

**STATE OF HAWAII
DEPARTMENT OF HEALTH**

P. O. Box 3378
Honolulu, HI 96801-3378
doh.testimony@doh.hawaii.gov

**Testimony in SUPPORT of HB1281 HD1
RELATING TO EMERGENCY MEDICAL SERVICES.**

SENATOR DONOVAN DELA CRUZ, CHAIR
SENATE COMMITTEE ON WAYS AND MEANS

SENATOR KARL RHOADS, CHAIR
SENATE COMMITTEE ON JUDICIARY

Hearing Date: April 6, 2021

Room Number: N/A

1 **Department Testimony:** The Department of Health (DOH) supports this measure and
2 recommends minor amendments.

3 The intent of HB1281SD1 is to enable the long-term sustainability of emergency medical
4 services system (EMS) statewide. This measure assures the continuity of EMS access, quality,
5 and parity throughout the state for our residents and visitors. To accomplish this goal, the
6 department proposes a managed transfer from state funding and oversight over Oahu EMS
7 services to the City and County of Honolulu over a multi-year time frame. Neighbor Island EMS
8 systems are out of scope and the department recommends continuing the policy of full state
9 support continue for islands other than Oahu.

10 A resilient emergency medical services system for Oahu is critical to ensuring ongoing access to
11 ambulance and paramedic services, especially since Oahu has the largest population in the state.
12 Transitioning Oahu's EMS system to the City and County is a significant shift that must be done
13 carefully to assure a smooth transition.

14 DOH and City Administration have been meeting since early 2021 and have strong agreement in
15 principle regarding the benefits to Oahu residents and visitors of a county-based EMS system,
16 while the Department of Health continues to provide support and funding for the EMS systems

1 on the neighbor islands. The department recognizes this agreement would be a major transition
2 that is beneficial in the long run.

3 Stakeholders recognize that more direct control over City & County of Honolulu EMS produces
4 increased flexibility and the autonomy to make timely decisions on system improvements and
5 enhanced operations. A further benefit of this transfer is cost-savings, both to the state and
6 county: general funds expenditure will be reduced and eventually eliminated, and the county will
7 be able to generate new revenue through innovative programs like treat-not-transport,
8 community paramedicine, and transport to alternative destinations.

9 Critical elements of this plan include a four year transition time frame, full state funding in Year
10 1, and decreasing support over subsequent years. This allows the transition to begin on July 1,
11 giving the City the latitude to start with training and operationalizing billing for emergency
12 services, and build out other critical infrastructure.

13 Operation of the current EMS system requires an annual budget of \$100 million from the state's
14 general fund. This amount is expected to increase annually. Half of this budget is allocated for
15 the Oahu EMS system, and the other half supports the EMS systems in the other three counties.
16 Transitioning Oahu's EMS system to the City and County of Honolulu is a supportable and more
17 equitable use of the state's general fund.

18 The department urges the Legislature to move this measure forward as the State and City and
19 County of Honolulu continue to discuss how to achieve the intent of this measure.

20 Thank you for the opportunity to testify.

21

22 **Offered Amendments:**

23 For the convenience of the Senate, DOH has provided a SD2 PROPOSED as an attachment, but
24 individual amendment proposals are listed below.

25 Pge 21, Lines 1 – 3

1 (1) For the first year of the transition the city and
2 county of Honolulu shall [~~receive~~] be reimbursed for
3 fiscal year 2021 - 2022 EMS operational expenses, up
4 to \$46,171,411 in general funds, and \$3,500,000 from
5 the emergency medical services special fund for the
6 operation of an emergency medical service system in
7 the city and county of Honolulu.

8 Page 21, Lines 13 - 23

9 (2) For the second year of the transition, the city and county
10 of Honolulu shall retain all the amounts it receives from
11 billing for its services [~~of \$28,362,414~~], receive
12 \$8,904,499 [~~fifty per cent of the amounts previously~~
13 ~~allocated~~] from the general fund, [~~that do not include the~~
14 ~~amounts obtained through billing of \$8,904,499~~] and receive
15 \$3,500,000 from the emergency medical services special fund
16 for the operation of an emergency medical services system
17 in the city and county of Honolulu. Any additional costs
18 shall be borne by the city and county of Honolulu;

19 Page 22, Lines 2 - 11

20 (3) For the third year of the transition, the city and county
21 of Honolulu shall retain all the amounts it receives from
22 billing for its services [~~of \$28,362,414~~], receive
23 \$4,452,249 [~~twenty-five per cent of the amounts previously~~
24 ~~allocated~~] from the general fund [~~that do not include the~~
25 ~~amounts obtained through billing of \$4,452,249~~], and
26 \$3,500,000 from the emergency medical services special fund
27 for the operation of an emergency medical services system
28 in the city and county of Honolulu. Any additional costs
29 shall be borne by the city and county of Honolulu; and

1 Page 22, Line 14

2 (4) For the fourth year of the transition and every year
3 thereafter, the city and county of Honolulu shall continue
4 to retain all the amounts it receives from billing for its
5 services and \$3,500,000 from the emergency medical services
6 speial fund as the State's share pursuant to section 5 of
7 article VIII of the Constitution of the State of Hawaii,
8 and receive no additional funds from the State's general
9 fund for the operation of an emergency medical services
10 system in the city and county of Honolulu. Any additional
11 costs shall be borne by the city and county of Honolulu.
12

1 intravenous lines, and perform manual external defibrillation
2 under the direction and personal supervision of a mobile
3 intensive care technician.

4 "Community paramedicine program" means an enhanced and
5 expanded service in the county emergency medical services system
6 that allows state-licensed health care professionals, and
7 community health workers, to assist with public health, primary
8 care, and prevention services, including services through
9 telehealth.

10 "County" means any county having a population of five
11 hundred thousand or more.

12 "County system" means the county emergency medical services
13 system.

14 "Emergency aeromedical services" shall have the same
15 meaning as defined in section 321-222.

16 "Emergency medical services for children" shall have the
17 same meaning as defined in section 321-222.

18 "Emergency medical services personnel" shall have the same
19 meaning as defined in section 321-222.

20 **§46- County emergency medical services system;**
21 **establishment.** Each county shall establish, administer, and
22 maintain a county emergency medical services system to serve the
23 emergency health needs of the people in the county. The county,
24 in the implementation of this part, shall plan, coordinate, and

1 provide assistance to all entities and agencies, public and
2 private, involved in the county system. All emergency medical
3 services or ambulance services conducted by or under the
4 authority of the county shall be consistent with this part.

5 **§46- County, functions; duties.** In addition to other
6 functions and duties assigned under this part, the county shall:

7 (1) Establish emergency medical services throughout the
8 county that may include emergency aeromedical
9 services, which shall meet the requirements of this
10 part and include the purchase, maintenance, and
11 servicing of all vehicles, equipment, and supplies, a
12 National Emergency Medical Services Information System
13 compliant pre-hospital electronic patient care record
14 system, and compatible data uploads to the cardiac
15 arrest registry to enhance survival, the state trauma
16 system, and the department of health pre-hospital
17 electronic patient record registries; and

18 (2) Establish, administer, and maintain a medical
19 communication system for the county.

20 **§46- Emergency medical services; fees.** (a) The county
21 may establish reasonable fees to be collected from individuals
22 who are:

1 (1) Transported by emergency ground ambulance services to
2 a health care facility within the county designated by
3 the county for the care of the individual;

4 (2) Provided health care by emergency medical services
5 personnel within the county but not transported by
6 ground ambulance to a health care facility; or

7 (3) Provided care by the community paramedicine program.

8 (b) No ambulance services, or any other emergency medical
9 services available from or under the authority of this chapter
10 shall be denied to any person on the basis of the ability of the
11 person to pay or because of the lack of prepaid health care
12 coverage or proof of the ability to pay or coverage.

13 (c) The county may adopt rules pursuant to chapter 91
14 necessary to effectuate the purposes of this section.

15 **§46- Community paramedicine program; established.** (a)
16 The county may establish and administer the community
17 paramedicine program.

18 (b) The county may:

19 (1) Develop community paramedicine guidelines consistent
20 with those adopted by the department of health;

21 (2) Explore and develop partnerships with public and
22 private health care entities, insurers, and community
23 organizations to facilitate the community paramedicine
24 program; and

1 (3) Employ telehealth within the community paramedicine
2 program to enhance access and improve the patient
3 experience.

4 (c) The county shall adopt rules pursuant to chapter 91 to
5 effectuate the purposes of this section.

6 **§46- Emergency medical services; levels of service;**
7 **contracts.** The county shall determine the levels of emergency
8 medical services that shall be implemented throughout the
9 county; provided that the county shall provide no fewer than
10 twenty-one ground ambulance units. The county may contract to
11 provide emergency medical services, including emergency
12 aeromedical services, or any necessary component of the county
13 emergency services system.

14 **§46- Grants.** The county system may seek and accept any
15 funds or property and other desirable support and assistance
16 from any source whatsoever, whether gift, grant, services, or
17 any combination thereof, subject to applicable laws.

18 **§46- Immunity and limitation on liability for emergency**
19 **aeromedical services.** The county shall not be liable for any
20 claim of injury or death based on a failure to establish or
21 continue emergency aeromedical services in any part of the
22 county.

23 **§46- Rules.** The county may adopt rules necessary for
24 the implementation of this part, subject to chapter 91."

1 SECTION 2. Chapter 321, Hawaii Revised Statutes, is
2 amended by adding a new section to part XVIII to be
3 appropriately designated and to read as follows:

4 **"§321- Retention of relevant documentation.**

5 Notwithstanding any provision of this part or any other state or
6 county law or ordinance to the contrary, the department shall
7 maintain data repositories, charts, patient information, data
8 submission, and epidemiology information for all emergency
9 medical services statewide."

10 SECTION 3. Chapter 321, part XVIII, Hawaii Revised
11 Statutes, is amended by amending its title to read as follows:

12 **"PART XVIII. STATE [~~COMPREHENSIVE~~] EMERGENCY MEDICAL SERVICES**
13 **SYSTEM."**

14 SECTION 4. Section 321-221, Hawaii Revised Statutes, is
15 amended to read as follows:

16 **"§321-221 Findings and purpose.** The legislature finds
17 that the establishment of a state [~~comprehensive~~] emergency
18 medical services system [~~to include but not be limited to~~],
19 including emergency medical services for children, is a matter
20 of compelling state interest and necessary to protect and
21 preserve [~~the~~] public health [~~of the people of the State~~]. A
22 system designed to reduce medical emergency deaths, injuries,
23 and permanent long-term disability through the implementation of
24 a fully integrated, cohesive network of components, the

1 legislature further finds, will best serve ~~[the]~~ public health
2 needs ~~[of the people]~~. Accordingly, the purpose of this part is
3 to establish and maintain a state ~~[comprehensive]~~ emergency
4 medical services system ~~[throughout the]~~ in communities that can
5 be most effectively served by the State, and to fix the
6 responsibility for the administration of this state system,
7 which shall provide for the arrangement of personnel,
8 facilities, and equipment for the effective and coordinated
9 delivery of health care services under emergency conditions,
10 whether occurring as the result of a patient's condition ~~[or~~
11 ~~of]~~, from natural disasters, or from other causes. The system
12 shall provide for personnel, personnel training, communications,
13 emergency transportation, facilities, coordination with
14 emergency medical and critical care services, coordination and
15 use of available public safety agencies, promotion of consumer
16 participation, accessibility to care, mandatory standard medical
17 recordkeeping, consumer information and education, independent
18 review and evaluation, disaster linkage, mutual aid agreements,
19 and other components necessary to meet the purposes of this
20 part."

21 SECTION 5. Section 321-222, Hawaii Revised Statutes, is
22 amended as follows:

23 1. By adding two new definitions to be appropriately
24 inserted and to read:

1 "Service area" means the State, excluding any county
2 having a population of five hundred thousand or more.

3 "Statewide" means all counties in the State."

4 2. By amending the definition of "emergency medical
5 services for children" to read:

6 ""Emergency medical services for children" means
7 [~~comprehensive~~] emergency medical services, including
8 preventive, pre-hospital, hospital, rehabilitative, and other
9 post-hospital care for children.""

10 3. By amending the definition of "state system" to read:

11 ""State system" means the state [~~comprehensive~~] pre-
12 hospital medical services system."

13 SECTION 6. Section 321-223, Hawaii Revised Statutes, is
14 amended to read as follows:

15 "~~[+]~~**\$321-223**~~[+]~~ **State [~~comprehensive~~] emergency medical**
16 **services system, establishment.** The department [~~of health~~]
17 shall establish, administer, and maintain the state
18 [~~comprehensive~~] emergency medical services system to serve the
19 emergency health needs of the people [~~of~~] in the [~~State.~~]
20 service area. [~~The department, in the implementation of this~~
21 ~~part shall plan, coordinate, and provide assistance to all~~
22 ~~entities and agencies, public and private, involved in the state~~
23 ~~system.] All emergency medical services or ambulance services~~
24 [~~conducted~~] contracted by or under the authority of the

1 department [~~of health~~] or any county within the service area
2 shall be consistent with this part."

3 SECTION 7. Section 321-224, Hawaii Revised Statutes, is
4 amended by amending subsection (a) to read as follows:

5 "(a) In addition to other functions and duties assigned
6 under this part, the department shall:

7 (1) Regulate ambulances and ambulance services[+] statewide;

8
9 (2) Establish emergency medical services throughout the
10 [~~State,~~] service area, including emergency aeromedical
11 services, which shall meet the requirements of this
12 part, subject to section 321-228;

13 (3) Review and approve the curricula and syllabi of
14 training courses offered to emergency medical services
15 personnel statewide who provide basic, intermediate,
16 and advanced life support, consult and coordinate with
17 the University of Hawaii, or any other accredited
18 community college, college, or university, or any
19 professional organization that provides emergency
20 medical services training, regarding the training for
21 basic, intermediate, and advanced life support
22 personnel, as provided in section 321-229;

- 1 (4) Collect and evaluate data for the continued evaluation
2 of the [~~state~~] statewide emergency medical services
3 system, subject to section 321-230;
- 4 (5) Coordinate, on a statewide basis, emergency medical
5 resources and the allocation of [~~the state system's~~]
6 emergency services and facilities in the event of mass
7 casualties, natural disasters, national emergencies,
8 and other emergencies, ensuring linkage to local,
9 state, and national disaster plans, and participation
10 in exercises to test these plans;
- 11 (6) Establish, administer, and maintain a communication
12 system for the [~~state system,~~] service area;
- 13 (7) Assist each county in the service area in the
14 development of a "911" emergency telephone system;
- 15 (8) Secure technical assistance and other assistance and
16 consultation necessary for the implementation of this
17 part, subject to section 321-230;
- 18 (9) Implement public information and education programs to
19 inform the public of the [~~state~~] statewide system and
20 its use, and disseminate other emergency medical
21 information, including appropriate methods of medical
22 self-help and first-aid, and the availability of
23 first-aid training programs [~~in the State,~~] statewide;

- 1 (10) Establish standards and provide training for
2 dispatchers in the state system, and maintain a
3 program of quality assurance for dispatch equipment
4 and operations[?]. Dispatchers statewide shall obtain
5 and maintain emergency medical dispatch certification
6 by July 1, 2026;
- 7 (11) Establish a program that will enable emergency service
8 personnel statewide to provide early defibrillation;
- 9 (12) Establish within the department the emergency medical
10 service system for children[?] statewide;
- 11 (13) Consult with the advisory committee on matters
12 relating to the implementation of this part; and
- 13 (14) Establish and maintain statewide standards for
14 emergency medical services course instructor
15 qualifications and statewide requirements for
16 emergency medical services training facilities."

17 SECTION 8. Section 321-224.2, Hawaii Revised Statutes, is
18 amended by amending subsection (a) to read as follows:

19 "(a) The department shall establish reasonable fees to be
20 collected from individuals who are:

- 21 (1) Transported by emergency ground ambulance services to
22 a health care facility within the service area
23 designated by the department for the care of the
24 individual; or

1 (2) Provided health care by emergency medical services
2 personnel within the service area but not transported
3 by ground ambulance to a health care facility."

4 SECTION 9. Section 321-224.4, Hawaii Revised Statutes, is
5 amended as follows:

6 1. By amending subsection (a) to read:

7 "(a) The department [~~of health~~] shall establish and
8 administer the community paramedicine program[~~-~~] within the
9 service area."

10 2. By amending subsection (c) to read:

11 "(c) For purposes of this part, "community paramedicine
12 program" means an enhanced and expanded service in the state
13 [~~comprehensive~~] emergency medical services system that allows
14 state-licensed health care professionals, and community health
15 workers, to assist with public health, primary care, and
16 prevention services, including services through telehealth."

17 SECTION 10. Section 321-226, Hawaii Revised Statutes, is
18 amended to read as follows:

19 "**§321-226 Emergency medical services and systems,**
20 **standards.** The department [~~of health~~] shall establish statewide
21 standards for emergency medical services and for emergency
22 medical service systems consistent with [~~the state system~~] this
23 part and applicable federal guidelines for [~~such~~] those
24 services, including a requirement that ambulance service

1 providers licensed by the State establish and maintain an
2 alcohol and substance abuse policy for employees that the
3 department [~~of health~~] deems is equivalent to, or exceeds the
4 provisions of, the safety and health standards established by
5 the federal Department of Transportation for holders of
6 commercial driver's licenses. In the event the standards are
7 determined or regulated by any other law, or by applicable
8 federal guidelines, standards required to be set by this section
9 shall be at least equivalent to or exceed the other state and
10 federal standards."

11 SECTION 11. Section 321-227, Hawaii Revised Statutes, is
12 amended to read as follows:

13 **"§321-227 Regulation of ambulances.** The department of
14 health shall adopt, amend, and repeal rules under chapter 91 for
15 the regulation of ambulances within the State, including but not
16 limited to the certification of vehicles, equipment, supplies,
17 and communications systems~~[-]~~; provided that any county
18 operating a county emergency medical services system pursuant to
19 part of chapter 46 shall be responsible for the purchase,
20 maintenance, and servicing of all vehicles, equipment, supplies,
21 and communication systems. The department may contract to
22 certify air and ground ambulance units statewide. The
23 department may charge a reasonable fee for annual certification
24 and safety inspections of air and ground ambulances. Any person

1 who provides emergency medical service as an employee of any
2 emergency ambulance service statewide shall be subject to
3 chapter 453."

4 SECTION 12. Section 321-228, Hawaii Revised Statutes, is
5 amended to read as follows:

6 **"§321-228 Emergency medical services; counties.** The
7 department shall determine, in consultation with the advisory
8 committee under section 321-225, the levels of emergency medical
9 services that shall be implemented in each county~~[.]~~ within the
10 service area. The department may contract to provide emergency
11 medical services, including emergency aeromedical services, or
12 any necessary component of ~~[a county]~~ the emergency services
13 system of a county within the service area in conformance with
14 the state system. ~~[In the event]~~ If any county within the
15 service area shall apply to the department to operate emergency
16 medical ambulance services within the respective county, the
17 department may contract with the county for the provision of
18 those services. The department shall operate emergency medical
19 ambulance services or contract with a private agency in those
20 counties ~~[which]~~ within the service area that do not apply to it
21 under this section. Any county or private agency contracting to
22 provide emergency medical ambulance services under this section
23 shall be required by the department to implement those services

1 in a manner and at a level consistent with the levels determined
2 under this section."

3 SECTION 13. Section 321-229, Hawaii Revised Statutes, is
4 amended by amending subsections (a) and (b) to read as follows:

5 "(a) The University of Hawaii shall provide training
6 courses in basic, intermediate, and advanced life support for
7 emergency medical services personnel~~[-]~~ statewide. The
8 curricula and syllabi of these courses shall be approved in
9 advance by the department [~~of health~~]. The curricula and
10 syllabi of courses for ambulance personnel shall be consistent
11 with the scope and level of the practice of emergency medical
12 services associated with emergency ambulance personnel
13 certification defined by the Hawaii medical board under part II
14 of chapter 453.

15 (b) The University of Hawaii, or other accredited
16 community college, college, or university, or any professional
17 organization that is approved by the department [~~of health~~] to
18 provide emergency medical services training, shall consult with
19 the department [~~of health~~] and any county operating a county
20 emergency medical services system pursuant to part _____ of
21 chapter 46 to determine the number and type of emergency medical
22 services courses necessary to support the staffing requirements
23 for emergency medical services. The basic life support and
24 advanced life support training programs shall be relevant to and

1 consistent with the training course required for certification
2 under chapter 453."

3 SECTION 14. Section 321-230, Hawaii Revised Statutes, is
4 amended by amending subsections (a) and (b) to read as follows:

5 "(a) The department may contract for technical assistance
6 and consultation, including [~~but not limited to~~] categorization,
7 data collection, and evaluation appropriate to the needs of the
8 [~~state~~] statewide emergency medical services system. The
9 collection and analysis of statewide emergency medical services
10 data, including pediatrics, trauma, cardiac, medical, and
11 behavioral medical emergencies, shall be for the purpose of
12 improving the quality of services provided.

13 The department may implement and maintain a trauma registry
14 for the collection of information concerning the treatment of
15 critical trauma patients at state designated trauma centers, and
16 carry out a system for the management of that information. The
17 system may provide for the recording of information concerning
18 treatment received before and after a trauma patient's admission
19 to a hospital or medical center. All state designated trauma
20 centers shall submit to the department [~~of health~~] periodic
21 reports of each patient treated for trauma in the state system
22 in [~~such~~] the manner as the department shall specify.

23 For the purposes of this subsection, "categorization" means
24 systematic identification of the readiness and capabilities of

1 hospitals and their staffs to adequately, expeditiously, and
2 efficiently receive and treat emergency patients.

3 (b) The department shall establish, administer, and
4 maintain an aeromedical emergency medical services system
5 designed to collect and analyze data to measure the efficiency
6 and effectiveness of each phase of ~~an~~ the statewide emergency
7 aeromedical program.

8 The department shall monitor aeromedical emergency
9 ambulance service flights statewide to include date of service,
10 patient demographics, transport diagnosis, and medical outcomes.
11 The department shall work with each health care facility as the
12 intermediary to arrange emergency transport of bariatric
13 patients by the U.S. Coast Guard, and maintain a registry of all
14 emergency transports provided by the U.S. Coast Guard. All
15 statewide aeromedical providers shall submit their data to the
16 department as specified and requested by the department.

17 The statewide aeromedical emergency medical services system
18 shall serve the emergency health needs of the people of the
19 State by identifying:

- 20 (1) The system's strengths and weaknesses;
- 21 (2) The allocation of resources; and
- 22 (3) The development of rotary-wing emergency aeromedical
23 services standards;

1 provided that emergency helicopter use, including triage
2 protocols, shall be based on national aeromedical triage and
3 transport guidelines established by the Association of Air
4 Medical Services, the American College of Surgeons [~~and~~], the
5 National Association of Emergency Medical Service Physicians[~~+~~],
6 or other department-approved national aeromedical accreditation
7 agency. The department, in the implementation of this
8 subsection, shall plan, coordinate, and provide assistance to
9 all entities and agencies, public and private, involved in the
10 statewide system."

11 SECTION 15. Section 321-232, Hawaii Revised Statutes, is
12 amended as follows:

13 1. By amending subsection (a) to read:

14 "(a) The department [~~of health~~] shall establish reasonable
15 fees for services rendered to the public within the service area
16 by the department [~~of health~~], any county[~~+~~] within the service
17 area, or private agency under this part; provided that all
18 [~~such~~] revenues [~~which shall be~~] collected by the department [~~of~~
19 ~~health~~] and the respective counties pursuant to this section
20 shall be deposited into the state general fund, except [~~such~~]
21 amounts necessary to provide for collection services for bad
22 debt accounts. Fees required to be set by this section shall be
23 established in accordance with chapter 91."

24 2. By amending subsection (c) to read:

1 "(c) In the event of nonpayment of any fees required to be
2 assessed by this section, the department [~~of health~~] shall
3 determine whether the recipient of [~~such~~] services is
4 financially able to pay [~~such~~] the fees and make every
5 reasonable effort to collect [~~such~~] the fees. In the event the
6 department finds the person is without sufficient resources to
7 pay for the services, no further action to collect the fees
8 shall be taken. If the services are paid by a county or any
9 other entity, and collection of [~~such~~] the fee is delegated by
10 contractual agreement to the county or other agency [~~which~~] that
11 provides the services, the county or other agency shall forward
12 records relating to unpaid fees for action by the department [~~of~~
13 ~~health~~] under this subsection. No county or other entity shall
14 make a final determination of the ability of a person to pay
15 under this subsection. Any determination of ability to pay for
16 purposes of this subsection shall be in accordance with rules
17 [~~which~~] that the department [~~of health~~] shall adopt, subject to
18 chapter 91, governing [~~such~~] the determinations."

19 SECTION 16. Section 321-234, Hawaii Revised Statutes, is
20 amended by amending subsection (b) to read as follows:

21 "(b) The moneys in the special fund shall be used by the
22 department for operating a state [~~comprehensive~~] emergency
23 medical services system including enhanced and expanded
24 services, and shall not be used to supplant funding for

1 emergency medical services authorized prior to [+]July 1,
2 2004[+]."

3 SECTION 17. Section 321-236, Hawaii Revised Statutes, is
4 amended to read as follows:

5 "[+]§321-236[+] **Emergency medical services; use of latex**
6 **gloves prohibited.** The use of latex gloves by personnel
7 providing ambulance services or emergency medical services
8 statewide pursuant to this part and part of chapter 46
9 shall be prohibited."

10 PART II

11 SECTION 18. (a) The transition of all rights, powers,
12 functions, and duties of the department of health under
13 part XVIII of chapter 321, Hawaii Revised Statutes, that are
14 exercised within the island of Oahu are hereby transferred to
15 the city and county of Honolulu and such transition shall
16 commence with the transfer of all billing for emergency services
17 on July 1, 2022. The transition of the rights, powers,
18 functions, and duties of the department of health pursuant to
19 part I, to the city and county of Honolulu shall be completed no
20 later than July 1, 2024.

21 (b) Funding for the transition and maintenance of the
22 rights, powers, functions, and duties of the department of
23 health pursuant to part I, to the city and county of Honolulu
24 shall be allocated as follows:

1 (1) For the first year of the transition, the city and
2 county of Honolulu shall be reimbursed for fiscal year
3 2021-2022 EMS operational expenses, up to \$46,171,411
4 in general funds, and \$3,500,000 from the emergency
5 medical services special fund for the operation of an
6 emergency medical service system in the city and
7 county of Honolulu. Any additional costs shall be
8 borne by the city and county of Honolulu. The
9 department shall continue to provide all emergency
10 service medical billing and collections for the city
11 and county of Honolulu with all moneys received
12 deposited in the State's general fund;

13 (2) For the second year of the transition, the city and
14 county of Honolulu shall retain all the amounts it
15 receives from billing for its services, receive
16 \$8,904.499 from the general fund, and receive
17 \$3,500,000 from the emergency medical services special
18 fund for the operation of an emergency medical
19 services system in the city and county of Honolulu.
20 Any additional costs shall be borne by the city and
21 county of Honolulu;

22 (3) For the third year of the transition, the city and
23 county of Honolulu shall retain all the amounts it
24 receives from billing for its services, receive

1 \$4,452,249 from the general fund, and \$3,500,000 from
2 the emergency medical services special fund for the
3 operation of an emergency medical services system in
4 the city and county of Honolulu. Any additional costs
5 shall be borne by the city and county of Honolulu; and

6 (4) For the fourth year of the transition and every year
7 thereafter, the city and county of Honolulu shall
8 continue to retain all the amounts it receives from
9 billing for its services and \$3,500,000 from the
10 emergency medical services special fund as the State's
11 share pursuant to section 5 of article VIII of the
12 Constitution of the State of Hawaii, and receive no
13 additional funds from the State's general fund for the
14 operation of an emergency medical services system in
15 the city and county of Honolulu. Any additional costs
16 shall be borne by the city and county of Honolulu.

17 SECTION 19. All rules, policies, procedures, guidelines,
18 and other material adopted or developed by the department of
19 health to implement provisions of the Hawaii Revised Statutes
20 that are reenacted or made applicable to the city and county of
21 Honolulu by this Act shall remain in full force and effect until
22 amended or repealed by the city and county of Honolulu pursuant
23 to chapter 91, Hawaii Revised Statutes. In the interim, every
24 reference to the department of health or director of health in

1 those rules, policies, procedures, guidelines, and other
2 material as made applicable by this Act, is amended to refer to
3 the city and county of Honolulu or the mayor of the city and
4 county of Honolulu.

5 SECTION 20. All deeds, leases, contracts, loans,
6 agreements, permits, or other documents executed or entered into
7 by or on behalf of the department of health, pursuant to the
8 provisions of the Hawaii Revised Statutes, that are reenacted or
9 made applicable to the city and county of Honolulu by this Act
10 shall remain in full force and effect. Effective July 1, 2021,
11 every reference to the department of health or the director of
12 health in those deeds, leases, contracts, loans, agreements,
13 permits, or other documents shall be construed as a reference to
14 the city and county of Honolulu or the mayor of the city and
15 county of Honolulu.

16 SECTION 21. All personal computers and radios used,
17 acquired, or held by the department of health relating to the
18 functions transferred to the city and county of Honolulu shall
19 be transferred with the functions to which they relate; provided
20 that the department of health shall retain data repositories,
21 charts, patient information, data submission, and epidemiology
22 information for all emergency medical services within the State.

23 SECTION 22. There is appropriated out of the general
24 revenues of the State of Hawaii the sum of \$46,171,411 or so

1 much thereof as may be necessary for fiscal year 2021-2022, and
2 \$8,904,499 or so much thereof as may be necessary for fiscal
3 year 2022-2023 for emergency medical services in the city and
4 county of Honolulu.

5 The sums appropriated shall be expended by the city and
6 county of Honolulu for the purposes of this Act.

7 SECTION 23. There is appropriated out of the emergency
8 medical services special fund established pursuant to section
9 321-234, Hawaii Revised Statutes, the sum of \$3,500,000 or so
10 much thereof as may be necessary for fiscal year 2021-2022 and
11 the same sum or so much thereof as may be necessary for fiscal
12 year 2022-2023 for emergency medical services in the city and
13 county of Honolulu.

14 The sums appropriated shall be expended by the city and
15 county of Honolulu for the purposes of this Act.

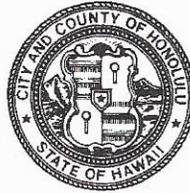
16 SECTION 24. This Act does not affect rights and duties
17 that matured, penalties that were incurred, and proceedings that
18 were begun before its effective date.

19 SECTION 25. Statutory material to be repealed is bracketed
20 and stricken. New statutory material is underscored.

21 SECTION 26. This Act shall take effect upon its approval;
22 provided that part I shall take effect on July 1, 2022, and part
23 II shall take effect on July 1, 2021.

HONOLULU EMERGENCY SERVICES DEPARTMENT
CITY AND COUNTY OF HONOLULU

3375 KOAPAKA STREET, SUITE H-450 • HONOLULU, HAWAII 96819-1814
Phone: (808) 723-7800 • Fax: (808) 723-7836



RICK BLANGIARDI
MAYOR

JAMES H.E. IRELAND, MD
DIRECTOR DESIGNATE

IAN T.T. SANTEE, MPA
DEPUTY DIRECTOR

April 5, 2021

LATE

The Honorable Senator Donovan Dela Cruz, Chair
The Honorable Senator Michelle Kidani, Vice Chair
The Honorable Senator Karl Rhoads, Chair
The Honorable Senator Jarrett Keohokalole, Vice Chair
and Members of the Senate Committee on Ways and Means, and Judiciary
State Capitol Room, Room 208
415 South Beretania Street
Honolulu, Hawaii 96813

SUBJECT: HB1281 HD 1, SD 1 Relating to Emergency Services

Dear Chair Dela Cruz, Chair Rhoads, Vice Chair Kidani, Vice Chair Keohokalole, and Honorable Members of the Committee on Ways and Means and Judiciary:

Thank you for the opportunity to express our comments regarding HB1281, HD 1, SD 1 and provide comments for your further consideration.

HB1281, HD 1, SD 1 proposes to amend Chapter 46, Hawaii Revised Statutes, (hereinafter HRS), to add a new part entitled "COUNTY EMERGENCY MEDICAL SERVICES SYSTEM", and amend Chapter 321, HRS, to transfer "certain duties, functions, and powers" relating to emergency medical services (EMS) for the island of O'ahu from the Department of Health to the City and County of Honolulu.

HB 1281, HD 1, SD 1, has passed through the House as well as through the Senate Committees on Health at this time. It has been amended each time addressing the overall intent of the bill, funding distribution, and sustainment of funds. We appreciate the collaboration and the openness of the Department of Health (DOH) and legislature in addressing the county's concerns.

The current version of the bill does permit revenue generated from billings to be retained by the City and County of Honolulu ("County") consistent with the goal of greater autonomy of County EMS operations.

The County continues to conduct its due diligence regarding the considerable financial implications of the proposed transfer. The County appreciates DOH and the legislature addressing its concerns of previous testimony.

The Honorable Senator Donovan Dela Cruz, Chair
The Honorable Senator Michelle Kidani, Vice Chair
The Honorable Senator Karl Rhoads, Chair
The Honorable Senator Jarrett Keohokalole, Vice Chair
and Members of the Senate Committee on Ways and Means, and Judiciary
April 5, 2021
Page 2

The County understands there is a proposed HD 1281, HD 1, SD 1, SD 2 that will address the final concerns of the continued ability to receive the billing and a portion of funding in perpetuity as required by law.

We appreciate the amendments that have been adopted in consideration of the County's prior testimony. The County looks to the favorable amendment of SD 2 to clear up the language about the revenue collection from billing and continued funding and continues to undertake this task as the current SD 1 does not provide clear language in regards to funding.

Sincerely,

A handwritten signature in blue ink, appearing to read "James H.E. Ireland". The signature is fluid and cursive, with a large initial "J" and "I".

James H.E. Ireland, MD
Director Designate



April 6, 2021

The Honorable Donovan M. Dela Cruz, Chair
The Honorable Gilbert S.C. Keith-Agaran, Vice Chair
Senate Committee on Ways and Means

The Honorable Karl Rhoads, Chair
The Honorable Jarrett Keohokalole, Vice Chair
Senate Committee on Judiciary

Re: HB 1281 HD1 SD1 – Relating to Emergency Medical Services

Dear Chair Dela Cruz, Chair Rhoads, Vice Chair Keith-Agaran, Vice Chair Keohokalole, and
Committee Members:

Hawaii Medical Service Association (HMSA) appreciates the opportunity to testify on HB 1281, HD1, SD1, which establishes a four-year transfer of certain duties, functions, and powers relating to emergency medical services for the city and county of Honolulu from the department of health to the city and county of Honolulu. Begins transition with the training and billing for emergency services on 7/1/2021. Appropriates general funds to the city and county of Honolulu for emergency medical services for fiscal years 2021-2022 and 2022-2023. Appropriates half of the moneys in the emergency medical services special fund to the general for fiscal years 2021 - 2022 and 2022-2023. Phases out state funding for emergency medical services in the city and county of Honolulu by 7/1/2024.

HMSA supports the role that a robust emergency medical services system plays in the health care ecosystem. HMSA stands committed to helping improve the well-being of our community, and we look forward to further discussions on the transfer of certain duties and functions of emergency medical services for the island of Oahu to the City and County of Honolulu.

Thank you for allowing us to testify in support of HB 1281 HD1 SD1. Your consideration of our comments is appreciated.

Sincerely,

Matthew W. Sasaki
Director, Government Relations



**THE SENATE
THE THIRTY-FIRST LEGISLATURE
REGULAR SESSION OF 2021**

COMMITTEES ON WAYS AND MEANS AND JUDICIARY

Senator Donovan Dela Cruz, Chair
Senator Gilbert Keith-Agaran, Vice Chair

Senator Karl Rhoads, Chair
Senator Jarrett Keohokalole, Vice Chair

Tuesday, April 6, 2021, 10:00 AM
Conference Room 211 and Via Videoconference

Re: Testimony on HB1281 HD1, SD1 – RELATING TO EMERGENCY MEDICAL SERVICES

Chairs Dela Cruz and Rhoads, Vice Chairs Keith-Agaran and Keohokalole, and Members of the Committees on Ways and Means and Judiciary:

The United Public Workers, AFSCME Local 646, AFL-CIO (“UPW”) is the exclusive bargaining representative for approximately 14,000 public employees, which includes blue collar, non-supervisory employees in Bargaining Unit 1 and institutional, health, and correctional employees in Bargaining Unit 10, in the State of Hawaii and various counties. The UPW also represents 1,500 members in the private sector.

UPW **would like to provide the following comments on** HB1281 HD1, SD1, which establishes a four-year transfer of certain duties, functions, and powers relating to emergency medical services for the City and County of Honolulu from the Department of Health to the City and County of Honolulu. Under this bill the transition would begin with the training and billing for emergency services on July 1, 2021 and eventually phase out state funding for emergency medical services in the City and County of Honolulu by June 30, 2024.

As the exclusive bargaining representative for Bargaining Unit 10, our members include Emergency Medical Service employees for the City and County of Honolulu. When considering any such transfer of fiscal and operational responsibilities, we remain committed to ensuring that our members are treated fairly through any proposed legislation or process. We would respectfully urge both the City and State to ensure that any final determination will not hamper the City’s fiscal responsibilities to support the Emergency Medical Service or the future ability to recruit, hire and retain qualified personnel and positions within the Emergency Medical Services system.

Thank you for the opportunity to submit this testimony.