Hawai‘i has been hit hard by several disasters this year including a false ballistic missile alert that sent residents and visitors into a panic. Then, in April and May, back-to-back events caused widespread damage and displacement from flash flooding in Kaua‘i and East Honolulu and from the lava outbreaks on the Big Island. Although many are facing tremendous emotional and financial challenges as a result of these events, one thing is evident: our island state continues to be united by the spirit of aloha.

At the Hawai‘i Public Health Institute, we are driven by our mission to improve the quality of life for the people of Hawai‘i. Inspired by the tireless commitment of our advocates and partners, we will continue to fight for solutions that advance health and health equity in our state. Much of that fight happens at the state legislature. While news outlets focused their attention on a few big and sometimes controversial issues, our 2018 Legislative Recap shines the light on a number of major health and health-related issues that you may not have heard about. We hope you find this piece informative and that it inspires you to be an engaged, active participant in the legislative process.
Less than two months after passage of President Trump’s signature tax cut bill that largely benefits the wealthiest Americans, the president proposed a 2019 budget that cuts basic resources which help millions of struggling families obtain health care, put food on the table, and assist with rent. To make matters worse, the administration has used its authority to tighten Medicaid eligibility by allowing states to impose work requirements for low-income people in order to qualify for the federal health program. Taken together, these changes deepen inequity and hardship, while driving up uninsured rates across the nation.

If the president’s proposed cuts are enacted, states will be expected to pick up the tab, resulting in massive new costs that states cannot afford.

In Hawai‘i, public health leaders and healthcare providers have worked on legislation to bend the cost curve through prevention, addressing workforce shortages and access to care, preserving health coverage, and making significant investments in affordable housing and homelessness. Find more about these bills in the health legislation section.
TRUMP’S PROPOSED 2019 BUDGET CUTS

- **$763 billion** in Medicaid cuts over the next 10 years.
- **$7 billion** in cuts to the Children’s Health Insurance Program (CHIP).
- **$213 billion** in Supplemental Nutrition Assistance Program (SNAP) cuts over the next 10 years.
- **$6.8 billion** in immediate cuts to low-income housing programs.
- **$72 billion** in cuts to disability programs, including Social Security Disability Insurance, over 10 years.
- **$21 billion** in cuts over 10 years to the Temporary Assistance for Needy Families block grant, which provides short-term income and work assistance to low-income families with children.
- **$800 million** in immediate cuts to Affordable Care Act (ACA) programs that test innovative payment service delivery models.
THE 2018 ELECTION

The 2018 Hawai‘i elections will take place on November 6, 2018. The primaries will be on August 11, 2018. The following pages highlight a few key races to watch and some of the candidates who have filed or expressed intent to run. For a full up-to-date list, please visit the Hawai‘i Office of Elections website.

**GOVERNOR**

<table>
<thead>
<tr>
<th>Candidate</th>
<th>Party</th>
<th>Platform Highlights</th>
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<tbody>
<tr>
<td>Mr. John Carroll</td>
<td>R</td>
<td>Previously served in the State House for four terms and State Senate for one term. Owns a ranch in Hamakua, Hawai‘i and is a war veteran and former commercial pilot for Hawaiian Airlines. Health platform from campaign page: None found as of May 15, 2018.</td>
</tr>
<tr>
<td>Congresswoman Hanabusa</td>
<td>D</td>
<td>Returned to serve Hawaii’s 1st Congressional District after a special election to fill the remainder of the late U.S. Rep. Mark Takai’s seat. Health platform from campaign page: Protect Prepaid Healthcare Act, improve healthcare for kupuna, and fund senior programs.</td>
</tr>
<tr>
<td>Mr. Clayton Hee</td>
<td>D</td>
<td>Former state senator and Office of Hawaiian Affairs Board Chair. Owns a farm in Ahuimanu. Health platform from campaign page: Address healthcare crisis and legalize recreational marijuana.</td>
</tr>
<tr>
<td>Gov. David Ige</td>
<td>D</td>
<td>Seeking re-election. Health platform from campaign page: A 21st century health system that improves access, treatment, and affordability; dedicated funding and increased treatment for mental health; improve care for homeless and kupuna; and fight opioid abuse and youth tobacco use.</td>
</tr>
<tr>
<td>Ms. Andria Tupola</td>
<td>R</td>
<td>First elected into the House of Representatives in 2014 and currently serves as House Minority Leader. Health platform from campaign page: None found as of May 15, 2018.</td>
</tr>
</tbody>
</table>
LIEUTENANT GOVERNOR

Although much of the public’s attention will be on the gubernatorial race this year, the lieutenant governor’s seat is also up for election. Despite having no constitutional responsibilities, the office has been used for various special projects that can help advance policy.

Bernard Carvalho, current Kaua‘i Mayor (D). Health platform from campaign website: Address homelessness, mental health, improving roads for pedestrians and bicyclists, complete streets, safe routes to schools, and food sustainability.

Kim Coco Iwamoto, previous member of Board of Education (D). Health platform from campaign website: Address homelessness.

Will Espero, current State Senator, Ewa Beach (D). Health platform from campaign website: Address homelessness, complete streets, food sustainability, drug treatment for all, kupuna care and caregiver support, and medical cannabis research and development.

Josh Green, current State Senator, Kona (D). Health platform from campaign website: Affordable healthcare and investing in hospitals.

Jill Tokuda, current State Senator, Kailua and Kaneohe (D). Health platform from campaign website: Address homelessness.

U.S. HOUSE OF REPRESENTATIVES

With several candidates pulling papers for office, the write-up below focuses on the only open seat, Congressional District 1, which is being vacated by Rep. Colleen Hanabusa.

Doug Chin, current Lieutenant Governor and previous Attorney General (D). Health platform from campaign website: None found.

Beth Fukumoto, current House Representative in Mililani and previous Republican-turned-Democrat (D). Health platform from campaign website: None found.

Kaniela Ing, current House Representative in South Maui (D). Health platform from campaign website: Medicare-for-all, protect reproductive rights, enact paid family leave, strengthen mental health services, gun control, legalize adult-use cannabis, restore Medicaid benefits for COFA migrants, and kupuna care.

Donna Kim, current State Senator, Kalihi, Moanalua, and Halawa (D). Health platform from campaign website: Affordable and accessible healthcare, expand Medicare, kupuna care, reproductive care, and care for low-income women and children.

Ernie Martin, current City and County of Honolulu Councilmember (D). Health platform from campaign website: None found.
The Legislature’s budget for the year beginning July 1, 2018 authorizes spending for $14.4 billion, a combination of both general and federal funds. The following chart includes our analysis of $7.2 billion in operating costs as it relates to general funds, not including federal funds. Funding for health includes $142 million for health programs, $149 million for hospital care (HHSC), $283 million for behavioral health, $18 million for environmental health, and $13 million for overall program support, totaling $597.5 million.

HB 1900 CD1 appropriations by program area category, totaling $7.2 billion for FY 2018-19 in general funds, not including federal funds.
THE BUDGET: WHAT MADE THE CUT & WHAT DIDN’T’
A snapshot of public health funding based on our analysis of HB 1900 and various appropriations bills.

**FUNDED**
- $200M for Rental Housing Trust Fund
- $360M over a 12-year period to provide GET exemption for construction of affordable housing
- $125M for flood relief to Kaua‘i and other areas
- $4.5M for 3 new ambulances in Kaua‘i, Hawai‘i, and O‘ahu
- $500,000 additional funds for chronic disease prevention and health promotion
- $180,000 funds for oral health telehealth pilot project
- $1M Family Medicine Practice center
- $4.6M increased rates for foster care payments
- $15M various homeless programs and services
- $3.8M Kupuna Care and $1.2M for Kupuna Caregivers
- $2.8M Hawai‘i Keiki Program
- $260,000 UH Apprenticeship Program
- $703,980 staffing & funding for Med-QUEST health analytics
- $5.2M to Med-QUEST to support online enrollment for Medicaid

**NOT FUNDED**
- $4.4M Medicaid adult dental benefit restoration
- $4.1M DOE workers’ compensation and benefits
- $2M English language learners classroom supplies
- $1.1M DOE data governance and analysis
- $700,000 UH Promise Scholarship Program
- $500,000 UH staffing and support for Native Hawaiian programs
- $1.1M liver cancer research
- $17M security fence for the Hawai‘i State Hospital
- $1M family medicine office for JABSOM family medicine residency program
The 2018 session was the second year of the legislative biennium, where bills that did not make it through the 2017 session are “carried over” and considered again for passage into law. Nearly 5,000 bills were considered by the legislature between these carry-over bills and new bills that were introduced in 2018 (2,688 and 2,260 bills, respectively). At the end of the legislative session, 230 bills (8.9 percent of those introduced in 2018) were passed and sent to the governor's desk. Of those, 18 were carried over from 2017.

The legislature introduced 321 bills that were referred to a health committee in the House or Senate. In comparison to last year, the percentage of health bills that passed the legislature nearly doubled, with 37 bills (11.1 percent) sent to the Governor.
11.5% PASSAGE RATE ON HEALTH LEGISLATION

ALL BILLS

- Bills Introduced: 2,260
- Bills Passed: 230 (10.2%)

HEALTH BILLS

- Bills Introduced: 321
- Bills Passed: 37 (11.5%)
**Social Services.** Policies related to services and benefits provided by government to vulnerable populations. Some examples include healthcare, food, and housing.

**Insurance Coverage.** Policies related to health insurance benefits, reimbursements, and coverage for particular conditions and medications.

**Healthcare Facilities & Workforce.** Policies related to healthcare facilities, workers, and workforce development and education.

**Mental Health & Substance Abuse.** Policies related to mental health care and services and substance abuse prevention and treatment.

**Population & Public Health.** Policies related to the prevention, protection, and improvement of the health of the community as a whole.

**Other.** Notable topics in this category include medical aid in dying and medical cannabis.
Even if a bill dies, there are a few tactics that legislators employ to keep the ideas moving. These strategies may also be used to address new issues that may come up after the bill introduction deadline. The two most common strategies are:

- **Gut and Replace** which removes the original content of the bill and replaces it with a new idea; and
- **Piggybacking** where the content of the original bill is retained, but new, often unrelated, content is added.

Although these strategies may be used with good intentions, there are some concerns about the lack of transparency and public input when these tactics are used. It is important to be aware of these possibilities when tracking bills as nothing is truly dead until the end of session.
LEGISLATION: CANNABIS

With the first few medical cannabis dispensaries opening last year, bills to improve the program continued to be a popular issue. Many of the bills introduced were based on recommendations from a working group created by the Legislature in 2016 to improve the medical cannabis dispensary program and ensure safe and legal access for qualifying patients.

HB 2729 (PASSED) allows medical cannabis users in other states to purchase cannabis products from Hawai‘i dispensaries, referred to as reciprocity. It also extends the permit to three years for patients with chronic conditions and allows the sale of vaporizers in stores. Two priority issues for medical cannabis advocates, allowing the sale of edibles and offering workplace protections for medical cannabis patients, were removed in the final version of the bill.

SB 2488 (PASSED) creates a working group to address the complex issue of health insurance reimbursement for medical cannabis. This was also an issue identified by the medical cannabis working group.

In addition to medical cannabis, SB 2683 (FAILED) would have decriminalized marijuana and legalized it for personal use for people age 21 or older.
**LEGISLATION: ALCOHOL & DRUGS**

**SB 2540 (FAILED)** would have lowered the blood alcohol content threshold from 0.08 to 0.05 for driving under the influence. The intent was to save lives by preventing alcohol-related accidents.

Floatilla events, often popularized by social media, are informally organized events where thousands of people gather in the ocean on floaties, surfboards, kayaks, and boats and is frequently associated with alcohol consumption. There have been many concerns from law enforcement and emergency personnel due to the prevalence of underage drinking and the dangers of drinking in the ocean.

**HB 2617 (FAILED)** would have prohibited consuming alcoholic beverages within 1,000 feet of Hawai‘i shorelines.

**HB 2759 (PASSED)** requires marine events to obtain a permit from the Department of Land and Natural Resources, up to one year in advance, to ensure safe conditions for participants and spectators.

Concerns about substance abuse led lawmakers to consider bills to prevent and treat addiction. While much of the attention was on opioids, they are only one part of a broader problem of substance abuse and addiction.

One bill relating to prevention, **HB 1602 (PASSED)**, adds a warning label to opioid prescriptions that informs the patient of the risk of overdose and addiction.

There were also a few bills that sought to prevent overdose deaths and fund treatment.

**SB 2247 (PASSED)** allows pharmacists to prescribe opioid antagonists for those at risk of an overdose, including to family members and caregivers.

**SB 2010 (FAILED)** would have allocated a total of $1 million towards the treatment of substance abuse, including opioids and methamphetamine.
LEGISLATION: TOBACCO

Bolstered by a 2018 report by the state Department of Health, which found that two decades of tobacco prevention and control policies and programs saved the state $1 billion in healthcare cost savings, the legislature explored measures that would continue to decrease the burden of tobacco in Hawai’i. Many of the tobacco bills focused on youth prevention and protection.

One of the major issues the legislature considered was the rising number of Hawai’i teens using e-cigarettes. **SB 2654 (FAILED)** would have added additional safeguards to prevent underage youth from purchasing the devices online in addition to regulating the products via taxation, permitting, and licensing. **HB 1895 (PASSED)**, in addition to appropriating three positions for the inspection of dialysis centers, also requires electronic smoking device (ESD) retailers to register with the Attorney General and establishes delivery and access restrictions. The measure also preempts counties from regulating the sale of ESDs, cigarettes, and tobacco products. **SB 2304 (FAILED)** would have prohibited retailers from selling tobacco products, including e-cigarettes, within 750 feet of schools and playgrounds to reduce their access to tobacco products and exposure to advertising.

**SB 2200 (FAILED)** would have prohibited smoking or vaping in private vehicles when minors are present. Since last legislative session, all counties have passed laws that protect keiki from secondhand smoke in cars. However, a statewide law would make the policies consistent throughout the state. **SB 192 (PASSED)** places approximately $54 million from a one-time arbitration settlement with the tobacco industry into the emergency and budget reserve fund, but following the heavy flooding in April, the bill was used as a vehicle for statewide flood relief.
TOBACCO-FREE UNIVERSITY OF HAWAI‘I
SB 134 (PASSED) prohibits the use of tobacco products, including e-cigarettes, on all 10 University of Hawai‘i campuses.
LEGISLATION: CARING FOR KUPUNA

**KUPUNA CARE**

**SB 2988 (FAILED)** would have allocated $4 million to expand the Kupuna Caregivers Program and required the Executive Office on Aging to provide a report on the program. Although that bill failed, money was still allocated to the program through the state budget bill. **HB 1900 (PASSED)** appropriates $1.2 million towards the program but added a restriction that qualified recipients may only receive the benefit once per week with the intent to increase the number of people helped by the program.

**UNLICENSED ELDER CARE**

**HB 1911 (PASSED)** gives the Department of Health authority to investigate unlicensed and uncertified care homes and establish fines for violations. Care homes that are operating without a license skirt regulatory requirements and hire employees without background checks or work experience, placing the health and safety of the individuals in these homes at risk.

**MEDICAL AID IN DYING**

Medical aid in dying — a highly covered issue this year — was one of the first bills to pass the legislature and was signed into law by the Governor in early April. After stalling in the House last session due to insufficient safeguards, the “Our Care, Our Choice” bill added many provisions to ensure that patients are mentally competent and acting of their own free will. **HB 2739 (PASSED)** allows terminally ill adults with less than six months to live the option to obtain a prescription that would end their life.
LEGISLATION: PUBLIC SAFETY

GUN CONTROL
In response to recent gun violence tragedies in Las Vegas and Parkland, several bills relating to gun regulation were introduced. SB 2046 (PASSED) bans bump stocks, which, when attached to a gun, make them similar to an assault weapon. SB 2436 (PASSED) reduces the amount of time a disqualified gun owner has to turn in their weapon from 30 days to 7 days. HB 2024 (FAILED) would have created a gun violence protective order, which would prevent a person from possessing a firearm for one year if they are deemed to pose a danger to themselves or others by family or the police.

RAT LUNGWORM DISEASE
The legislature appropriated $300,000 in recurring funds in the state budget, HB 1900 (PASSED), to the University of Hawai‘i at Hilo to conduct research on rat lungworm disease.

SERVICE ANIMALS
Spurred by reports of misbehaving pets being portrayed as a service animal, a bill was introduced to deter owners from falsely claiming their pet is a service animal. SB 2461 (PASSED) would make knowingly misrepresenting an animal as a service animal a misdemeanor offense.

RESCUE TUBES
With nearly half of visitor fatalities caused by drowning, SB 2087 (PASSED) encourages homeowners to house life-saving equipment on their properties such as automated external defibrillators (AEDs) and rescue tubes and waives liability when these are used for emergencies.

WORKERS’ COMPENSATION
Proponents argue that the current system chooses examiners that are in favor of the employer and insurance carrier. Opponents, however, believe that any changes to the current law would only delay recovery for the patient and create unnecessary administrative burden and costs.

HB 1694 (FAILED) would have allowed employers and employees to mutually agree to an independent medical examiner. SB 2364 (FAILED) would have required insurers to cover claims for workers to proceed and receive care versus automatically denying the claim pending investigation. HB 2202 (FAILED) would have required doctors to provide the same duty of care to injured workers as a traditional patient.
SB 2056 (FAILED) would have required that the default beverage served with children's meals in restaurants be a drink without added sugars, such as water or milk. This bill would not preclude parents from ordering other soft drinks, but instead offers the healthier beverage as the default option.

HB 2670 (FAILED) would have created a pilot program within the Department of Agriculture to incentivize the purchase of fresh, locally grown produce for SNAP participants. These programs are sometimes called “Double Bucks” as they provide participants with a dollar-for-dollar match on qualifying purchases, thus doubling their buying power while also increasing their access to healthier foods.

HB 2156 (FAILED) would have authorized non-profits, healthcare providers, businesses and faith-based organizations to provide Supplemental Nutrition Assistance Program (SNAP) applications to prospective applicants in an attempt to increase SNAP enrollment. Formerly called food stamps, SNAP helps low-income families purchase food, with an added benefit of supporting the local economy.
FARM TO SCHOOL
Farm to School programs promote healthy eating habits for keiki through education, school gardens, and school food improvements. Several bills were introduced to sustain the momentum of the Farm to School movement. SB 2387 (FAILED) would have funded two positions within the Department of Education, while SB 2928 (FAILED) would have funded one position within the Department of Agriculture and a pilot program to provide grants to expand the Farm to School program. Although both bills died, the budget bill HB 1900 (PASSED) included one position for Farm to School in the DOE and two positions in DOA.

LONG DISTANCE RUNNING
There has been increased participation of youth in long distance running events such as half-marathons and marathons. SB 2413 (FAILED) would have prohibited individuals under the age of 18 from participating in long-distance running events. Supporters of this bill identified studies that indicated youth do not absorb the impact of running as well as adults do, resulting in health consequences such as overuse injuries. Opponents pointed to studies that conclusively prove that long distance running is safe for youth.

COUNTY SURCHARGE
In order to fund the rail transportation project, SB 4 passed during special session 2017 and authorized a 0.05 percent (one-half of one percent) general excise and use tax for Hawai‘i, Maui, and Kaua‘i counties to be used for funding operating and capital costs for public transportation. HB 2587 (PASSED) provides a one-year extension until March 2019 for Hawai‘i and Maui counties to pass and adopt an ordinance to raise the General Excise Tax, which could be a new funding source for the improvement of roadways, projects such as Complete Streets, Safe Routes to School, and capital improvements to support non-motorized forms of transportation such as walking and biking.
LEGISLATION: HOMELESSNESS

Although the most recent point-in-time count of Hawaii’s homeless population showed a statewide decline for the second year in a row, it remains a major problem in our state. The issue of homelessness is complex and it is important to remember that those who are homeless are not just numbers. They are people: men, women, and children who often suffer from mental health issues and/or substance abuse and have very limited options for treatment. Homelessness was one of the Legislature’s top priorities this year.

The legislature made major investments in homelessness programs and services through a $15 million lump sum in the state budget and **SB 2401 (PASSED)**. The final form of SB 2401 included portions of **HB 2281 (FAILED)** and **HB 2753 (FAILED)**. One of the bill’s highlights is its appropriation of $30 million to establish an Ohana Zones pilot program. Ohana Zones, which are essentially legal homeless encampments that includes temporary housing structures, were pursued as a more immediate, innovate solution to homelessness, as it takes much less time to build these structures than permanent housing.

These zones may also provide services such as health care and transportation for the residents. SB 2401 also funded the following programs and facilities:

- **Emergency Department Homelessness Assessment Pilot Program**, which seeks to reduce costs from the chronic overuse of emergency departments by some homeless individuals through social workers that would connect them to more appropriate services.
- **Medical Respite Pilot Program**, which provides services such as emergency housing, health care, and meals for homeless individuals after they are discharged from a hospital. The program targets individuals who are too ill to recover on the streets but no longer need hospital care.
- **Law Enforcement Assisted Diversion Program**, which diverts low-level offenders experiencing homelessness to services such as outreach and counseling instead of incarcerating them. Pilot programs will be funded on Maui and Hawai‘i Island.
- **A new assessment center under the Department of Human Services**.
OTHER BILLS ON HOMELESSNESS

The legislature also funded a $1.5 million coordinated statewide homelessness initiative via SB 2027 (PASSED).

HB 2019 (FAILED) would have created a three-year grant program to provide homeless individuals with work opportunities and services to meet basic needs. Homeless youth, in particular, would have gained work experience that could have led to longer-term, competitive employment and given them opportunities to contribute to their community by removing graffiti and litter.

HB 2694 (PASSED) requires the Department of Health to provide free certified copies of birth certificates for homeless individuals whose status is verified by a homeless service provider as a way to reduce barriers to public benefits, employment, and other services. The bill has a sunset date of June 2021.
LEGISLATION: ENVIRONMENTAL HEALTH

PESTICIDE BUFFER ZONES
SB 3095 (PASSED) would ban the use of the pesticide chlorpyrifos and create a 100-foot buffer zone around public and private schools and prohibit the application of restricted-use-pesticides near schools during the school day. The ban takes effect on January 1, 2019, but users can apply for special permits until 2022.

CESSPOOLS
Cesspools, which discharge 53 million gallons of raw, untreated sewage per day into the groundwater, are a major source of pollution to Hawaii’s water supply. In 2017, a law was passed that requires all cesspools to be upgraded or converted by 2050. With over 88,000 cesspools in the state and an average replacement cost of $20-30,000 per cesspool, legislators pursued the following bills on the issue:

HB 1802 (PASSED) updated the cesspool income tax credit by removing the limit on the number of qualified residential large capacity cesspools the Department of Health could certify for the credit. HB 2540 (FAILED) would have created a low interest loan program to assist with cesspool upgrade or conversion expenses while SB 2717 (FAILED) would have established a grant program for beneficiaries of Hawaiian home lands to upgrade, convert, or connect cesspools located on Hawaiian home land properties.

SUNSCREEN BAN
SB 2571 (PASSED) makes Hawai‘i the first state to ban sunscreens containing oxybenzone and octinoxate to protect Hawaii’s reef and marine environment. Some physician groups are concerned that the ban may increase skin cancer rates.
STATEMENT: ECONOMIC JUSTICE

The state of Hawai‘i faces a continuing and increasing problem with individuals not being able to find affordable housing. From 2005-2012, the average rent in Hawai‘i has increased by 45 percent, while the average wage has only increased by 21 percent. According to a 2017 report by the National Low Income Housing Coalition, Hawai‘i is the most expensive state for housing, where a minimum wage worker would need to earn at least $35.20 per hour or work 152 hours a week at the current minimum wage in order to afford a two-bedroom rental.

AFFORDABLE HOUSING

**SB 2026 (FAILED)** would have issued general obligation bonds for construction of affordable housing development projects. The revenue from these bonds would be disbursed to the Rental Housing Revolving Fund and the Dwelling Unit Fund to increase the availability of affordable housing to low-income individuals and working families.

Individuals with special needs have even more difficulty finding long-term affordable housing due to low income. **HB 2748 (PASSED)** generated funding for the Hawai‘i Housing Finance and Development Corporation (HHFDC) to study and report on housing populations with access and functional needs. The Rental Housing Revolving Fund received $200 million to create 1,600 affordable rental housing units for individuals who are at or below 80 percent area median income (AMI). The Dwelling Unit Revolving Fund received $10 million to obtain and develop properties. HB 2748 also extended the general excise tax exemption for the developmental costs of affordable rental housing.

School impact fees are necessary to offset the impact of new homes and families on local schools, however, the fees can significantly raise the cost of new housing development projects. **SB 1146 (FAILED)** would have exempted the following categories from having school impact fees: housing developments for individuals or families with an income up to 80 percent of the area median income located in a county having a population greater than 500,000, state or federal public housing projects, state low-income housing projects, and housing projects certified or approved for a general excise tax exemption.
**AIRBNB**

Counties across the state have long wrestled with the growing proliferation of illegal short-term vacation rentals. Property owners argue that vacation rentals provide an additional source of revenue to help pay for mortgage and other costs associated with maintaining an investment property. Although many visitors benefit from a less expensive alternative to stay in the Aloha State where hotel rooms average $400 a night, housing advocates are concerned that the state’s lack of affordable housing inventory is being lost to vacation rentals.

**HB 2605 (FAILED)** would have ensured that vacation rentals pay their fair share in taxes and appropriated funds for counties to enforce and regulate their zoning laws, offering protections for residents and legal vacation rental owners. **HB 2568 (FAILED)** would have required short-term rental booking services to comply with requirements imposed on transient accommodations brokers such as tax collections.

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**MINIMUM WAGE**

Due to the state’s high cost of living, the current minimum wage of $10.10 per hour is not sufficient to meet basic needs. **SB 2291 (FAILED)** was the only measure that received a hearing, though it later stalled in the Ways and Means committee. The measure would have increased the minimum wage to $12.25 per hour in 2019 and $15 per hour by the year 2020. **HB 2294 (FAILED)** would have incrementally raised the minimum wage until 2021; thereafter, it would be tied to the consumer price index to account for inflation. **HB 1627 (FAILED)** would have repealed the exemption permitting employers to pay disabled workers less than the minimum wage.

**PAID FAMILY AND SICK LEAVE**

**SB 2990 (PASSED)** was amended in the legislature from establishing up to 16 weeks to allow workers to provide care for their family members without fear of financial setback or potential job loss to instead authorize a study to determine the best model for a family leave program. **HB 1727 (FAILED)** would have required employers to provide up to 40 hours of paid sick leave for minimum wage workers, but died in conference committee.
LEGISLATION: KEIKI CARE & SAFETY

A 2013 class action lawsuit accused the state of violating federal requirements by failing to provide adequate foster care payments to caregivers. Hawaii’s monthly foster care maintenance rate has remained largely unchanged since 1990 despite rising costs. Although both HB 2211 (FAILED) and SB 2096 (FAILED) attempted to address this issue, a $7.1 million Governor’s request to increase monthly payments was included in the state budget bill (HB 1900).

SB 2275 (FAILED) would have required health care professionals, health care employees, social workers, and law enforcement employees or officers to report suspected cases of labor trafficking or sex trafficking. The bill failed due to strong opposition by sex trafficking victim organizations concerned that victims would be at a high risk of harm due to lack of protective measures against their perpetrators.

HB 930 (FAILED) would have created an Erin’s Law Task Force to establish a program to educate public school students on sexual abuse prevention through use of age-appropriate curricula, train school teachers and staff, and inform parents and guardians about child sex trafficking and sexual abuse prevention.

SB 2790 (PASSED) would, at no cost, update guiding principles for children in foster care to meet the federal laws outlined in the Child Protective Act. The bill also addresses the needs of foster youth by outlining their rights, strengthening protections, and providing guidance for their proper care.

Hawai‘i continues to lead in expanding rights and protections for the LGBTQ community with SB 270 (PASSED), which prohibits anyone licensed to provide professional counseling — including psychiatrists, psychologists, social workers and family therapists — from attempting to change the sexual orientation, gender identity, or gender expression of anyone under 18 years old.

HB 1650 (PASSED) authorizes the Department of Human Services to disclose certain information regarding confirmed cases of child abuse or neglect of an individual, improving transparency around caregiver neglect.
LEGISLATION: HEALTHCARE & WORKFORCE

**SB 2340 (PASSED)** unanimously cleared the House and Senate, preserving the following benefits of the ACA in Hawai‘i law: health coverage for children up to age 26, coverage of pre-existing conditions, and prohibiting gender discrimination in determining premiums.

**SB 2924 (FAILED)** would have created an individual mandate for Hawai‘i, which was repealed at the federal level. The mandate was intended to guarantee a broad enrollment base and keep insurance premiums affordable, while ensuring that those who need care will have access when they need it the most.

**HB 2184 (FAILED)** would have regulated midwives by creating a licensure program under the Department of Commerce and Consumer Protection. Opponents believe it would limit birthing choices for women, especially those that live in remote areas. Supporters argued that the bill is about the licensure of a profession and would not decrease choice.

**SB 2298 (PASSED)** allows APRNs, pharmacists, and physicians who act as preceptors in volunteer-based supervised clinicals to receive income tax credits. This bill addresses the shortage of available preceptors for health professions students.

**SB 2653 (PASSED)** allows the Hawai‘i Medical Board to license physicians, surgeons, and osteopathic physicians by endorsement if the provider holds an active license in a jurisdiction with similar qualifications.

**HB 1638 (FAILED)** would have appropriated funds to sustain and expand healthcare apprenticeship programs at University of Hawai‘i community colleges.

**HB 2280 (FAILED)** would have funded measures to improve security at the Hawai‘i State Hospital, the state’s only publicly funded adult psychiatric facility, due to safety concerns that arose after the high profile patient escape in November 2017. One of the provisions included funding for fence around the perimeter of the facility, with an estimated price tag of $17 million.
HB 1520 (PASSED) requires that short-term, limited duration health insurance includes the same benefits required of regular health insurance. It also prohibits individuals that are eligible for regular insurance from enrolling in these short-term policies.

HB 694 (PASSED) establishes a Health Analytics Program within Department of Human Services' Med-QUEST Division and authorizes them to maintain an all-payers claims database. The all-payers claim database can be used to better understand Hawaii’s healthcare costs, population health, and disparities to better inform future health policies.

SB 3104 (FAILED) received broad support from independent pharmacies as it would have regulated pharmacy benefit managers, which are third party administrators that manage prescription drug programs on behalf of health plans. Advocates wanted to better manage the transparency of cost and access to prescription drugs, but the bill ultimately died in conference.

HB 2145 (PASSED) amends the insurance code to enable medication synchronization. This enables patients to sync their medication refills to be picked up on the same day every month, which can improve medication adherence and reduces the number of trips to the pharmacy.
OTHER HEALTH LEGISLATION

DOMESTIC ABUSE AND VIOLENCE
Several bills to protect individuals from abuse and violence were introduced by the Women’s Legislative Caucus.

HB 2128 (FAILED) would have mandated health plans to provide coverage for clinical victim support services for victims of sexual violence and abuse.

SB 2343 (FAILED) would have reformed the justice system by creating three degrees of domestic violence to allow for felony, misdemeanor, and petty misdemeanor penalties as a way to strengthen the efficiency of the state and county to respond to domestic violence cases and to increase offender accountability.

SB 2346 (PASSED) establishes a confidentiality program that allows victims of abuse to use a substitute legal address in place of their physical address to help protect survivors.

HB 2133 (PASSED) removed the requirement for a notarized or sworn written statement when allegations are made against police officers involving domestic violence.

ORAL HEALTH
HB 2185 (FAILED) would have funded a position in the Department of Education to establish evidence-based screenings and assessments for vision, oral, and behavioral health.

Currently, Hawai‘i does not provide adult dental preventative benefits under Medicaid other than emergency services which only provides pain management or tooth extraction. HB 2152 (FAILED) and HB 1615 (FAILED) would have restored basic adult dental benefits to Medicaid enrollees.

SB 3010 (FAILED) would have reimbursed dental providers for certain dental telehealth procedures, while $180,000 was appropriated in the budget for two oral health telehealth pilot sites for underserved keiki.

SB 2799 (PASSED) allows dental hygienists to perform under general supervision (as opposed to direct) of a dentist in a public health setting. This means that dental hygienists can perform procedures such as teeth cleanings or dental screenings in schools or public housing, thus improving access for underserved and vulnerable communities.
At the beginning of the 2018 legislative session, HIPHI and partners compiled a list of priorities for our first-ever public health agenda.

Here’s how those priorities fared...
## How Did Public Health Priorities Fare?

### Tobacco Control

<table>
<thead>
<tr>
<th>Proposal</th>
<th>Outcome</th>
</tr>
</thead>
<tbody>
<tr>
<td>Regulate electronic smoking devices or e-cigarettes by introducing a tax and requiring a tobacco permit and license in order to sell these tobacco products.</td>
<td>FAILED</td>
</tr>
<tr>
<td>Protect youth from marketing and exposure to tobacco products by creating a tobacco-free school buffer zone and prohibiting the sales of tobacco products near schools.</td>
<td>FAILED</td>
</tr>
<tr>
<td>Prohibit smoking and tobacco use, including the use of electronic smoking devices, by any person on the University of Hawai’i campuses.</td>
<td>PASSED</td>
</tr>
</tbody>
</table>

### Family Health

<table>
<thead>
<tr>
<th>Proposal</th>
<th>Outcome</th>
</tr>
</thead>
<tbody>
<tr>
<td>Implement a family leave insurance program to provide sixteen weeks of partial wage replacement to allow workers to care for a new child or a sick/injured family member.</td>
<td>FAILED</td>
</tr>
<tr>
<td>Increase funding for early intervention services.</td>
<td>PASSED</td>
</tr>
<tr>
<td>Increase appropriation for Kupuna Caregivers Program.</td>
<td>PASSED</td>
</tr>
</tbody>
</table>
## HEALTHY EATING + ACTIVE LIVING

<table>
<thead>
<tr>
<th>Proposal</th>
<th>Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>Make the default beverage in restaurant kids meals a healthy drink by replacing sugary drinks with water or milk.</td>
<td>FAILED</td>
</tr>
<tr>
<td>Promote healthy eating of locally harvested food in schools by establishing two Farm to School Specialist positions in the Department of Education School Food Services Branch. (Final bill funded one position.)</td>
<td>PASSED</td>
</tr>
<tr>
<td>Provide recipients of the Supplemental Nutrition Assistance Program (SNAP) access to fresh fruits and vegetables through the promotion of incentive programs such as Double Bucks.</td>
<td>FAILED</td>
</tr>
<tr>
<td>Grow our local food supply and expand agriculture education for Hawaii’s students by providing general funding for the Department of Agriculture’s Farm to School Program and a pilot Farm to School Grant Program.</td>
<td>FAILED</td>
</tr>
<tr>
<td>Assist state institutions in prioritizing the purchase of locally grown foods by clarifying existing laws, regulations, and opportunities through the establishment of a Local Food Purchasing Policy.</td>
<td>NOT INTRODUCED</td>
</tr>
<tr>
<td>Identify opportunities to meet national physical education recommendations by requesting the Department of Education to provide a report on the status of P.E. in schools.</td>
<td>FAILED</td>
</tr>
</tbody>
</table>
## ORAL HEALTH

<table>
<thead>
<tr>
<th>Proposal</th>
<th>Outcome</th>
</tr>
</thead>
<tbody>
<tr>
<td>Re-appropriate funding for adult dental care as a benefit for Medicaid enrollees.</td>
<td>FAILED</td>
</tr>
<tr>
<td>Establish an oral health task force to provide a report to the legislature on its findings and recommendations, including proposed legislation to address oral health in Hawai‘i.</td>
<td>NOT INTRODUCED</td>
</tr>
</tbody>
</table>

## POPULATION HEALTH

<table>
<thead>
<tr>
<th>Proposal</th>
<th>Outcome</th>
</tr>
</thead>
<tbody>
<tr>
<td>Request a sunrise study to outline implications of insurance reimbursement for cultural based physical activity.</td>
<td>PASSED</td>
</tr>
<tr>
<td>Require coverage of the National Diabetes Prevention Program to Medicaid and state employee insurance program.</td>
<td>NOT INTRODUCED</td>
</tr>
<tr>
<td>Appropriate funds to support diabetes education in schools.</td>
<td>NOT INTRODUCED</td>
</tr>
</tbody>
</table>

## ENVIRONMENTAL HEALTH

<table>
<thead>
<tr>
<th>Proposal</th>
<th>Outcome</th>
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</thead>
<tbody>
<tr>
<td>Prohibit the use of pesticides containing the active ingredient chlorpyrifos.</td>
<td>PASSED</td>
</tr>
<tr>
<td>Establish pesticide buffer zones for sensitive areas.</td>
<td>PASSED</td>
</tr>
<tr>
<td>Establish mandatory disclosure and public notification requirements for outdoor application of restricted use pesticides in various sensitive areas. (Final bill was disclosure only.)</td>
<td>PASSED</td>
</tr>
<tr>
<td>Proposal</td>
<td>Status</td>
</tr>
<tr>
<td>-------------------------------------------------------------------------</td>
<td>----------</td>
</tr>
<tr>
<td>Increase minimum wage to $15 per hour by 2021.</td>
<td>FAILED</td>
</tr>
<tr>
<td>Request the Department of Education to convene a working group to review after school programs in Hawaii’s public schools and to establish an Afterschool Program Advisory Council.</td>
<td>FAILED</td>
</tr>
<tr>
<td>Establish and provide funding for an Undergraduate Health Academy to be housed at UH West O‘ahu.</td>
<td>FAILED</td>
</tr>
<tr>
<td>Require the Department of Education to develop a program to provide CPR instruction and stroke education to students as a part of the high school health or physical education curriculum. (This was passed in the form of a resolution.)</td>
<td>PASSED</td>
</tr>
<tr>
<td>Reinstate the original budget of the R.E.A.C.H. program to $750,000.</td>
<td>FAILED</td>
</tr>
</tbody>
</table>

**CONTRIBUTORS**

Brian Birch, Communications Director • Trish La Chica, Policy and Advocacy Director • Maggie Morris, Advocacy Assistant • Jaylen Murakami, Advocacy and Outreach Coordinator • Haleigh Aguilar Romero, Intern • Jessica Yamauchi, Executive Director

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Hawai‘i Public Health Institute is a non-profit hub for health, bringing community-based organizations, government, academia, foundations and business together to advance policy and systems change to reduce disparities and improve the health of Hawai‘i residents.

We work towards building healthier communities through collaboration on a variety of issues that impact health, including transportation, education, access to healthy food, and economic opportunities.

HIPHI is home to Coalition for a Tobacco-Free Hawai‘i, Healthy Eating + Active Living island coalitions, Hawai‘i Farm to School Hui, and the Obesity Prevention Task Force.

learn more about HIPHI at hipher.org.