

ACT 71

H.B. NO. 738

A Bill for an Act Relating to the Department of Health.

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

SECTION 1. Section 321-52, Hawaii Revised Statutes, is amended to read:

“§321-52 Powers, duties, and activities of the department. The department of health shall have, among other powers necessary to carry out the purposes of this part, the power:

- (1) To establish and administer a program of services for children who are crippled or who are suffering from conditions which lead to crippling, which shall provide for developing, extending, and improving services, especially in rural areas, for locating such children, and for providing for medical, surgical, corrective, and other services and care, and facilities for diagnosis, hospitalization, and after-care; extend and improve any such services; cooperate with medical, health, nursing, and welfare groups and organizations and with any agency of the State charged with the administration of laws providing for vocational rehabilitation of physically handicapped children; and, cooperate with the department of education for the education of such children;
- (2) To formulate and administer a detailed plan for the purposes specified in paragraph (1) above; and [make] adopt such rules [and regulations] pursuant to chapter 91 as may be necessary or desirable for the administration of the plan and of this part. Any plan shall include provisions for:
 - (A) Financial participation by the State in the funds appropriated by the Congress of the United States under Title V of the Social Security Act (49 Stat. 631-633 (1935), 42 U.S.C. Secs. 711-715);
 - (B) Administration of the plan by the department;
 - (C) Such methods of administration (other than those relating to selection, tenure of office, and compensation of personnel) as are necessary for the efficient operation of the plan;
 - (D) Maintenance of records and preparation of reports of services rendered as shall be directed by the Secretary of [Labor] Health and Human Services of the United States;
 - (E) Carrying out the purposes specified in paragraph (1) above;
 - (F) Cooperation with medical, health, nursing, and welfare groups and organizations and with any agency in the State charged with administering state laws providing for vocational rehabilitation of physically handicapped children;
- (3) To cooperate with the federal government through its appropriate agency or instrumentality in developing, extending, and improving such services and receive and expend all funds made available to the department by the federal government, the State, or its political subdivisions, or from any other sources, including private donations, for such purposes.”

SECTION 2. Statutory material to be repealed is bracketed. New material is underscored.

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

(Approved May 28, 1981.)