

MAR 12 2021

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## SENATE 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  
31



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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,  
19

20 BE IT RESOLVED by the Senate of the Thirty-first  
21 Legislature of the State of Hawaii, Regular Session of 2021,  
22 that the Department of Health is requested to conduct a study  
23 that explores options for it to provide better oversight over  
24 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



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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  
15

16           BE IT FURTHER RESOLVED that certified copies of this  
17           Resolution be transmitted to the Governor and Director of  
18           Health.  
19  
20  
21

OFFERED BY:



A handwritten signature in black ink, appearing to read "J. Kalam", is written over a horizontal line. The signature is stylized and cursive.

