

ACT 260

H.B. NO. 245

A Bill for an Act Relating to Health.

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

SECTION 1. Section 26-13, Hawaii Revised Statutes, is amended to read:

“§26-13 Department of health. The department of health shall be headed by a single executive to be known as the director of health.

There shall be, within the department of health, [a commission] an advisory board to be known as the board of health, which shall [sit in an advisory capacity to] advise the director of health on matters within the jurisdiction of the department of health. The [commission] board of health shall consist of eleven voting members[, one from each senatorial district and three at large,] appointed by the governor as provided in section 26-34 and shall include the director of social services as an ex officio nonvoting member. The appointed members shall include at least one resident of each of the major counties including the county of Kalawao. The appointed members shall serve without compensation but shall be reimbursed for expenses, including travel expenses, necessary for the performance of their duties.

The department shall administer programs designed to protect, preserve, care for, and improve the physical and mental health of the people of the State. Without limit to the generality of the foregoing, the programs shall include the administration and enforcement of matters and laws of public health of the State, including the program for Waimano home and for the state hospital, but excluding assistance and care for the indigent and the medically indigent.

The functions and authority heretofore exercised by the board of health (excluding assistance and care for the indigent and the medically indigent) and the

department of institutions with respect to Waimano home and the state hospital and the dental health treatment function of the department of public instruction as heretofore constituted are transferred to the department of health established by this chapter.

The governor shall define and differentiate dental health treatment from dental health instruction and shall provide for the gradual transfer of any personnel within the definition of dental health treatment to the department of health. This section shall not be construed to require the transfer from the department of education to the department of health of any dental hygienist having a teacher's certificate and employed by the department of public instruction immediately prior to November 25, 1959."

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

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

(Approved June 11, 1983.)