

MAR 04 2025

SENATE RESOLUTION

REQUESTING THE STATE HEALTH PLANNING AND DEVELOPMENT AGENCY AND
DEPARTMENT OF HEALTH TO HOLD A PUBLIC MEETING FOR ALL
CERTIFICATE OF NEED APPLICATIONS FOR ANY PROPOSED SPECIAL
TREATMENT FACILITY IN NEIGHBORHOODS WITH COMMUNITY
ASSOCIATIONS.

1 WHEREAS, a certificate of need is an authorization issued
2 by the State Health Planning and Development Agency, which is
3 administratively attached to the Department of Health, to
4 construct, expand, alter, or convert certain health care
5 facilities or to initiate, expand, develop, or modify certain
6 health care services; and

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8 WHEREAS, an application for a certificate of need generally
9 goes through an administrative review or standard review
10 process; and

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12 WHEREAS, a certificate of need application may be subject
13 to the administrative review process if the application meets
14 certain criteria, including but not limited to:

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16 (1) Bed or service changes that have a capital expense of
17 \$1,000,000 or less, and have an increased annual
18 operating expense of less than \$500,000;

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20 (2) An acquisition of a health care facility or service
21 which will result in a lower annual operating expense;
22 and

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24 (3) Any proposal that will not have a significant impact
25 on the health care system; and

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27 WHEREAS, certificate of need applications that do not fall
28 under the administrative review process, emergency situations,
29 or unusual circumstances, will be subject to the standard review
30 process; and

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32 WHEREAS, the standard review process requires at least one
33 public meeting, during which any person may present written or



1 oral arguments and evidence relevant to the application and any
2 person directly affected by the application may conduct
3 reasonable questioning of persons who make factual allegations
4 relevant to the application; and
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6 WHEREAS, unlike the standard review process, the
7 administrative review process does not require a public meeting
8 for the application, unless the State Health Planning and
9 Development Agency receives a written request from interested
10 persons; and
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12 WHEREAS, certificate of need applications for certain
13 special treatment facilities have been approved without a public
14 meeting; and
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16 WHEREAS, uninformed neighbors, community associations, and
17 area neighborhood boards have expressed frustration at the
18 inability to offer public input on certain special treatment
19 facilities in their neighborhoods applying for a certificate of
20 need; and
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22 WHEREAS, pursuant to Hawaii's Sunshine Law, it is the
23 policy of the State that the formation and conduct of public
24 policy, including the discussions, deliberations, decisions, and
25 action of government agencies, shall be conducted as openly as
26 possible; now, therefore,
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28 BE IT RESOLVED by the Senate of the Thirty-third
29 Legislature of the State of Hawaii, Regular Session of 2025,
30 that the State Health Planning and Development Agency and
31 Department of Health are requested to hold a public meeting for
32 all certificate of need applications for any proposed special
33 treatment facility in neighborhoods with community associations;
34 and
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36 BE IT FURTHER RESOLVED that, in addition to the current
37 statutory requirements to obtain a certificate of need, the
38 State Health Planning and Development Agency is requested to
39 adopt rules to require certificate of need applicants to appear
40 before the neighborhood board for the area where a proposed
41 special treatment facility is located as part of the application
42 process; and



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2 BE IT FURTHER RESOLVED that certified copies of this
3 Resolution be transmitted to the Director of Health and
4 Administrator of the State Health Planning and Development
5 Agency.
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OFFERED BY:

A handwritten signature in black ink, appearing to be 'R. D. D.', written over a horizontal line.