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**DEPARTMENT OF HEALTH**  
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**Testimony in SUPPORT of HB 1541 HD1**  
**RELATING TO THE DEPARTMENT OF HEALTH**

REPRESENTATIVE JACKSON D. SAYAMA, CHAIR  
HOUSE COMMITTEE ON LABOR

Hearing Date: February 19, 2026, 9:30 AM Room Number: 309

1 **Department Position:** The Department of Health (Department) strongly supports this measure.

2 **Department Testimony:** The Hawaii State Hospital (HSH) provides the following testimony on  
3 behalf of the Department and the Developmental Disabilities Division (DDD).

4 The Department strongly supports HB 1541, HD1, which exempts certain positions from  
5 civil service.

6 This measure is essential to ensuring the Department can effectively manage and deliver  
7 critical services for individuals with mental health needs and developmental disabilities by  
8 exempting certain key positions from civil service, including the Federal Initiatives Operations  
9 Coordinator in the DDD and two additional associate administrators, two project managers, one  
10 security manager, two security officers, one building manager, and two investigators in the  
11 HSH. All of the identified positions are budgeted, and the Department appreciates the  
12 Legislature's action in recognizing the importance of these roles.

13 The HSH and the DDD serve some of our most vulnerable populations and operate in  
14 complex environments that require rapid decision-making, specialized expertise, and strong  
15 leadership. These exempt positions do not fit into existing civil service classes because their  
16 duties and responsibilities are highly specialized, often requiring advanced professional  
17 knowledge, unique skill sets, and flexibility beyond the scope of standardized classifications.

1 Many of these roles involve strategic planning, federal compliance, security oversight in  
2 forensic settings, and implementation of complex initiatives that cannot be adequately  
3 addressed within the fixed structure of civil service position descriptions. Additionally, the  
4 evolving nature of behavioral health and developmental disability services demands  
5 adaptability and innovation, which are difficult to achieve under traditional classification and  
6 recruitment systems.

7 As noted below, the following positions must be exempt from Chapter 76 as they do not  
8 fit within the current civil service structure:

9 The Federal Initiatives Operations Coordinator in the DDD is responsible for developing  
10 operational solutions that ensure compliance with federal requirements for Hawaii's Medicaid  
11 1915(c) Home and Community-Based Services (HCBS) Waiver for individuals with intellectual  
12 and developmental disabilities. This role safeguards eligibility for federal matching funds. Key  
13 responsibilities include interpreting complex federal regulations, analyzing necessary policy and  
14 operational changes, assessing resource needs, and overseeing planning and implementation to  
15 maintain compliance and protect funding for essential services. This position demands  
16 specialized knowledge and experience that cannot be adequately classified under any existing  
17 civil service class.

18 The two additional associate administrator positions are leadership roles that carry  
19 executive-level authority and responsibilities that involve high-level decision-making, policy  
20 development, and strategic planning critical to the hospital's operations and compliance. Each  
21 role exercises significant independent judgment and autonomy in managing complex functions  
22 with minimal supervision. The Associate Administrator Chief of Staff coordinates strategic  
23 initiatives and serves as the executive liaison across sections; and the Associate Administrator  
24 of Operations and Security Services ensures the safety and functionality of essential  
25 infrastructure such as plant operations, security, dietary services, and telecommunications.  
26 Each role spans multiple work units, regulatory domains, and critical hospital systems, requiring

1 advanced expertise and leadership to ensure operational integrity, maintain compliance,  
2 safeguarding patient safety, and minimizing organizational risk. These positions demand  
3 specialized knowledge and experience that cannot be adequately compensated under any  
4 existing civil service class. HSH also notes that the other Associate Administrators at equivalent  
5 levels are already exempt under §334-4, HRS.

6 The HSH is the only state-operated forensic psychiatric hospital in the state, functioning  
7 under unique requirements and processes that differ significantly from other state entities and  
8 facilities. Serving a highly specialized, high-risk population, the hospital demands advanced  
9 expertise and training, and staff must deploy rapid decision-making to ensure patient safety,  
10 regulatory compliance, and operational continuity. HSH must meet stringent federal and state  
11 mandates, including Joint Commission standards, while maintaining a therapeutic environment  
12 that balances clinical care with security. Therefore, the project manager, security, investigator,  
13 and building manager positions do not align with similar positions within civil service.

14 The two project manager positions require specialized project management expertise  
15 and independent judgment to oversee complex, hospital-wide initiatives in a highly regulated  
16 behavioral health environment. These projects often involve critical infrastructure, patient care  
17 processes, and compliance improvements. Their work directly affects the safety of patients and  
18 staff and operational efficiency. These roles are essential for ensuring compliance with federal  
19 and state regulations, Joint Commission standards, and hospital policies, requiring specialized  
20 knowledge to support organizational strategy.

21 The security manager and officer roles at HSH are fundamentally different from typical  
22 civil service security positions because they are leadership roles that operate within a highly  
23 specialized, high-risk environment that requires continuous oversight and rapid response to  
24 emergent situations involving court-committed individuals with severe mental health  
25 conditions. These positions are integral to the hospital's clinical mission and coordinate closely  
26 with treatment teams to prevent harm, manage patient elopement risks, and respond to

1 violent or life-threatening incidents using approved intervention techniques. This requires  
2 specialized skills such as crisis intervention, behavioral risk assessment, and the ability to ensure  
3 security in a therapeutic setting without compromising patient rights. Their responsibilities  
4 extend beyond routine security functions to include emergency preparedness planning, policy  
5 development, and compliance with federal and state regulations, Joint Commission standards,  
6 and hospital accreditation requirements—tasks that demand advanced knowledge of mental  
7 health care operations and institutional safety protocols.

8           The two investigator positions are critical to maintaining a safe, compliant, and  
9 therapeutic environment for both patients and staff. Investigators must interpret and apply  
10 intricate statutes, rules of evidence, and hospital policies within a highly regulated mental  
11 health environment, where confidentiality and sensitivity are paramount. Their work demands  
12 significant autonomy and discretion in decision-making, as findings directly impact patient  
13 safety, staff accountability, legal compliance, and HSH’s operational integrity. Given the  
14 complexity and sensitivity of cases—often involving legal standards, union agreements, and  
15 accreditation requirements—the position demands independence and specialized investigative  
16 expertise.

17           The building manager position requires high-level responsibility for ensuring the safety,  
18 functionality, and compliance of a highly complex facility that serves vulnerable populations.  
19 This position exercises independent judgment and technical expertise to manage HSH  
20 operations and construction-related issues, including the numerous construction deficiencies  
21 and related investigations associated with the Hale Ho’ōla building at the HSH. This position is  
22 responsible for identifying problems, recommending solutions, and coordinating corrective  
23 actions for building repairs and alterations, while overseeing preventive maintenance and  
24 ensuring critical building systems are operational. This includes extensive coordination with  
25 internal and external stakeholders to identify, investigate, and remediate defects, and oversight  
26 of all aspects of capital improvement projects to ensure building work minimizes disruption to

1 patient care and secure facility operations. Given the complexity of the HSH environment—  
2 where construction and maintenance activities directly impact patient care, security, and public  
3 safety—the Building Manager must exercise strategic decision-making, problem-solving, and  
4 authority to direct contractors and internal teams.

5 By exempting these positions, the Department can fill critical leadership and operational  
6 roles quickly, improve continuity of care and compliance with federal and state mandates,  
7 enhance security and risk management in high-risk clinical settings, and strengthen DDD's  
8 ability to implement federal initiatives and improve outcomes for individuals with intellectual  
9 and developmental disabilities.

10 HB1541, HD1, is a practical and necessary step to support the Department's mission of  
11 protecting and improving the health and well-being of Hawaii's residents.

12 Thank you for the opportunity to testify on this measure.



**HAWAII GOVERNMENT EMPLOYEES ASSOCIATION**  
AFSCME Local 152, AFL-CIO

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The Thirty-Third Legislature, State of Hawaii  
The House of Representatives  
Committee on Labor

Testimony by  
Hawaii Government Employees Association

February 19, 2026

**H.B.1541 H.D.1 – RELATING TO THE DEPARTMENT OF HEALTH**

The **Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO** opposes the **purpose and intent of H.B.1541 H.D.1**, which is to exempt positions in the Developmental Disabilities Division of the Department of Health and the Hawaii State Hospital from the civil service.

Exempt employees do not have the same rights compared to civil service employees as they are considered “at-will” by the employer. We have consistently opposed the creation of more exempt positions in government, and more recently, we have advocated that exempt employees that are included within a collective bargaining unit receive *just-cause* protections, just like civil service employees.

This proposal is part of a larger issue, which is that the civil service system and SOH HR must become more flexible, competitive, and adaptive to the current job market and public demands. There are methods the SOH can implement to streamline its hiring and recruiting while keeping employees within the civil service. Among other things, the SOH should look to adequately price these civil service positions to appropriately reflect a competitive salary, comparable to similar positions within the public and private sector, and in general, the market rate. The SOH should also look to reform its civil service hiring processes to create a more efficient and effective system, so that prospective employees are not waiting to hear back from a job that they applied to months ago. The solution to streamline hiring and recruiting is not to exempt positions which would be at the expense of an employee’s job-security; rather, the solution is to re-think the way we recruit, hire, and compensate civil service positions.

Likewise, exempting positions may hinder the SOH’s ability to recruit and retain employees because the stability and benefits that come with civil service positions are arguably the most persuasive incentives for a prospective employee to seek employment within local government.

Accordingly, **the Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO** **opposes H.B. 1541 H.D.1.**

We appreciate your consideration of our testimony in opposition to H.B.1541 H.D.1.

Respectfully submitted,  
  
Randy Perreira  
Executive Director