

ACT 157

H.B. NO. 2320

A Bill for an Act Relating to Health.

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

SECTION 1. The legislature finds that disparities in health outcomes between populations are increasingly costly to the State, both financially and socially. These disparities often have less to do with family medical history, such as a cancer gene passed on through generations, than with the social determinants of health, or the conditions in the environments in which people are born, live, learn, work, play, and age. Because these circumstances are shaped in turn by a wider set of forces, including economics, social policies, and politics, disparities in health outcomes are in large part preventable.

Social determinants of health are created and influenced by factors such as education, child care, housing, health care access, law, justice, media, community planning, transportation, and agriculture. Addressing these determinants is the key to achieving greater equity of opportunity for Hawaii's residents. Additionally, codifying health equity as a goal is a first step toward a more unified and comprehensive approach to public health policy.

The purpose of this Act is to establish health equity as a goal of the department of health.

SECTION 2. Section 321-1, Hawaii Revised Statutes, is amended to read as follows:

“§321-1 General powers and duties of the department. (a) The department of health shall have general charge, oversight, and care of the health and lives of

the people of the State[-], and shall pursue as a goal, the achievement of health equity. The department shall consider social determinants of health in the assessment of state needs for health.

(b) The department may conduct epidemiologic investigations of diseases and injuries that threaten or are deemed by the department to threaten the public health and safety.

(c) The department shall have authority in matters of quarantine and other health matters and may declare and enforce quarantine when none exists and modify or release quarantine when it is established.

(d) When it is determined that there is imminent danger of epidemic or serious outbreak of communicable disease, the department may refuse, modify, or limit attendance at any school in the State.

(e) When in the judgment of the director, there is deemed to be a potential health hazard, the department may take precautionary measures to protect the public through the imposition of an embargo, the detention of products regulated by the department, the removal of products regulated by the department from the market, the declaration of quarantine, or by sequestering items suspected to be contaminated by toxic or infectious substances; provided that the director shall find evidence of a health hazard within seven days of the action taken or rescind the action. The director shall make public the findings.

(f) All county health authorities, sheriffs, police officers, and all other officers and employees of the State, and every county thereof, shall enforce the rules of the department. All such powers in health matters as have been or may be conferred upon any county shall be concurrent with those of the department.

(g) The department may establish charges and collect fees for any of its services; provided that the department shall not refuse to provide services to any person due to the person's inability to pay the fee for the service. The department, through the director, shall make an annual report to the governor, showing in detail all its expenditures and transactions, and such other information regarding the public health as the department may deem of special interest.

(h) The department, during the prevalence of any severe pestilence or epidemic, shall publish a weekly report of the public health.

(i) The department shall establish and administer programs, and adopt rules as deemed necessary, for the prevention of domestic and sexual violence and the protection and treatment of victims of domestic and sexual violence.

(j) As used in this section:

"Health equity" means assuring equal opportunity for all people in the State to attain their full health potential.

"Social determinants of health" means the complex, integrated, and overlapping social structures and economic systems that contribute to health inequities. These social structures and economic systems include the social environment, physical environment, health services, and structural and societal factors."

SECTION 3. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

SECTION 4. This Act shall take effect on July 1, 2014.

(Approved June 30, 2014.)