

MAR 12 2021

SENATE CONCURRENT 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



1 shortages; specifically, the center did not have a physician on
2 staff, in violation of federal requirements; and

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4 WHEREAS, the closure of the clinic put at risk the health
5 and safety of Molokai residents who were unable to see a doctor
6 or obtain crucial medication; and

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8 WHEREAS, although state officials attempted to investigate
9 the center following the closure, the health center refused to
10 cooperate with the investigation; and

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12 WHEREAS, other types of medical service entities have also
13 experienced disturbing incidents, including a high-profile event
14 involving the death of a child at a Kailua dental practice; and

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16 WHEREAS, given these past events and the Hawaii State
17 Constitution's mandate that the State provide for the protection
18 and promotion of the public health, it is incumbent upon the
19 State to study ways to ensure that community health centers and
20 other medical service entities are providing proficient services
21 to the communities they serve; now, therefore,

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23 BE IT RESOLVED by the Senate of the Thirty-first
24 Legislature of the State of Hawaii, Regular Session of 2021, the
25 House of Representatives concurring, that the Department of
26 Health is requested to conduct a study that explores options for
27 it to provide better oversight over community health centers,
28 dental clinics, and other medical service entities; and

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30 BE IT FURTHER RESOLVED that the study is requested to
31 include:

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- 33 (1) A recommendation regarding additional authority that
34 will enable the Department of Health to adequately
35 oversee community health centers, dental clinics, and
36 other medical service entities;
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38 (2) An overview of other jurisdictions that oversee these
39 types of medical service entities, and how those
40 jurisdictions provide oversight;
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1 (3) A recommendation regarding whether the Governor,
 2 Department of Health, or another entity should have
 3 the authority to order the closure of a medical
 4 service entity, or take control of a medical service
 5 entity, if there is a threat to the health and safety
 6 of the community or if a determination is made that
 7 the medical service entity is not providing proper
 8 medical services; and
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10 (4) Recommendations for additional staffing and support
 11 for the Department of Health to adequately oversee
 12 medical service entities; and
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14 BE IT FURTHER RESOLVED that the Department of Health is
 15 requested to submit a report to the Legislature of its findings
 16 and recommendations, including any proposed legislation, no
 17 later than twenty days prior to the convening of the Regular
 18 Session of 2022; and
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20 BE IT FURTHER RESOLVED that certified copies of this
 21 Concurrent Resolution be transmitted to the Governor and
 22 Director of Health.
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OFFERED BY: J. Kalam Singh

