
HOUSE RESOLUTION

REQUESTING THE DEPARTMENT OF HEALTH TO EXPLORE WAYS IT CAN
EXERCISE OVERSIGHT OVER COMMUNITY HEALTH CENTERS WHEN A
DANGER TO THE COMMUNITY'S HEALTH EXISTS.

1 WHEREAS, Article IX, Section 9 of the Hawaii State
2 Constitution requires the State to "provide for the protection
3 and promotion of the public health"; and
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5 WHEREAS, community health centers, also known as federally
6 qualified health centers, are the cornerstone of Hawaii's health
7 care system and provide essential services to the State's most
8 vulnerable populations; and
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10 WHEREAS, because community health centers often serve
11 federally recognized areas where residents face barriers to
12 getting health care, the State must ensure that these centers
13 provide proficient medical services to its residents; and
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15 WHEREAS, recent events have demonstrated the importance of
16 ensuring that community health centers and other medical service
17 entities are properly staffed and skillfully managed; and
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19 WHEREAS, in 2019, the only community health center on the
20 island of Molokai closed for four days in August due to staff
21 shortages; specifically, the center did not have a physician on
22 staff, in violation of federal requirements; and
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24 WHEREAS, the closure of the clinic put the health and
25 safety of Molokai residents, who were unable to see a doctor or
26 obtain crucial medication, at risk; and
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28 WHEREAS, although state officials attempted to investigate
29 the center following the closures, the health center refused to
30 cooperate with the investigation; and



1 WHEREAS, other types of medical service entities have also
2 experienced disturbing incidents, including a high-profile event
3 involving the death of a child at a Kailua dental practice; and
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5 WHEREAS, given these past events and the Hawaii State
6 Constitution's mandate that the State provide for the protection
7 and promotion of the public health, it is incumbent upon the
8 State to study ways to ensure that community health centers and
9 other medical service entities are providing proficient services
10 to the communities they serve; now, therefore,
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12 BE IT RESOLVED by the House of Representatives of the
13 Thirtieth Legislature of the State of Hawaii, Regular Session of
14 2020, that the Department of Health is requested to conduct a
15 study that explores options for it to provide better oversight
16 over community health centers, dental clinics, and other medical
17 service entities; and
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19 BE IT FURTHER RESOLVED that the study is requested to
20 include:
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- 22 (1) A recommendation regarding additional authority that
23 the Department of Health requires to adequately
24 oversee community health centers, dental clinics, and
25 other medical service entities;
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- 27 (2) An overview of other jurisdictions that oversee these
28 types of medical service entities, and how those
29 jurisdictions provide oversight;
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- 31 (3) A recommendation regarding whether the Governor,
32 Department of Health, or another entity should have
33 the authority to order the closure of a medical
34 service entity, or take control of a medical service
35 entity, if there is a threat to the health and safety
36 of the community or if a determination is made that
37 the medical service entity is not providing proper
38 medical services; and
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- 40 (4) Recommendations for additional staffing and support
41 for the Department of Health to adequately provide
42 oversight to medical service entities; and



1 BE IT FURTHER RESOLVED that the Department of Health is
 2 requested to submit a report to the Legislature of its findings
 3 and recommendations, including any proposed legislation, no
 4 later than twenty days prior to the convening of the Regular
 5 Session of 2021; and

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 7 BE IT FURTHER RESOLVED that certified copies of this
 8 Resolution be transmitted to the Governor and Director of
 9 Health.

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OFFERED BY: Lynn DeCristo

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