
HOUSE RESOLUTION

REQUESTING THE DEPARTMENT OF HEALTH TO EXPLORE WAYS IT CAN EXERCISE OVERSIGHT OVER COMMUNITY HEALTH CENTERS AND OTHER MEDICAL SERVICE ENTITIES 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, the current coronavirus disease 2019 pandemic has
20 shown how vulnerable our communities are to a worldwide public
21 health catastrophe; and
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23 WHEREAS, community health centers provide critical health
24 care services and must have the necessary resources to handle
25 such public health emergencies; and
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27 WHEREAS, in 2019, the only community health center on the
28 island of Molokai closed for four days in August due to staff
29 shortages; specifically, the center did not have a physician on
30 staff, in violation of federal requirements; and
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1 WHEREAS, the closure of the clinic put at risk the health
2 and safety of Molokai residents who were unable to see a doctor
3 or obtain crucial medication; and
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5 WHEREAS, although state officials attempted to investigate
6 the center following the closure, the health center refused to
7 cooperate with the investigation; and
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9 WHEREAS, other types of medical service entities have also
10 experienced disturbing incidents, including a high-profile event
11 involving the death of a child at a Kailua dental practice; and
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13 WHEREAS, given these past events and the Hawaii State
14 Constitution's mandate that the State provide for the protection
15 and promotion of the public health, it is incumbent upon the
16 State to study ways to ensure that community health centers and
17 other medical service entities are providing proficient services
18 to the communities they serve; now, therefore,
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20 BE IT RESOLVED by the House of Representatives of the
21 Thirty-first Legislature of the State of Hawaii, Regular Session
22 of 2021, that the Department of Health is requested to conduct a
23 study that explores options for it to provide better oversight
24 over community health centers, dental clinics, and other medical
25 service entities; and
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27 BE IT FURTHER RESOLVED that the study is requested to
28 include:
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- 30 (1) A recommendation regarding additional authority that
31 will enable the Department of Health to adequately
32 oversee community health centers, dental clinics, and
33 other medical service entities;
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- 35 (2) An overview of other jurisdictions that oversee these
36 types of medical service entities, and how those
37 jurisdictions provide oversight;
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- 39 (3) A recommendation regarding whether the Governor,
40 Department of Health, or another entity should have
41 the authority to order the closure of a medical
42 service entity, or take control of a medical service



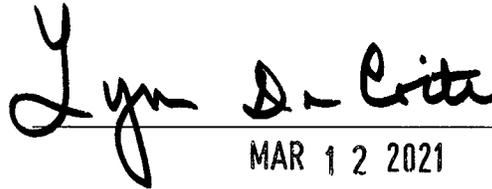
1 entity, if there is a threat to the health and safety
2 of the community or if a determination is made that
3 the medical service entity is not providing proper
4 medical services; and

- 5
6 (4) Recommendations for additional staffing and support
7 for the Department of Health to adequately oversee
8 medical service entities; and
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10 BE IT FURTHER RESOLVED that the Department of Health is
11 requested to submit a report to the Legislature of its findings
12 and recommendations, including any proposed legislation, no
13 later than twenty days prior to the convening of the Regular
14 Session of 2022; and
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16 BE IT FURTHER RESOLVED that certified copies of this
17 Resolution be transmitted to the Governor and Director of
18 Health.
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OFFERED BY:


MAR 12 2021

