

ACT 211

H.B. NO. 2046

A Bill for an Act Relating to Health.

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

SECTION 1. Purpose. The Legislature finds that AIDS is a health crisis which threatens the well-being of our society. In the United States the Center for Disease Control has reported over 50,000 cases of AIDS. Because of the generally long symptom-free period between actual infection and the advent of symptoms, the Human Immunodeficiency Virus has spread silently and extensively in some sectors of our population.

The United States Public Health Service estimates that up to 1.5 million Americans are infected with the virus, that by 1991 there will have been a cumulative total of more than 270,000 cases of AIDS in the United States, with more than

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74,000 occurring in 1991 alone. There are now 400 new cases of AIDS reported every month.

In Hawaii we have an estimated 7,000 individuals who may be HIV-positive, and between 500 to 1,000 may already suffer from Aids Related Complex (ARC). The number of frank AIDS cases reported stands at 182, and we have already recorded our first pediatric AIDS case. There is some evidence that AIDS has already entered the teenage population.

The present estimate of the cost of caring for and treating¹ individual with AIDS and/or ARC from initial diagnosis to death ranges from \$50,000 to \$150,000. By 1991 more bed-days will be required for AIDS patients than for victims of motor vehicle accidents or lung cancer patients, two of the nation's highest causes of hospital utilization.

AIDS patients require more direct nursing care and emotional support, up to two times as much as other patients. They also require more frequent use of isolation clothing, special waste disposal and housekeeping precautions, use of private rooms, and special staff training.

AIDS is a challenge to Hawaii's health system, and Hawaii's education system. It is a challenge to the workplace, to law enforcement, to private service organizations, and to the way in which we provide housing and community based services. Efforts to deal with AIDS furnish the opportunity to incorporate professionally determined quality assurance standards for community-based services such as housing in order to safeguard both residents and the community.

The Legislature finds that significant resources must be invested for education and information to prevent the spread of the disease, to create the infrastructure for community based health care and the delivery of needed services, and to maximize effective administration and coordination of programs and policies.

Hawaii needs AIDS education programs which are delivered in the context of related health and social concerns, and which contain the targeting and counseling required to modify behavior. Hawaii's health care system needs to develop an infrastructure of community based services to cope with AIDS in the most cost effective and humane settings. Hawaii's administration of AIDS programs needs to maximize coordination and cooperation. And Hawaii's health policies relating to AIDS need to reflect the best legal, practical, and technological trends in the evolution towards a community consensus.

The purpose of this bill is to fund programs not now in place but which are of a high priority for fighting AIDS; to relieve the pressure on private non-profit organizations, and enlist a broad range of agencies in the fight against AIDS; and to deal with AIDS in a context of other pressing health issues, such as drug abuse, health education, case management, and housing.

SECTION 2. There is appropriated out of the general revenues of the State of Hawaii the sum of \$800,000, or so much thereof as may be necessary for fiscal year 1988-1989, for the purpose of AIDS education and information (HTH 121). Education and information may encompass district health educators to work with the department of education, family life education for pre-teens with parental involvement, peer group counseling for teens, programs for peer education and workshops for college level students, health care infection controls, educational and informational efforts in the workplace, educational efforts to high risk groups, and special educational efforts in the prison system. The sum appropriated shall be expended by the Department of Health.

SECTION 3. There is appropriated out of the general revenues of the State of Hawaii the sum of \$490,000, or so much thereof as may be necessary for fiscal year 1988-89, to be expended by the Department of Health, for the purpose of outpatient care, housing, case management, and drug treatment:

- (1) AIDS/ARC housing and basic living assistance program.

For a grant-in-aid to the Hawaii ecumenical housing corporation (hehc) for the development, implementation and staffing of the ho'omana'olana comprehensive residence program for persons with AIDS or ARC, for the purpose of providing shelter to those rendered homeless due to these illnesses. In addition to shelter, this program will provide counseling, facilitate access to supportive health and social services. Furthermore, in conjunction with the residents' own resources, hehc will provide assistance with basic living needs. The director of the program shall prepare a report to the department of health on AIDS/ARC housing needs, their availability, and costs and strategies for providing more statewide housing.

\$140,000

- (2) AIDS/ARC case management & personal care training and services (HTH 121).

To work with the AIDS community care team and persons with AIDS to provide case management services for people with AIDS or ARC, to include case management training, coordination of services, and personal care training. Case managers funded by this project should work closely with the many private physician and community agencies including the life foundation, hospice programs in Hawaii, Hawaii centers for independent living, acute care medical facilities such as St. Francis medical center and Queens medical center, alcohol and drug abuse treatment programs such as dash, the hemophilia foundation of Hawaii, people with AIDS and others involved in providing these services to persons with AIDS or ARC. The case managers shall participate in a common training program and meet regularly in accordance with a program designed to maximize information and coordination of services.

The department of health shall provide a written report 20 days prior to the 1989 legislative session on the establishment of the program and on the model used for case management training and implementation.

\$250,000

- (3) Drug treatment program (HTH 121)

As a grant-in-aid to drug addiction services of Hawaii, inc. (dash) to increase the number of indigent IV-drug users on methadone maintenance and detoxification and to provide intense case management and counseling. Case managers for drug abusers with AIDS or ARC should also participate in the doh's case management program.

\$100,000

SECTION 4. There is appropriated out of the general revenues of the State of Hawaii the sum of \$160,000, or so much thereof as may be necessary for fiscal year 1988-89, for administration of the AIDS program (HTH 121) and laboratory AIDS testing (HTH 901). The sum appropriated shall be expended by the Depart-

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ment of Health for the purposes of this Act, and may be used for coordination and monitoring of activities and funding provided in this Act.

SECTION 5. The Department of Health, at its discretion and in order to have maximum flexibility to carry out the purposes of this Act, is further authorized to expend the moneys appropriated by this Act in the following manner:

- (1) Up to forty percent of the moneys appropriated for AIDS education and information pursuant to Section 2 may be transferred and utilized for any of the purposes provided in Sections 3 or 4 of this Act, or any combination thereof;
- (2) Up to forty percent of the moneys appropriated for administration of the AIDS program and laboratory testing pursuant to Section 4 may be transferred and utilized for any of the purposes provided in Sections 2 or 3 of this Act, or any combination thereof.

SECTION 6. The Department shall utilize federal funds to the fullest as funds become available and shall substitute federal funds for state general funds wherever applicable.

SECTION 7. In expending funds appropriated by this Act through grants-in-aid or purchase of service contracts with private agencies, the Department shall endeavor to the extent practicable to insure that funding to private agencies is equitable with respect to responsibilities of staff, salaries, and operational costs between and among agencies, and that funding maximizes utilization of central support staff and office space.

SECTION 8. The Department shall expend funds recognizing the different populations and their distribution, needs, and preferences, and hence may utilize more than one agency for case management and personal care services with an appropriate dispersal of funds for case management and direct services.

SECTION 9. The Department of Health shall report to the Legislature on the funds expended through this Act. The Department shall outline its expenditures under this Act, the purpose of the expenditures, and discuss the programmatic efforts funded in this Act. It shall also discuss federal funding for Hawaii's AIDS program and describe how the funding provided in this bill relates to the federal funds received. The report shall also define areas of need and discuss how various funding sources may be best utilized to prevent and treat AIDS in Hawaii. The report shall be submitted twenty days prior to the convening of the 1989 Legislature.

SECTION 10. This Act shall take effect upon its approval.

(Approved June 7, 1988.)

Note

1. So in original.