPARTMENT
OF HEALTH CONCERNING PATIENTS, THE COUNTY OF KALAWAO, AND THE
KALAUPAPA SETTLEMENT.**

February 5, 2025

Aloha Chairs San Buenaventura and Wakai, Vice Chairs Aquino and Chang, and
Members of the Committees:

The Department of Hawaiian Home Lands (DHHL) takes no position and supports the intent of this bill which 1) establishes the Kalaupapa State Historical Area 2) authorizes the Department of Health to continue providing services statewide to Hansen's disease patients living in the community and 3) repeals sections of chapter 326, Hawaii Revised Statutes, upon the one-year anniversary of the passing of the last patient resident of Kalaupapa as affirmed in the Governor's proclamation.

The area commonly known or designated as the Kalaupapa Settlement, described in Section 2 of the bill, which proposes a new section to Chapter 6E to create the Kalaupapa state historical area, includes Hawaiian Home Lands. Thus, DHHL recommends that SB1432 explicitly state that Hawaiian Home Lands, identified by tax map key: (2) 6-1-001:001 located in Kalaupapa, is Hawaiian Home Lands.

Because the Hawaiian Homes Commission (HHC), as codified in the Hawaii State Constitution, has exclusive land use and zoning authority for HHL, any land designation changes regarding HHL would be subject to HHC approval and beneficiary consultation.

DHHL agrees with the intent of preserving the historical importance of the Kalaupapa Settlement, but believes there may be unintentional jurisdictional implications to DHHL's parcel if it is made part of a state historical area and not clearly delineated.

Thank you for your consideration of our testimony.

Council Chair
Alice L. Lee

Vice-Chair
Yuki Lei K. Sugimura

Presiding Officer Pro Tempore
Tasha Kama

Councilmembers
Tom Cook
Gabe Johnson
Tamara Paltin
Keani N.W. Rawlins-Fernandez
Shane M. Sinenci
Nohelani U'u-Hodgins



Director of Council Services
David M. Raatz, Jr., Esq.

Deputy Director of Council Services
Richelle K. Kawasaki, Esq.

COUNTY COUNCIL
COUNTY OF MAUI
200 S. HIGH STREET
WAILUKU, MAUI, HAWAII 96793
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February 5, 2025

MEMO TO: SENATE COMMITTEE ON HEALTH & HUMAN SERVICES
Chair Joy A. San Buenaventura and Vice Chair Henry J.C. Aquino

SENATE COMMITTEE ON ENERGY & INTERGOVERNMENTAL AFFAIRS
Chair Glenn Wakai and Vice Chair Stanley Chang

F R O M: Councilmember Keani Rawlins-Fernandez

SUBJECT: **PLEASE DEFER SB1432 – REGARDING KALAWAO COUNTY**

Mahalo for this opportunity to provide testimony on SB1432, relating to the changes to responsibilities of the Department of Health concerning patients, the County of Kalawao, and the Kalaupapa Settlement. I respectfully ask that this committee defer this measure this session.

While I appreciate the Department of Health introducing this measure, the broader Molokai community and our County government have not had the opportunity to fully discuss all the implications related to this bill.

At the end of last year, the state and federal agencies for the first time hosted a meeting on topside Molokai. The purpose of that meeting was to present the history of the agencies' involvement on the Makanalua Peninsula and greater jurisdiction under Kalawao County. The agencies represented at this meeting included Department of Health, Department of Hawaiian Home Lands, Department of Transportation, Department of Land and Natural Resources, and National Parks Services.

At that meeting, I volunteered to spearhead future discussions. In a subsequent meeting with Department of Health representatives, I disclosed my intention to advocate for deferral of this bill and its companion until the community and County has had an opportunity to arrive at a resolution. Mahalo for your consideration in giving us a little more time.

RICHARD T. BISSEN, JR.
Mayor

JOSIAH K. NISHITA
Managing Director



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COUNTY OF MAUI
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WAILUKU, MAUI, HAWAI'I 96793
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LATE

TO: Senator Joy A. San Buenaventura, Chair
Senator Henry J.C. Aquino, Vice Chair
Committee on Health and Human Concerns

Senator Glenn Wakai, Chair
Senator Stanley Chang, Vice Chair
Committee on Energy and Intergovernmental Affairs

FROM: Richard T. Bissen, Jr., Mayor
Josiah K. Nishita, Managing Director

DATE: February 5, 2025

SUBJECT: **COMMENTS FOR SB1432** – RELATING TO CHANGES TO RESPONSIBILITIES OF THE DEPARTMENT OF HEALTH CONCERNING PATIENTS, THE COUNTY OF KALAWAO, AND THE KALAUPAPA SETTLEMENT

Thank you for the opportunity to provide **COMMENTS** on this important measure. The Act establishes the Kalaupapa State Historical Area. Authorizes the Department of Health to continue providing services statewide to Hansen's disease patients living in the community. Repeals sections of chapter 326, Hawai'i Revised Statutes, upon the one-year anniversary of the passing of the last patient resident of Kalaupapa as affirmed in the Governor's proclamation

Our **COMMENTS** are as follows:

1. The County of Maui appreciates the efforts of the legislature to address the future needs of Kalaupapa. The cessation of the County of Kalawao would be historic and multi-faceted due to the multiple jurisdictions involved and the significant interests of stakeholders.
2. The County of Maui agrees that a transparent process and opportunity for more extensive public input regarding the transfer of jurisdiction is necessary and concur that new ordinances would be required for the County of Maui to appropriately govern the former county of Kalawao.
3. As noted in the legislation, providing county services may have a fiscal impact and further review would be warranted.

4. A successful transition can be achieved with additional time allowed for the County of Maui to fully assess the operational and fiscal impact of the legislation including identifying assistance that may be needed by the State.

Mahalo for your consideration.



February 5, 2025

Senator Joy A. San Buenaventura, Chairwoman, Health and Human Services Committee and
Senator Glenn Wakai, Chairman, Energy and Intergovernmental Affairs Committee

SB1432 -- Relating to Changes to Responsibilities of the Department of Health Concerning
Patients, the County of Kalawao and the Kalaupapa Settlement

Thursday, February 6, 2025, 3 p.m. Conference Room 016

I write to provide comments about SB1432, regarding the future of Kalaupapa

Aloha Chairwoman San Buenaventura, Senator Wakai and Committee members,

Thank you for hearing SB1432 and giving us the opportunity to learn more about plans for the future of Kalaupapa. Even though government officials have been meeting for many years about this important transition, the public has no knowledge of what is being discussed.

My name is Valerie Monson, Executive Director of Ka 'Ohana O Kalaupapa, a 501-c-3 nonprofit organization created by the residents of Kalaupapa in 2003. Ka 'Ohana was the vision of Bernard Punikai`a, who was taken from his mother when he was just 6 ½ years old and sent to Kalaupapa a few years later in 1942.

Bernard went on to become one of the great leaders of Kalaupapa. As he saw the population of Kalaupapa getting smaller and the community getting older, Bernard felt it was critical to bring together family members, descendants and friends of Kalaupapa to make sure the voices of the Kalaupapa residents were always heard in directing the future and how Kalaupapa would be remembered.

Other residents echoed his concerns and played a key role in laying the foundation of Ka 'Ohana O Kalaupapa nearly 22 years ago. Many of them have now passed -- are their voices forgotten?

Some of you may remember that Ka 'Ohana O Kalaupapa was an active participant in hearings last year when a bill about the transition of Kalaupapa was introduced. Ka 'Ohana was

advocating to be included as a member of the Kalaupapa Transition Team which now includes only government officials, some of them somewhat new to their positions. We also supported bringing in a community group from upper Molokai.

We believe that those of us with Ka 'Ohana O Kalaupapa -- those who had family at Kalaupapa or who have been involved with the Kalaupapa community for many years -- have a great deal of knowledge and experiences that would help this transition team produce a better future. People on upper Molokai also have a wealth of knowledge and must be involved in planning the future of a significant part of their island. Because 1,300 acres of the Kalaupapa peninsula are designated as Hawaiian Homelands, beneficiaries might also request to be included.

Many people will be affected by the future of Kalaupapa.

The Kalaupapa transition team of has been meeting for many years, yet we hear such conflicting statements about where they're at in the process -- some of these statements from officials who are members of this team seem to have a different idea of what has been accomplished.

There are times when we hear that the transition team is still in the early stages of planning the future -- such as deciding on who has the key to what -- but we also hear that the decision has already been made about the future, that the National Park Service will have full jurisdiction at Kalaupapa, that the federal government will have complete control of one of Hawaii's most sacred places. We've also heard that Maui County will assume jurisdiction of Kalaupapa.

What is true? We just don't know.

This bill before you states that Kalawao County -- which now comprises the entire Kalaupapa peninsula -- will cease to exist and -- I quote -- "**shall be and form a portion of Maui County.**" (emphasis added).

Has there ever been a public hearing or meeting on Molokai or Maui about this transfer? If there has been, I apologize that we did not know about it. Has Maui County weighed in on this?

In Public Law 96-565 which established Kalaupapa National Historical Park in 1980, Section 109 reads: "At such time when there is no longer a resident patient community at Kalaupapa, the Secretary **shall reevaluate the policies governing the management, administration, and public use of the park** in order to identify any changes deemed to be appropriate." (emphasis added).

How does that federal language fit with this State bill?

The bill before you also proposes creating a "Kalaupapa State Historical Area," which is subject to the State's 6-E process that includes special restrictions. According to the bill, the purpose of this historical area is "to educate the public, to commemorate the lives of the residents with

Hansen's disease and the lives of the people who served them, and to recognize the county of Kalawao and its role in the history of Hawaii."

Ka 'Ohana O Kalaupapa has been doing all of the above for the past 22 years without a special designation. Our organization has helped nearly 1,000 descendants learn about or learn more about their ancestors -- no one was reaching out to the families and descendants until Ka 'Ohana O Kalaupapa. We have created two traveling exhibits that have been to every island and are currently on display -- one at 'Iolani Palace and the other at the Molokai Museum and Cultural Center -- and we have developed a host of other educational and outreach programs. We have been presented with seven Preservation Awards by Historic Hawai'i Foundation.

And, yet, we have been left out of the planning process.

There are so many components to this proposed plan, it makes us wonder who would have the final decision: Kalaupapa National Historical Park, Maui County or the lead agency of the Kalaupapa State Historical Area? What will be the role of the State of Hawai'i, of the Department of Land and Natural Resources, of the Department of Hawaiian Homelands?

Will there be independent oversight of these agencies at Kalaupapa by knowledgeable community members to keep the public involved?

We have many other questions about how the new system at Kalaupapa will work.

We hope your committees will recommend adding Ka 'Ohana O Kalaupapa and a community group on upper Molokai to the Kalaupapa Transition Team so voices of those with so much knowledge will be included along with government concerns.

We also believe many discussions need to take place before a final decision is made.

Thank you for considering my comments.

With aloha,



Valerie Monson, Executive Director
Ka 'Ohana O Kalaupapa

Statement of
DEGRAY VANDERBILT
Member of Board Directors, Ka 'Ohana O Kalaupapa

Before the
SENATE COMMITTEE ON HEALTH & HUMAN SERVICES
SENATE COMMITTEE ON ENERGY & INTERGOVERNMENTAL AFFAIRS
Thursday, February 6, 2025
3:00 PM
State Capitol, Conference Room 016

In consideration of
SB 1432, Relating to changes to responsibilities of the Department of Health concerning patients, The County of Kalawao, and the Kalaupapa Settlement.

Chair Joy A. San Buenaventura, Chair Glenn Wakai, and members of the Committee Health & Human Services and the Committee on Energy & Intergovernmental Affairs

Ka 'Ohana O Kalaupapa (Ka 'Ohana), a non-profit organization conceived and fostered by patient residents of Kalaupapa, offers the following comments on SB 1432 specifically adding amended language which provides for Ka 'Ohana to be an integral part of the transitional planning for when there is no longer a patient community at Kalaupapa and the Department of Health (DOH) departs Kalaupapa and transfers its administrative and operations responsibilities to another government or non-government entity(ies).

As such, should this measure be advanced, Ka 'Ohana recommends the following:

Ka 'Ohana recommends that the following language be inserted in Part I, Section 1 at the top of Page 2 as a new paragraph: The legislature finds that there are six major stakeholders authorized to operate at Kalaupapa by government statute. Two of the six are authorized by federal statute. They are the National Park Service, a federal agency, and Ka 'Ohana O Kalaupapa, a non-profit organization conceived, fostered and formed by patient residents of Kalaupapa. The remaining four stakeholders are state agencies including the Department of Health, the Department of Land and Natural Resources, the Department of Hawaiian Home Lands, and the Department of Transportation all of which are authorized to operate at Kalaupapa by state statute.

Ka 'Ohana also recommends in Part I, Section 1 Page 2, Line 1 inserting the word "other" so the sentence reads as follows: "The legislature further finds that there are many

other stakeholders that care about the future of the Kalaupapa Settlement and the preservation of the historical, cultural, and environmental significance of county of Kalawao.

And finally Ka 'Ohana recommends adding the following associated language in Part 1, Section 1 the end of Page 2 as the fourth purpose of the Act: Include Ka 'Ohana O Kalaupapa and a topside community organization to be selected by the Department of Health in consultation with the Molokai community on the current transition planning team that consists solely of government agencies.

Mahalo for the opportunity to testify on this measure.

LATE

SB-1432

Submitted on: 2/6/2025 12:05:36 AM

Testimony for HHS on 2/6/2025 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Kehaulani Lum	Individual	Comments	Remotely Via Zoom

Comments:

Kehaulani Lum

99-045 Nalopaka Place

‘Aiea, Hawai’i 97701

Testimony presented to the

SENATE COMMITTEE ON HEALTH & HUMAN SERVICES

SENATE COMMITTEE ON ENERGY & INTERGOVERNMENTAL AFFAIRS

Thursday, February 6, 2025

3:00 PM

State Capitol, Conference Room 016

Re: Concerns regarding SB 1432, Relating To Changes To Responsibilities of the Department of Health Concerning Patients, the County of Kalawao, and the Kalaupapa Settlement.

Aloha Chair Joy A. San Buenaventura, Vice Chair Henry J.C. Aquino and Members of the Senate Committee on Health & Human Services, and Chair Glenn Wakai and Vice Chair Stanley Chang and Members of the Senate Committee on Energy & Intergovernmental Affairs.

My name is Kehaulani Lum, and I am a Board Member of Ka ‘Ohana O Kalaupapa and a descendant of Henry Kalalahilimoku Nala’ielua, who spent 75 years under the care of the Department of Health at Kalaupapa and beyond, Evelyn and Christina Nala’ielua, who were exiled to the peninsula at ages 16 and 9 and died there, and Uncle Joe Palau who lasted less than 8 years. I was also blessed to be mentored by Auntie Pi’olani Motta, whose mother was born in Kalaupapa and separated at birth from her parents. Auntie Pi’olani’s last wishes were to ensure the building of a Memorial in Kalawao in honor of the 8,000 residents whose remains lay mainly in unmarked graves.

Mahalo nui loa for the opportunity to express concerns about SB 1432, Relating to changes to responsibilities of the Department of Health concerning patients, The County of Kalawao, and the Kalaupapa Settlement.

My kupuna were heroes who directly experienced the trauma of forced relocation that lasted for over a century. That trauma has yet to be healed, though, as thousands of Hawai’i residents have not been reunited with their ancestors, for want of a Memorial that honors them by name.

Ka ‘Ohana O Kalaupapa, is the only non-profit organization conceived, fostered and formed by patient residents of Kalaupapa to remedy this. It is one of only two organizations in the Nation that is authorized by federal statute to be a stakeholder in Kalaupapa; the other being the National Park Service.

Yet, as the Bill is written, our organization, mission and voice of our founders, the U.S. Congress and President Barack Obama are glaringly absent. I pray that this oversight is clerical, for if it is the intent of this measure to exclude perhaps the most important stakeholders on the ‘āina (those who were exiled there), then, in some respects, the stigma will endure even after the last resident has passed. Who will honor and perpetuate their dignity? Who did Congress specifically authorize to protect their stake?

I echo the comments raised by fellow Ka ‘Ohana O Kalaupapa Directors DeGray Vanderbilt and Valerie Monson and respectfully request that the Bill be amended to:

- 1. Include Ka ‘Ohana O Kalaupapa as a stakeholder;**
- 2. Insert the word, “other,” in Part I, Section 1, Page 2, Line 1 of the, so that it reads: “The legislature further finds that there are many other stakeholders that care about the future of the Kalaupapa Settlement and the preservation of the historical, cultural, and environmental significance of county of Kalawao.”; and,**
- 3. Add language stating, “Include Ka ‘Ohana O Kalaupapa and a topside community organization to be selected by the Department of Health in consultation with the Molokai community on the current transition planning team that consists solely of government agencies.” in Part 1, Section 1, at the end of Page 2, as the fourth purpose of the Act.**

In addition, I believe that it is prudent to ensure deeper discussion and analysis, relating to the appropriate governing County, based on statute.

What began as an inhumane act can only be cleansed through an act of love.

Mahalo nui loa for your aloha,

Kehaulani Lum

TESTIMONY IN OPPOSITION TO S.B. NO. 1432

RELATING TO CHANGES TO RESPONSIBILITIES OF THE DEPARTMENT OF HEALTH CONCERNING PATIENTS, THE COUNTY OF KALAWAO, AND THE KALAUPAPA SETTLEMENT

Friday, January 31, 2025

To: Senator Joy A. San Buenaventura, Chair, Senator Henry J.C. Aquino, Vice Chair, and Members of the Committee of Health and Human Services;

To: Senator Glenn Wakai, Chair, Senator Stanley Chang, Vice Chair, and Members of the Committee on Energy and Intergovernmental Affairs

From: Ronnie Inagaki

Subject: OPPOSITION TO S.B. NO. 1432 - RELATING TO CHANGES TO RESPONSIBILITIES OF THE DEPARTMENT OF HEALTH CONCERNING PATIENTS, THE COUNTY OF KALAWAO, AND THE KALAUPAPA SETTLEMENT

Aloha Chair and Members of the Committee, Thank you for the opportunity to submit testimony regarding S.B. No. 1432, which proposes significant changes to the governance of the Kalaupapa Settlement and the dissolution of the County of Kalawao upon the passing of the last patient resident. I respectfully oppose this bill due to the following critical concerns about its implications for the remaining patients, their families, and the preservation of Kalaupapa's unique historical and cultural legacy.

1. Loss of Autonomy and Dignity for Remaining Patients

The bill repeals many sections of Chapter 326, including §326-1.3, which explicitly recognizes the personal liberty, autonomy, and dignity of Kalaupapa's patient residents. This repeal is unnecessary and sends a troubling message to the remaining patients and their families, undermining the state's commitment to honoring their lived experiences and sacrifices. While there are only a few remaining patients, their dignity, autonomy, and legacy must remain a priority until the end of their lives. Removing these protections prematurely disregards the historical injustices they endured and marginalizes their voices.

2. Uncertainty Regarding the Transition to Maui County Governance

The bill proposes the dissolution of the County of Kalawao and its absorption into the County of Maui. This raises several unanswered questions:

- How will Maui County be equipped to govern the unique needs of this area, particularly its historical preservation and cultural significance?
- Will Maui County have sufficient resources and understanding to manage Kalaupapa's infrastructure, historical sites, and community interests?

- What specific ordinances or protections will Maui County enact to ensure that the unique identity of Kalaupapa is not lost in this transition?

The lack of detailed planning outlined in the bill creates uncertainty and risks neglecting the nuanced governance needs of Kalaupapa.

3. Inadequate Protections for Kalaupapa's Historical and Cultural Legacy

While the bill establishes the Kalaupapa State Historical Area, it fails to provide sufficient details about funding, management, and long-term preservation. The historical area's purpose—to commemorate the lives of Hansen's disease patients and those who served them—is noble, but the bill does not include enforceable commitments or adequate resources to ensure that this purpose is realized. Without explicit funding and clear management strategies, there is a risk that the area's historical and cultural significance will become neglected over time.

4. Disruption of Patient and Family Connections to Kalaupapa

For many patients and their families, Kalaupapa represents more than just a settlement—it is a sacred place that embodies their struggles, resilience, and community. The dissolution of the County of Kalawao and the removal of specific provisions, such as §326-40 (which guarantees patient residents the right to remain at Kalaupapa for as long as they choose), may sever this deeply personal connection. Families and advocates have expressed strong desires to ensure that Kalaupapa's legacy is preserved in a way that honors the people who lived there. This bill does not adequately reflect those values.

5. Lack of Public Participation and Transparency

Although the bill acknowledges the importance of public input, it does not outline concrete mechanisms to engage patients, families, and the broader community in decision-making about Kalaupapa's future. The historical significance of Kalaupapa extends far beyond its residents; it is a symbol of resilience and a critical part of Hawaii's history. Including affected communities and organizations, such as *Ka 'Ohana o Kalaupapa*, in shaping the transition and historical preservation process is essential.

6. Insufficient Transition Timeline

The bill proposes that key governance provisions be repealed one year after the passing of the last patient resident. This timeline is too short to ensure a smooth and thoughtful transition of governance, preservation efforts, and management responsibilities. Extending this timeline would allow for greater collaboration between stakeholders and ensure that Kalaupapa's historical and cultural significance is preserved for future generations.

Recommendations

To address these concerns, I respectfully urge the Committee to consider the following:

1. **Preserve Dignity and Autonomy:** Retain provisions, such as §326-1.3, that affirm the dignity and autonomy of Kalaupapa’s remaining patients for the duration of their lives.
2. **Detailed Transition Plan:** Require a comprehensive and transparent transition plan to Maui County governance that includes funding, infrastructure management, and ordinances to protect Kalaupapa’s unique identity.
3. **Guaranteed Funding for Preservation:** Include explicit provisions for the funding and maintenance of the Kalaupapa State Historical Area to ensure its long-term success.
4. **Extend the Transition Period:** Allow for a longer transition timeline of at least two to three years after the passing of the last patient resident to ensure thoughtful planning and collaboration.
5. **Engage Stakeholders:** Mandate active participation from patients, families, community groups, and organizations like *Ka ‘Ohana o Kalaupapa* in shaping the settlement’s future.

Conclusion

Kalaupapa is not just a place—it is a living testament to the resilience, courage, and dignity of individuals who endured tremendous hardships. This bill, in its current form, does not adequately honor their legacy or address the concerns of their families and advocates. I respectfully urge the Committee to amend this bill to reflect the values of respect, inclusion, and historical preservation that Kalaupapa represents. Thank you for the opportunity to testify in opposition to S.B. No. 1432.

Mahalo nui loa for your time and consideration.

Sincerely,

Ronnie Inagaki