

## ACT 223

H.B. NO. 1304

A Bill for an Act Relating to Health.

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

## PART I

SECTION 1. (a) There is established a temporary health care task force to develop a plan to implement health care for all Hawaii residents. The task force shall use the work of the Hawaii Uninsured Project, the Vision 2000 Healthcare Congress, and the Governor's Blue Ribbon Panel on Cancer Care in Hawaii, among others, as a starting point for the development of the plan. The task force shall be placed within the insurance division of the department of commerce and consumer affairs for administrative purposes and shall cease to operate after June 30, 2006.

(b) The task force shall consist of thirteen members to be appointed by the governor, without regard to section 26-34, Hawaii Revised Statutes, from recommendations submitted by the senate president, the speaker of the house of representatives, and the insurance commissioner. All appointments shall be made before July 15, 2005.

The membership shall be comprised of a minimum of seven members chosen from a list submitted by the senate president and the speaker of the house of representatives to ensure a balanced representation of interested parties with a majority of the members having experience in health care and the health care industry, a minimum of five members from private sector organizations, a minimum of three members who actively participate with the Hawaii Uninsured Project, at least one public union representative, and at least one neighbor island representative. The task force shall select a chairperson from among its members. The number of members necessary to constitute a quorum to do business shall consist of a majority of all members of the task force. When a quorum is in attendance, the concurrence of a majority of the members in attendance shall make any action of the task force valid.

(c) The task force shall:

- (1) Develop a plan for implementing health care for all residents of Hawaii; and
- (2) Contract with the Hawaii Uninsured Project to serve as facilitator. As facilitator, the Hawaii Uninsured Project's role will be to:
  - (A) Facilitate convening meetings;
  - (B) Provide minutes for meetings and other staff support;
  - (C) Facilitate contracting for expert testimony or studies, or both, including but not limited to a cost analysis comparing the costs under the status quo with various options under consideration, including but not limited to a possible single-payer system and the recommendations to decrease the uninsured population made by the Hawaii Uninsured Project; and
- (3) Report its findings and recommendations, including recommended legislation, to the legislature no later than twenty days prior to the regular session of 2006. Recommendations shall contain a cost analysis and a detailed rationale for implementation.

(d) The task force may request assistance from the department of health, the insurance division of the department of commerce and consumer affairs, the department of human services, and other appropriate state agencies in fulfilling the purpose of the task force. The task force may also request assistance from the public and others in the health care field.

(e) The members shall not receive compensation for their services but shall be reimbursed for expenses, including travel expenses, incurred in the performance of their duties under this part.

SECTION 2. There is appropriated out of the general revenues of the State of Hawaii the sum of \$200,000 or so much thereof as may be necessary for fiscal year 2005-2006 for the task force to carry out the purposes of this part, including contracting for services and studies as necessary.

The sum appropriated shall be expended by the insurance division of the department of commerce and consumer affairs for the purposes of this part.

PART II

SECTION 3. The current benefit and compensation rate for non-civil service marriage license agents, who are appointed by the department of health, is \$9 per license. This rate has not changed since 1998. The legislature finds that the current benefit and compensation is insufficient to meet the operating costs of an agent.

The legislature further finds that the benefit and compensation for a non-civil service agent should be increased by establishing a surcharge in addition to the marriage license fee currently prescribed to compensate the agents for their work.

SECTION 4. Section 572-5, Hawaii Revised Statutes, is amended to read as follows:

**“§572-5 Marriage license; agent to grant; fee.** (a) The department of health shall appoint, and at its pleasure remove, one or more suitable persons as agents authorized to grant marriage licenses under this chapter in each judicial circuit. The agents may issue licenses from any state facility when deemed necessary by the director. Any agent appointed under this subsection and receiving an application for a marriage license shall collect from the applicant for the license \$60, of which the agent, except those provided for in subsection (b), shall retain \$9 for the agent’s benefit and compensation and shall remit \$51 to the director of health. Upon the receipt of remittances under this subsection, the director of health shall deposit:

- (1) \$32 for each license issued to the credit of the general fund of the State;
- (2) \$4.50 for each license issued to the credit of the spouse and child abuse special account established under section 346-7.5;
- (3) \$4.50 for each license issued to the credit of the spouse and child abuse special account established under section 601-3.6; and
- (4) \$10 for each license issued to the credit of the [[]birth defects special fund[]] established under section 321-426.

(b) The department may appoint, as regular employees under the civil service and classification laws, the number of suitable persons as agents authorized to grant marriage licenses for whom provision has been made in the general appropriation act. In the case of these agents, the full amount collected from applicants shall be remitted to the director of health. Upon the receipt of remittances under this subsection, the director of health shall deposit:

- (1) \$41 for each license issued to the credit of the general fund of the State;
- (2) \$4.50 for each license issued to the credit of the spouse and child abuse special account established under section 346-7.5;
- (3) \$4.50 for each license issued to the credit of the spouse and child abuse special account established under section 601-3.6; and
- (4) \$10 for each license issued to the credit of the [[]birth defects special fund[]] established under [[]section[]] 321-426.

(c) Every agent appointed under this section may administer the oaths required by this chapter to be taken.

(d) The department or its authorized agents shall furnish to each applicant for a marriage license a brochure explaining rubella, the risks of infection with rubella during pregnancy, and how to seek testing and immunization. The department or its authorized agents shall also furnish to each applicant for a marriage license information, to be provided by the department, relating to population stabilization, family planning, birth control, fetal alcohol and drug syndromes, and acquired immune deficiency syndrome (AIDS), including the availability of anonymous testing for [~~HPV~~] human immunodeficiency virus (HIV) infection at alternate test sites; provided that such information is available.

(e) In addition to the fee prescribed under subsection (a), the agent, except those provided for in subsection (b), shall collect from the applicant for the license a surcharge of \$5, of which the agent shall retain the full amount for the agent's additional benefit and compensation.'

### PART III

SECTION 5. Statutory material to be repealed is bracketed and ~~stricken~~. New statutory material is underscored.

SECTION 6. This Act shall take effect upon its approval, except that section 2 shall take effect on July 1, 2005.

(Became law on July 12, 2005, without the Governor's signature, pursuant to Art. III, §16, State Constitution.)