



STATE OF HAWAII
DEPARTMENT OF HEALTH
KA 'OIHANA OLAKINO
P. O. Box 3378
Honolulu, HI 96801-3378
doh.testimony@doh.hawaii.gov

Testimony in SUPPORT of HB 1541, HD2 SD1
RELATING TO THE DEPARTMENT OF HEALTH

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

Hearing Date: April 6, 2026, 10:32 PM Room Number: 211

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, HD2 SD1, which exempts certain positions
5 from 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 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 require specialized skills such as crisis intervention, behavioral risk
26 assessment, and the ability to ensure security in a therapeutic setting without compromising

1 patient rights. Their responsibilities extend beyond routine security functions to include
2 emergency preparedness planning, policy development, and compliance with federal and state
3 regulations, Joint Commission standards, and hospital accreditation requirements—tasks that
4 demand advanced knowledge of mental health care operations and institutional safety
5 protocols. These positions are integral to the hospital’s clinical mission and coordinate closely
6 with treatment teams to prevent harm, manage patient elopement risks, and respond to
7 violent or life-threatening incidents using approved intervention techniques. All of these
8 functions are generally outside of the normal civil service duties of this class. Additionally, as
9 these safety officer positions would not be law enforcement officers under Chapter 353C, HRS,
10 there is not a conflict with the Department of Law Enforcement.

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

20 The building manager position requires high-level responsibility for ensuring the safety,
21 functionality, and compliance of a highly complex facility that serves vulnerable populations.
22 This position exercises independent judgment and technical expertise to manage HSH
23 operations and construction-related issues, including the numerous construction deficiencies
24 and related investigations associated with the Hale Ho’ōla building at the HSH. This position is
25 responsible for identifying problems, recommending solutions, and coordinating corrective
26 actions for building repairs and alterations, while overseeing preventive maintenance and

1 ensuring critical building systems are operational. This includes extensive coordination with
2 internal and external stakeholders to identify, investigate, and remediate defects, and oversight
3 of all aspects of capital improvement projects to ensure building work minimizes disruption to
4 patient care and secure facility operations. Given the complexity of the HSH environment—
5 where construction and maintenance activities directly impact patient care, security, and public
6 safety—the Building Manager must exercise strategic decision-making, problem-solving, and
7 authority to direct contractors and internal teams.

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

13 HB1541, HD2 SD1, is a practical and necessary step to support the Department's mission
14 of protecting and improving the health and well-being of Hawaii's residents. The Department
15 recognizes the concerns of the Hawaii Government Employees Association (HGEA) and is
16 working with them on agreeable amendments to this measure. Should the Committee move
17 this measure forward, the Department is committed to providing compromise language to the
18 Legislature for its consideration during Conference Committee.

19 Thank you for the opportunity to testify in support of this measure.



HAWAII GOVERNMENT EMPLOYEES ASSOCIATION

AFSCME Local 152, AFL-CIO

RANDY PERREIRA, Executive Director • Tel: 808.543.0011 • Fax: 808.528.0922

The Thirty-Third Legislature, State of Hawaii
The Senate
Committee on Ways and Means

Testimony by
Hawaii Government Employees Association
April 6, 2026

H.B.1541 H.D.2 S.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.2 S.D.1.**, which is to exempt positions in the Hawaii State Hospital and the Developmental Disabilities Division of the Department of Health 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.2. S.D.1.**

We appreciate your consideration of our testimony in opposition to H.B.1541 H.D.2. S.D.1.

Respectfully submitted,

Randy Perreira
Executive Director