

JAN 24 2018

A BILL FOR AN ACT

RELATING TO THE POLICY ADVISORY BOARD FOR ELDER AFFAIRS.

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

1 SECTION 1. The legislature finds that the policy advisory
2 board for elder affairs includes nine ex officio members who are
3 appointed to the board by virtue of the office they hold as
4 heads of certain state agencies, and it is their office that
5 entitles them to be appointed, unlike other selected members of
6 the board who have eligibility requirements based on their
7 interests and knowledge. The ex officio members are voting
8 members and that has sometimes created difficulties because the
9 ex officio members or their designated surrogates may not be as
10 familiar with problems and solutions related to aging as the
11 other members. Often the ex officio members or their designated
12 surrogates have workloads within their assigned departments that
13 prevent them from devoting the time or energy to learning
14 current issues related to aging or that prevent them from
15 attending all twelve meetings of the board each year.
16 Additionally, ex officio members or their designated surrogates
17 are often younger than the age of sixty, which is problematic

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1 because a majority of the board is required to be over sixty
2 years old.

3 The purpose of this Act is to amend section 349-4, Hawaii
4 Revised Statutes, to change the composition of the board by
5 decreasing the number of members, specifying that ex officio
6 members are non-voting members, and revising the list of State
7 agencies that provide representatives to serve as ex officio
8 members.

9 SECTION 2. Section 349-4, Hawaii Revised Statutes, is
10 amended by amending subsection (a) to read as follows:

11 "(a) There shall be a policy advisory board for elder
12 affairs, appointed by the governor under section 26-34. The
13 board shall advise the director in, but not limited to, the
14 following areas:

- 15 (1) The identification of issues and alternative
16 approaches to solutions;
- 17 (2) The development of position statements and papers;
- 18 (3) Advocacy and legislative actions; and
- 19 (4) Program development and operations.

20 The board shall consist of not less than [~~twenty-one~~] fifteen
21 nor more than [~~twenty-nine~~] twenty-one members, a majority of
22 whom are over sixty years of age and who shall be selected on

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1 the basis of their interests and knowledge in and their ability
2 to make contributions to the solution of problems relating to
3 aging, and shall include at least one member from the county of
4 Hawaii, one member from the county of Maui, one member from the
5 county of Kauai, and one member from the city and county of
6 Honolulu. There ~~[shall]~~ may be ~~[nine]~~ up to ten members who
7 shall serve as non-voting ex officio members and shall ~~[be~~
8 ~~chosen from among]~~ consist of the heads of the following state
9 agencies which provide services or programs affecting elders:
10 health, human services, education, labor and industrial
11 relations, commerce and consumer affairs, University of Hawaii,
12 transportation, the state retirement system, ~~[the office of~~
13 ~~consumer protection,]~~ and, by invitation, the Hawaii
14 ~~[representative]~~ representatives of the ~~[+]United States~~
15 Department of Health and Human Services ~~[+]~~, and the Social
16 Security Administration. Ex officio members may delegate their
17 board responsibilities to another member of their agency. Of
18 the non ex officio members, one-third of the members shall be
19 appointed for the term of four years, one-third for the term of
20 three years, and one-third for the term of two years; and
21 thereafter the terms of office of each member shall be four
22 years. The members shall serve without compensation, but shall

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1 be paid their necessary expenses in attending meetings and
2 carrying out the responsibilities of the board. The chairperson
3 shall be elected annually from the nongovernmental members of
4 the board. There shall be not less than twelve meetings of the
5 board each year."

6 SECTION 3. Statutory material to be repealed is bracketed
7 and stricken. New statutory material is underscored.

8 SECTION 4. This Act shall take effect upon its approval.

9 INTRODUCED BY: 

10 BY REQUEST

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Report Title: Policy Advisory Board for Elder Affairs; Quorum

Description: Decreases the number of members appointed to the Policy Advisory Board of Elder Affairs. Specifies that ex officio members are non-voting members. Revises the list of State agencies that provide representatives to serve as ex officio members.

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

JUSTIFICATION SHEET

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DEPARTMENT: Health

TITLE: A BILL FOR AN ACT RELATING TO THE POLICY ADVISORY BOARD FOR ELDER AFFAIRS.

PURPOSE: The purpose of this Act is to change the composition of the Policy Advisory Board for Elder Affairs by decreasing the number of members, specifying that ex officio members are non-voting members, and revising the list of agencies that provide representatives to serve as ex officio members.

MEANS: Amend section 349-4(a), Hawaii Revised Statutes.

JUSTIFICATION: Decreasing the overall number of voting Board members will reduce the number of Board members required to be present to meet quorum requirements. Removing voting obligations of ex officio members was sought by existing agency representatives who voiced concerns that included: (1) lack of information on the wide array of aging issues and (2) time and resource obligations of primary work demands. The change was also motivated by existing statute requirements that the Board have a majority over the age of sixty years of age. Generally, ex officio members do not meet that criteria. Adjustments are necessary in the list of agencies that provide ex officio members to reflect a departmental name change relating to the Department of Commerce and Consumer Affairs at the State level and an organizational change impacting the Social Security Administration at the federal level.

The changes will reduce barriers currently faced by the Board (quorum, ex officio voting obligations, majority representation

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by those over the age of sixty) while maintaining engagement, collaboration, and alignment between the Policy Advisory Board for Elder Affairs and other government and community agencies.

The change in composition will maintain effective group decision making while increasing the diverse membership composition to allow for a variety of viewpoints and dialogue on critical issues that affect Hawaii's growing vulnerable and older adult population.

Impact on the public: Although decreasing the overall number of Board members, this measure gives the decision making control to Governor-appointed community members rather than State and federal government agency representatives.

Impact on the department and other agencies: This measure removes voting obligations of ex officio members while maintaining an effective forum for information sharing and alignment of efforts across multiple State and federal agencies and community members in the Policy Advisory Board for Elder Affairs.

GENERAL FUND: None.

OTHER FUNDS: None.

PPBS PROGRAM
DESIGNATION: HTH 904.

OTHER AFFECTED
AGENCIES: None.

EFFECTIVE DATE: Upon approval.