

ACT 247

H.B. NO. 1121

A Bill for an Act Relating to Hospital Administration in the County/State Hospital System.

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

SECTION 1. Section 27-21.2, Hawaii Revised Statutes, is amended to read:

“§27-21.2 Transfer of personnel. [(a)] All employees of the several counties, the major portion of whose duties is in a functional area covered by section 27-21.1 shall be transferred to the department to which the function has been assigned.

No employee transferred by this part shall suffer any loss of salary, seniority, prior service credit, vacation, sick leave, or other employee benefits or privileges as a consequence of this part.

The counties shall not be required to transfer funds to cover the vacation credits earned or accumulated by employees transferred under this part.

[(b)] The appointment of the hospital administrator shall be made pursuant to chapters 76 and 77, on or after June 12, 1974. Hospital administrators appointed prior to June 12, 1974 shall receive permanent civil service status as provided in chapters 76 and 77 without the necessity of examination and shall be accorded all rights, benefits, and privileges attributable thereto. Such rights and privileges shall include seniority, prior service credit, vacation and sick leave credits, and other benefits and privileges accorded a hospital administrator with civil service status. Such hospital administrators shall not suffer a reduction in their pay rate.]”

SECTION 2. Chapter 27, Part III, Hawaii Revised Statutes, is amended by adding a new section to be appropriately designated and to read:

"§27- Administration of hospitals. (a) The appointment of hospital administrators and assistant administrators shall be made on an exempt basis by the director of health after June 30, 1983. Hospital administrators and assistant administrators appointed before July 1, 1983 shall maintain their permanent civil service status as provided in chapters 76 and 77.

(b) Notwithstanding any other law to the contrary, the director of health with the approval of the governor may contract for management services with private individuals or corporations solely for those services provided at Hilo hospital by hospital administrators and assistant administrators; provided that no contract under this subsection shall exceed a term of twenty-four months; and provided further that the term of any contract shall in any event expire before July 1, 1985. This subsection shall not supersede collective bargaining agreements, civil service rules and regulations, and existing statutes protecting employee rights; nor shall any employee be adversely affected by this subsection."

SECTION 3.¹ The department of health shall report to the legislature twenty days prior to the convening of the regular session of 1984 on the status of any contract under section 27- (b), Hawaii Revised Statutes, including findings and recommendations to improve hospital management.

SECTION 4.¹ Statutory material to be repealed is bracketed. New material is underscored.²

SECTION 5.¹ This Act shall take effect on July 1, 1983.

(Approved June 9, 1983.)

Notes

1. Renumbered to correct obvious error.
2. Edited pursuant to HRS §23G-16.5.