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## A BILL FOR AN ACT

RELATING TO THE DEPARTMENT OF HUMAN SERVICES.

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

1           SECTION 1. Effective July 1, 2021, the department of human  
2 services shall reorganize its programs and structure as follows:

3           (1) The following units shall be consolidated into a  
4           single office, whose head shall report to the director  
5           of human services:

6                   (A) Budget, planning, and management office;

7                   (B) Fiscal management office; and

8                   (C) Audit, quality control, and research office;

9           (2) The following units shall be consolidated into a  
10           single division, whose head shall report to the  
11           director of human services:

12                   (A) Benefit, employment, and support services  
13                   division; and

14                   (B) Division of vocational rehabilitation;

15           provided that the office of investigations of the

16           benefit, employment, and support services division

17           shall be transferred as provided in paragraph (5) (B);



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1           (3) The med-QUEST division shall reorganize its structure  
2           as follows:

3           (A) Pursuant to Act 55, Session Laws of Hawaii, the  
4           department of human services shall create the  
5           structure and function of the health analytics  
6           program pursuant to part XX of chapter 346,  
7           Hawaii Revised Statutes;

8           (B) The administrator of the health analytics program  
9           shall report to administrator of the med-QUEST  
10          program; and

11          (C) The policy and program development office within  
12          the med-QUEST program shall be abolished and its  
13          staff and functions shall be transferred to the  
14          health analytics program;

15          (4) The foster and adoptive care program, currently within  
16          the child welfare services branch of the social  
17          services division, shall be moved into a new unit  
18          whose head shall report to the director of human  
19          services; and

20          (5) The following units shall be transferred from their  
21          current administrative locations into a newly



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1 established division, whose head shall report to the  
2 director of human services:

3 (A) From the social services division:

4 (i) Adult foster care program;

5 (ii) Senior companion program;

6 (iii) Respite companion program;

7 (iv) Foster grandparent program;

8 (v) Transportation assistance for resident  
9 aliens and naturalized citizens; and

10 (vi) Courtesy services; and

11 (B) The office of investigations, which is currently  
12 within the benefit, employment, and support  
13 services division, the office of investigations.

14 SECTION 2. The department of human services shall submit a  
15 report to the legislature no later than twenty days prior to the  
16 convening of the regular session of 2022 that contains:

17 (1) An update on the department's progress in effectuating  
18 the reorganization required by this Act;

19 (2) An organizational chart that describes the department  
20 of human services' new organizational structure; and



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1           (3) Proposed legislation that includes any statutory  
2           changes that are required to complete the  
3           reorganization required by this Act.

4           SECTION 3. On July 1, 2021, all rights, powers, functions,  
5 and duties of the units transferred pursuant to this Act shall  
6 be transferred as described in section 1 of this Act.

7           All officers and employees whose functions are transferred  
8 by this Act shall be transferred with their functions and shall  
9 continue to perform their regular duties upon their transfer,  
10 subject to the state personnel laws and this Act.

11          No officer or employee of the State having tenure shall  
12 suffer any loss of salary, seniority, prior service credit,  
13 vacation, sick leave, or other employee benefit or privilege as  
14 a consequence of this Act, and such officer or employee may be  
15 transferred or appointed to a civil service position without the  
16 necessity of examination; provided that the officer or employee  
17 possesses the minimum qualifications for the position to which  
18 transferred or appointed; and provided that subsequent changes  
19 in status may be made pursuant to applicable civil service and  
20 compensation laws.



1           An officer or employee of the State who does not have  
2 tenure and who may be transferred or appointed to a civil  
3 service position as a consequence of this Act shall become a  
4 civil service employee without the loss of salary, seniority,  
5 prior service credit, vacation, sick leave, or other employee  
6 benefits or privileges and without the necessity of examination;  
7 provided that such officer or employee possesses the minimum  
8 qualifications for the position to which transferred or  
9 appointed.

10           If an office or position held by an officer or employee  
11 having tenure is abolished, the officer or employee shall not  
12 thereby be separated from public employment, but shall remain in  
13 the employment of the State with the same pay and classification  
14 and shall be transferred to some other office or position for  
15 which the officer or employee is eligible under the personnel  
16 laws of the State as determined by the head of the department or  
17 the governor.

18           SECTION 4. All appropriations, records, equipment,  
19 machines, files, supplies, contracts, books, papers, documents,  
20 maps, and other personal property heretofore made, used,  
21 acquired, or held by a program or unit being transferred



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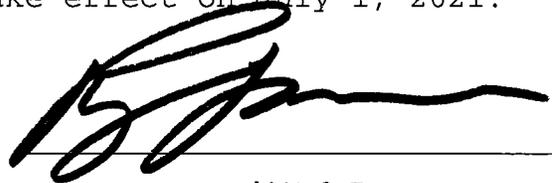
1 pursuant to this Act shall be transferred with the functions to  
2 which they relate.

3 SECTION 5. All rules, policies, procedures, guidelines,  
4 and other material adopted or developed by a program or unit  
5 transferred pursuant to this Act to implement provisions of the  
6 Hawaii Revised Statutes that are reenacted or made applicable to  
7 a different program or unit by this Act shall remain in full  
8 force and effect until amended or repealed by the department of  
9 human services, pursuant to chapter 91, Hawaii Revised Statutes.

10 SECTION 6. If any provision of this Act, or the  
11 application thereof to any person or circumstance, is held  
12 invalid, the invalidity does not affect other provisions or  
13 applications of the Act that can be given effect without the  
14 invalid provision or application, and to this end the provisions  
15 of this Act are severable.

16 SECTION 7. This Act shall take effect on July 1, 2021.  
17

INTRODUCED BY: \_\_\_\_\_



JAN 27 2021



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**Report Title:**

DHS; Reorganization

**Description:**

Reorganizes the administrative structure of the department of human services. Requires the department of human services to submit report to legislature prior to the regular session of 2022 proposing any additional legislation required to complete the reorganization.

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

