



**TESTIMONY OF THE STATE ATTORNEY GENERAL  
TWENTY-FOURTH LEGISLATURE, 2008**

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**ON THE FOLLOWING MEASURE:**

H.B. NO. 2924, RELATING TO THE WAIANAE COAST COMPREHENSIVE HEALTH CENTER.

**BEFORE THE:**

HOUSE COMMITTEE ON HEALTH.

**DATE:** Wednesday, February 13, 2008 **TIME:** 8:00 AM

**LOCATION:** State Capitol, Room 329

*Deliver to: via facsimile 586-6051, 1 copy*

**TESTIFIER(S):** Mark J. Bennett, Attorney General  
or Blair Goto, Deputy Attorney General

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Chair Green and Members of the Committee:

The Attorney General provides the following comments and recommendations concerning this measure.

The bill would appropriate \$2,500,000 from general revenues for fiscal year 2008-2009 with specified amounts for "[p]lans, design, and construction for the expansion and renovation of facilities at Waianae coast comprehensive health center, phase II." The Department of Health is identified as the expending agency.

If the intent of this bill is for Waianae District Comprehensive Health and Hospital Board, Inc., dba Waianae Coast Comprehensive Health Center, to receive the \$2,500,000 from the Department of Health to design, plan, and construct phase II, the most straightforward method of carrying out this intent is by way of a grant made pursuant to chapter 42F, Hawaii Revised Statutes. To amend this bill to make a chapter 42F grant, the bill would need to have: (1) findings added to a new section 1 of the bill as to Waianae District Comprehensive Health and Hospital Board, Inc., and the public purpose served by making the grant and (2) grant language added to the appropriation section of the bill.

It would be best to make the public purpose explicit so that there are no questions in that regard. For example, the new section 1 could

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state: "Waianae District Comprehensive Health and Hospital Board, Inc., is a Hawaii nonprofit corporation and has registered the tradename Waianae Coast Comprehensive Health Center. The purpose of this Act is to appropriate moneys to help the Waianae Coast Comprehensive Health Center meet the on-going health care needs of the population of west Oahu and would help assure the health, safety, and welfare of residents of and visitors to the island of Oahu." The phrase "as a grant pursuant to chapter 42F, Hawaii Revised Statutes," could be added to the appropriation section of the bill near the end of what is now line 4 of the bill. The first sentence of the new section 2 would then read: "The following sums or so much thereof as shall be sufficient to finance the projects listed in this Act are hereby appropriated out of the general revenues of the State of Hawaii for fiscal year 2008-2009 *as a grant pursuant to chapter 42F, Hawaii Revised Statutes.*" New material is shown in italics.

In the alternative, the Legislature could amend capital improvement projects item E.3 of Act 213 by adding the amounts indicated in this bill into the fiscal year 2008-2009 column of the biennium budget Act. See 2007 Haw. Sess. Laws 527. Keeping grant amounts to one organization in successive years in one place in Act 213 would likely be the simplest solution.

Absent these amendments, it is unclear how the Department of Health could contract with Waianae Coast Comprehensive Health Center by any means without a competitive procurement including issuing a chapter 103D, Hawaii Revised Statutes, invitation for bids and awarding a contract to the agency submitting the lowest responsive bid.

We respectfully request that this Committee make the recommended amendments either to this bill or to Act 213.



**Testimony in Support of HB 2924: Relating to the Waianae Coast Comprehensive Health Center**

**Submitted to: Committee on Health and Committee on Human Services and Housing**

Hearing Date/Time: February 13, 2008/8:00 am  
Submitted by: Richard P. Bettini, Chief Executive Officer  
Waianae Coast Comprehensive Health Center/Contact: 696-1457

The Waianae Coast Comprehensive Health Center strongly supports HB 2924 which would address the Health Center's critical need to expand its medical facilities that are 30+ years old in order to support its role as the only safety-net health care provider on the Leeward Coast.

To address the dire need for expanded and new facilities, the Health Center identified three phases of construction projects.

- Phase I: Build a new 3-story medical building to address immediate needs of overcrowded primary care clinical space. (to be completed Summer 2008)
- Phase II: Rebuild and/or renovate the 30+ year old vacated medical clinic space. (in planning)**
- Phase III: Rebuild and/or renovate the Health Center's 30+ year old emergency department facility. (in planning)

The Health Center's three-phase capital improvement program will serve the following overall purpose:

- Upgrade and expand family medicine
- Develop and modernize emergency medical services
- Build teaching and training facilities for Waianae economic development purposes

**In order to complete the capital improvements, the Health Center is requesting \$2,500,000 in state capital improvement project funding to complete the Phase II rebuilding and/or renovations of its existing 30+ year old primary care facilities to accommodate both comprehensive healthcare services and professional medical training requirements.**

In 2007 the Health Center requested a state appropriation of \$3.5 million to complete its current Phase II capital project, which represents about 53% of the total project cost. The legislature funded \$1 million of this request. The Health Center is seeking the \$2.5 million balance to be funded in 2008.

The \$2.5 million request is needed for construction. None of that amount is needed for plans or designs as described in the bill.

Without the balance of funding, the Health Center will not be able to achieve the long range outcome which is to improve medical care and increase economic development opportunities for the community.

Please support this important bill for our patients and the Leeward Coast community. Thank you.