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H.B. NO. 1322

A Bill for an Act Relating to the State Health Planning and Development Agency.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. Section 323D-54, Hawaii Revised Statutes, is amended to read:

“Sec. 323D-54 Exemptions from certificate of need requirements. (a) Nothing in this part or rules thereunder with respect to the requirement for certificates of need applies to:

- (1) Offices of physicians, dentists, or other practitioners of the healing arts in private practice as distinguished from organized ambulatory health care facilities, or laboratories, as defined in section 321-11(12), except in any case of purchase or acquisition of equipment attendant to the delivery of health care service and the instruction or supervision therefor for any such private office or clinic or laboratory involving a total expenditure in excess of \$150,000;
- (2) Dispensaries and first aid stations located within business or industrial establishments maintained solely for the use of employees; provided such facilities do not regularly provide inpatient or resident beds for patients or employees on a daily twenty-four hour basis;
- (3) Dispensaries or infirmaries in correctional or educational facilities;
- (4) Dwelling establishments, such as hotels, motels, and rooming or boarding houses that do not regularly provide health care facilities or health care services;
- (5) Any home or institution conducted only for those who, pursuant to the teachings, faith, or belief of any group, depend for healing upon prayer or other spiritual means.

(b) The agency may adopt rules to establish criteria to exempt certain proposed expenditures, except in any case of purchase or acquisition of equipment attendant to the delivery of health care service and the instruction or supervision therefor for any such facility involving a total expenditure in excess of \$150,000, or changes by organized ambulatory health care facilities which are determined not to have a significant impact on the health care system. The criteria may include but need not be

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limited to the number of practitioners in the facility, the range of services offered by the facility, and the gross annual revenue of the facility.”

SECTION 2. New statutory material is underscored.*

SECTION 3. This Act shall take effect upon its approval.

(Approved June 1, 1979.)

*The text has been edited pursuant to HRS §23G-16.5, authorizing omission of the brackets, bracketed material, and underscoring.