

ACT 46

H.B. NO. 516

A Bill for an Act Relating to Emergency Health Powers.

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

SECTION 1. Chapter 321, Hawaii Revised Statutes, is amended by adding a new part to be appropriately designated and to read as follows:

“PART . EMERGENCY RESPONSE STOCKPILE TO PREPARE FOR OR RESPOND TO CBRNE EVENTS

§321- Definitions. Whenever used in this part, unless a different meaning clearly appears from the context:

“CBRNE event” means the use of chemicals, biological agents, radioactive materials, nuclear devices, or explosives to kill or sicken people, animals, or plants.

“Department” means the department of health.

“Director” means the director of health.

“Emergency response stockpile” means a strategic supply of drugs, vaccines and other biological products, medical devices, and related supplies maintained by the department to protect or treat the population of the State in the event of a CBRNE event.

§321- Emergency response stockpile to prepare for or respond to CBRNE events; exemption from certain laws and rules. (a) In addition to any other power or duty prescribed by law or in this part, the director, through the department, may maintain an emergency response stockpile to prepare for or respond to a CBRNE event. The director may undertake all lawful activities necessary to carry out this part, including but not limited to adopting rules pursuant to chapter 91, disbursing funds for grants or subsidies pursuant to chapter 42F, and procuring goods or services pursuant to chapter 103D or 103F.

(b) Notwithstanding any other law to the contrary, in preparing for or responding to a CBRNE event, the director and the department shall be exempt from chapters 328 and 461 and any related administrative rules, as those chapters and rules relate to the dispensing, labeling, prescribing, or storage of the emergency response stockpile.”

SECTION 2. This Act shall take effect upon its approval.

(Approved May 10, 2005.)