

MAR 10 2017

## SENATE CONCURRENT RESOLUTION

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

1 WHEREAS, the Native Hawaiian Health Care Improvement Act  
2 (42 U.S.C. 122), originally enacted as the Native Hawaiian  
3 Health Care Act of 1988, states, in pertinent part, under title  
4 42 United States Code section 11701:

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, section 11702 of the United States Code states, in  
20 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  
31



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  
11

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 per cent between 2000 and 2010 with  
16      approximately fifty-five per cent of that population living in  
17      Hawaii, and by 2015, the Native Hawaiian population was 568,067  
18      nationwide; and  
19

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

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

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



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  
9

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  
13

14 WHEREAS, title 25 United States Code section 1680o of the  
15 Indian Health Care Improvement Act provides for permanent  
16 funding of the Act beginning in fiscal year 2010 and each fiscal  
17 year thereafter, to remain available until expended; and  
18

19 WHEREAS, Native Hawaiians should have the same assurance  
20 given to other indigenous people in the United States regarding  
21 federal funding for health programs and services; now,  
22 therefore,  
23

24 BE IT RESOLVED by the Senate of the Twenty-ninth  
25 Legislature of the State of Hawaii, Regular Session of 2017, the  
26 House of Representatives concurring, that the United States  
27 Congress is requested to amend the Native Hawaiian Health Care  
28 Improvement Act to ensure that the Act receives permanent  
29 funding; and  
30

31 BE IT FURTHER RESOLVED that certified copies of this  
32 Concurrent Resolution be transmitted to the President Pro  
33 Tempore of the United States Senate, Speaker of the House of  
34 Representatives of the United States Congress, Majority Leader  
35 of the United States Senate, Majority Leader of the United  
36 States House of Representatives, Hawaii's congressional  
37 delegation, United States Secretary of Health and Human  
38 Services, Governor of the State of Hawaii, Chairperson of the  
39 Board of Trustees of the Office of Hawaiian Affairs, President  
40 of the University of Hawaii System, Director of Health, Mayor of  
41 each county in the State of Hawaii, President of the Board of  
42 Directors of Papa Ola Lokahi, and Executive Director of Papa Ola



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1 Lokahi, who in turn is requested to transmit this measure to the  
2 Chair of the Board of each Native Hawaiian health care system,  
3 as defined in the Native Hawaiian Health Care Improvement Act.  
4  
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OFFERED BY: 

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