State revenue surpassed expectations in the 2021–2022 fiscal year, bringing $2 billion in surplus and opening the doors to fund programs for the betterment of the health and wellness of our residents. This stood in stark contrast to the preceding two years when the economic outlook of the state looked less hopeful, which spurred the Legislature to make cost-cutting decisions like suspending applications for grants-in-aid to nonprofit organizations, cuts that often result in a reduction of services for our communities.

Against the backdrop of this surplus, we entered the third year of the COVID-19 pandemic and the renewal of the federal declaration of a public health emergency. Although the pandemic was not front-and-center of legislative initiatives this year, public health continues to be a top concern as we learn to live with COVID-19.

Extra cash in the state coffers drove the Legislature to make good on some of its promises to meet financial need and reinstate stripped services, including authorizing an increased minimum wage, making the earned income tax credit (EITC) refundable and permanent, restoring adult dental benefits and expanding postpartum care for Medicaid enrollees, and providing direct payments to families that earn lower incomes.
FDA Plans to Ban Menthol Cigarettes and will Regulate Synthetic Nicotine
On April 28, 2022, the U.S. Food and Drug Administration (FDA) announced a proposed rule eliminating menthol cigarettes and flavored cigars from the market.

This highly-anticipated rule is the result of years-long advocacy and a lawsuit against the FDA brought by the Action on Smoking and Health (ASH), African American Tobacco Control Leadership Council (AATCLC), American Medical Association (AMA), and National Medical Association (NMA).

After tobacco manufacturers began marketing products that contained synthetic nicotine rather than nicotine derived from tobacco, public health advocates began fighting for these products to be included in tobacco regulations. A Congressional spending bill passed in March authorizes the FDA to regulate synthetic nicotine products—often called “salts” – the same as other e-cigarettes.

Leaked U.S. Supreme Court Opinion Greenlights Abortion Restrictions
In May 2022, a copy of a U.S. Supreme Court opinion in Dobbs v. Jackson Women’s Health Organization leaked to the public. The opinion, drafted by Associate Justice Samuel Alito, would overturn Roe v. Wade, the landmark case establishing the constitutional right to terminate one’s pregnancy.

The Supreme Court has not published its final opinion; however, several states have passed legislation effectively prohibiting abortion. Any reduction in healthcare access is a concern.
Federal Health Policy

U.S. House Passes Gun Legislation in Wake of Mass Shootings
The U.S. House of Representatives passed gun violence prevention legislation in June after hearing testimony from an 11-year-old survivor as well as the parents of a child who was killed in the elementary school shooting in Uvalde, Texas. The package would ban high-capacity magazines and prohibit the sale of assault weapons to people under the age of 21. The legislation is expected to fail in the Senate.

Still in a Public Health Emergency
U.S. Secretary of Health and Human Services Xavier Becerra renewed the federal declaration of a public health emergency, which has been in place since January 2020. Although the declaration is set to expire in July, many anticipate it will be extended an additional 90 days, until October.

COVID-19 Masking Rules Reversed
In April, Judge Kathryn Mizelle of the U.S. District Court of the Middle District of Florida struck down the Centers for Disease Control’s (CDC) rule requiring masks in transportation hubs (such as airports) and on public transportation (such as airplanes, trains, etc.). In her opinion, Judge Mizelle ruled that CDC exceeded its authority in issuing the mandate, regardless of how serious the public health concerns may be.

The U.S. appealed the ruling following an assessment from the CDC that masking was still necessary on public transportation. However, legal scholars speculate that the government may be moving at an intentionally slow pace to have the District Court’s ruling effectively erased through a legal doctrine relating to mootness, as the mask mandate expired in early May.
On November 15, 2021, President Joe Biden signed the Bipartisan Infrastructure Deal into law. This package marks some of the largest infrastructure investments in recent times. The bill includes:

- **$550 billion** in new federal spending
- **$110 billion** for roads, bridges and major infrastructure
- **$66 billion** for passenger and freight rail
- **$65 billion** to improve broadband infrastructure
- **$65 billion** to rebuild the electric grid
- **$55 billion** to upgrade water infrastructure
- **$50 billion** for water resiliency
- **$39 billion** to modernize public transit
- **$25 billion** for airport repair and maintenance
- **$21 billion** for environmental cleanup
- **$17 billion** for port infrastructure
- **$11 billion** for transportation safety*
- **$7.5 billion** for a network of electric vehicle chargers
- **$7.5 billion** for zero-and-low emission buses and ferries
- **$1 billion** to reconnect communities

*This includes a new Safe Streets and Roads for All Program, which provides $5 billion over five years to fund grants to prevent roadway deaths/injuries.
In March 2022, the Capitol reopened to the public for the first time in two years. The session continued with a virtual/in-person hybrid model, maintaining remote access while allowing in-person participation and testimony.

**Shake-Up At the Capitol**
In early 2022, Representative Ty Cullen (House District 30), a sitting legislator, and former Senator J. Kalani English (Senate District 7) pleaded guilty to felony charges that involved accepting thousands of dollars in bribes to influence legislation in favor of a particular wastewater contractor. Representative Luella Costales replaced Representative Cullen and Senator J. Kalani English was replaced (when he retired at the end of 2021) by former Representative Lynn DeCoite. Representative Kyle Yamashita filled Representative Cullen’s role as Vice Chair of Finance.

**A Hui Hou**
In 2022, we said goodbye to several legislators who will not seek reelection. Longtime health champion, Senator Rosalyn Baker, announced in May that she would be retiring from the Legislature. Senator Baker represents Senate District 6 and has served Maui for over 25 years.

Prior to her current Chair position leading the Senate Committee on Consumer Protection and Commerce, she served as the Chair of the Senate
Committee on Commerce, Consumer Protection, and Health. Also not seeking reelection are Representatives Aaron Johanson (House District 31), Tina Wildberger (House District 11), Luella Costales (House District 39), Takashi Ohno (House District 27), and Senators Clarence Nishihara (Senate District 13) and Brian Taniguchi (Senate District 11).

Several legislators filed to run for a different office rather than seek reelection. Representative Sylvia Luke, longtime chair of the House Committee on Finance, filed to run for Lieutenant Governor. Representatives Henry Aquino (House District 38) and Angus McKelvey (House District 10) are running for vacant Senate seats, Representatives Patrick Branco (House District 50) and Bob McDermott (House District 40) threw their hats in the ring for Congressional District II and U.S. Senate, respectively. Representative Val Okimoto (House District 36) is trying for a seat on Honolulu City Council, representing District VIII.
Gubernatorial Race
The 2022 election will determine the new Governor of Hawai‘i, as Governor David Ige wraps up his second term. Nineteen candidates have officially entered the race for Hawai‘i’s next Governor.

WHAT’S AT STAKE

Hawai‘i State Supreme Court Vacancies
Three of the five justices on the Hawai‘i State Supreme Court will turn 70 during the next Governor’s first term, including Chief Justice Recktenwald. In Hawai‘i, justices may not serve beyond age 70, meaning that Hawai‘i’s next governor will nominate the majority of the State Supreme Court.

Power of Veto
Hawai‘i’s governor has the power to veto legislation. This includes the power to veto or reduce appropriations in fiscal bills (except for those appropriating funds to the Legislature or the Judiciary) and the power to veto bills as a whole. The Legislature may override a veto by two-third majority vote.

COVID-19 Emergency Proclamations
Governor Ige issued emergency proclamations throughout the pandemic to address indoor masking requirements and food assistance.
Hawaiʻi Elections 2022

State Legislature
Hawaiʻi redistricted in 2022, a process by which state and federal district lines are redrawn every ten years. This puts all 76 House and Senate seats up for reelection.

Combined with the number of legislators retiring or leaving their current seats to pursue higher office, the 2022 election cycle guarantees a drastically different Legislature in 2023.

Key Dates

<table>
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<tr>
<th>Date</th>
<th>Event</th>
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<tbody>
<tr>
<td>JUN. 07</td>
<td>Candidate Filing Deadline</td>
</tr>
<tr>
<td>JUL. 26</td>
<td>Voters begin to receive Primary Election mail ballot packet</td>
</tr>
<tr>
<td>AUG. 01</td>
<td>Voter Service Centers open; Deadline to submit paper Voter Registration Application for the 2022 Primary Election</td>
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<tr>
<td>AUG. 06</td>
<td>Deadline to request an absentee mail ballot</td>
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<tr>
<td>AUG. 13</td>
<td>PRIMARY ELECTION, Voter service centers and places of deposit close</td>
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<td>OCT. 21</td>
<td>Voters begin to receive General Election mail ballot packet</td>
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<tr>
<td>OCT. 25</td>
<td>Voter service centers open</td>
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<td>OCT. 31</td>
<td>Deadline to submit paper Voter Registration Application for the 2022 General Election</td>
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<td>NOV. 01</td>
<td>Deadline to request an absentee mail ballot</td>
</tr>
<tr>
<td>NOV. 08</td>
<td>GENERAL ELECTION, Voter Service Centers close</td>
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In 2021, the Legislature approved a budget of nearly $19 billion for operations and capital improvements that were heavily dependent on federal relief funds. Since then, tax-fueled general fund growth created an unprecedented $2 billion surplus, allowing the 2022 Legislature to authorize $24 billion in spending. The $24 billion will increase operating budgets for every department and branch of government and generous spending on short-term appropriations and capital improvement projects.

How did we get from 2021’s austerity budget to the ample budget just passed? The remarkable turn-around is due mostly to federal COVID-19 relief. A half dozen acts, from the Coronavirus Preparedness and Response Supplemental Appropriations Act, signed on March 6, 2020, to the American Rescue Plan Act, signed on March 11, 2021, added nearly $20 billion to Hawai‘i’s economy.

Some of the money, such as the unemployment insurance bump and the relief for gig workers and contractors, increased taxable household incomes and spending, which helped state revenue collections in 2021.

Breakdown of FY2023 State Spending

- **EXECUTIVE** - $23.5 bil.
  - $4.9 bil. increase from FY 2022

- **JUDICIARY** - $202 mil.
  - $13 mil. increase from FY 2022

- **LEGISLATIVE** - $46 mil.
  - $4 mil. increase from FY 2022

- Office of Hawaiian Affairs (OHA) - $73 mil.
  - $64 mil. increase from FY 2022

Budget analysis provided by Beth Giesting, former Director of Hawai‘i Budget & Policy Center
The Budget

In addition, more than $2 billion in federal relief funds directly supported state programs in the FY2022 and FY2023 budgets, and some of the federal dollars for education, food, and other needs have longer timelines for spending.

The Executive Branch accounts for 99 percent of the budget. Figure 1 shows the distribution of the FY2023 budget, including budget bills and other appropriations bills. The Judiciary Branch spends 1 percent of the state budget, the Legislative Branch accounts for 0.2 percent of spending, and OHA receives 0.3 percent of legislatively-authorized funding.

FY23 Investments in Health and Related Human Services ($Millions) - Fig. 1

- Health Coverage: 387
- Health Care & Research: 758
- Related Humane Services: 493
- Behavioral Health: 446
- Public Health & Prevention: 446
- Environmental Health: 4,136

Budget analysis provided by Beth Giesting, former Director of Hawai‘i Budget & Policy Center
Resources that support the state budget come from a variety of funds. The largest are:

**General funds**, primarily from general excise, and other taxes.

**Special funds**, come from fees related to the programs they support, for example, fees collected for care provided by the Hawaiʻi Health Systems Corporation.

**Federal program funds** from recurring grants allocated by formula and competitive program grants, such as Federal relief funds from the Coronavirus Aid, Relief, and Economic (CARES) Act, Coronavirus Relief Fund, and the American Rescue Plan Act (ARPA).
The Budget

HAWAIʻI’S INVESTMENT IN HEALTH AND WELLBEING

Public Health and Prevention
$493 MILLION
Core programs in the Department of Health (DOH), including public health nursing, maternal child health, disease prevention, the state laboratory, and regulatory functions. Added to this category are one-time appropriations to the Department of Education for lead abatement and the Governor’s Office to coordinate trauma-informed care.

Behavioral Health
$386 MILLION
Programs responsible for providing mental health and alcohol and substance abuse services for adults, children and adolescents. The state hospital provides:
• Forensic mental health services.
• Services for people with developmental disabilities.
• Administrative support for behavioral health.
• This year a one-time appropriation added $800,000 to assist people who are incarcerated with behavioral health needs.

Environmental Health
$447 MILLION
Clean environment and safe drinking water. The FY2023 Environment Health program budget includes additional appropriations to cover the cost of the Red Hill fuel tank leaks and eliminating cesspools.

Health Care and Research
$996 MILLION
Hawaiʻi Health Systems Corporation, the Maui Health System, subsidies to private hospitals, emergency medical services, health care in prisons, and the University of Hawaiʻi Cancer Center and John A. Burns School of Medicine.

Health Coverage
$4 BILLION
The state’s operating budget for health insurance coverage is more than $4 billion. Nearly $3 billion in state and federal dollars support MedQUEST. Another $1 billion in state funding pays for insurance premiums for active...
public workers and retirees accounts. $25.9 million was allocated for the restoration of adult dental services. Health coverage accounts for 60 percent of state spending on all categories of health.

$750 MILLION

**Human Services Essential to Health**

Good health depends on investments beyond those directly related to public health, care, and coverage. Any program that promotes the equity and the social and economic wellbeing of Hawai‘i’s residents contributes to better health. We included in this category programs in the Department of Human Services (DHS) that support housing, food, family safety and income security.

**Changes in the health budget, explained**

In 2023, the Emergency Medical Service (EMS) budget decreased by $90 million because, in 2021, the Legislature appropriated an additional $88 million for its support, mostly from ARPA funding. It also approved a bill to transfer EMS responsibilities for O‘ahu from the state to the City and County of Honolulu. (See HB 1281, 2021).

Public Health & Prevention increased largely because of an emergency appropriations, including support for the state laboratory and the Office of Health Status Monitoring.
The Budget

HEALTH-RELATED APPROPRIATIONS BILLS: HIGHLIGHTS

Only 9 percent of all one-time appropriations bills passed in 2022 were for health-related needs. These totaled $235 million, the largest of which was a $170.4 million emergency appropriation that went to the Department of Health for pandemic management and prevention services. One-time appropriations accounted for 3 percent of all health-related spending for FY23.

HB2392 appropriates $170 million to the Department of Health (DOH) for pandemic mitigation during the current fiscal year and for FY2023.

SB2218 appropriates $1.5 million to the Department of Agriculture (DOA) for a 5-year food hub pilot program to support and develop systems to promote local food production.

SB3098 appropriates $1.85 million to the Department of Education (DOE) for lead abatement.

SB3367 provides $250,000 to DOH for early lung cancer screening.

SB3124 provides an emergency appropriation of $1.5 million to DOH to cover the Red Hill fuel storage facility costs.

SB2857 appropriates $4.5 million to DHS for a child wellness incentive pilot, and SB 3111 provides $300,000 for a family resource center pilot. DHS also gets $600,000 for a youth safety and shelter pilot appropriated in SB 3235.

HB2511 appropriates $600 million to the Department of Hawaiian Home Lands (DHHL) for housing.

HB1741 provides $305,000 to DHS to develop a pilot visitation and resource center for families with a parent who is incarcerated.

Budget analysis provided by Beth Giesting, former Director of Hawai’i Budget & Policy Center
**Grants-in-Aid**
Between 2015 and 2019, the Legislature awarded more than $155 million in grants-in-aid to Hawai’i nonprofits.

Due to the recession, the Legislature suspended grants-in-aid in 2020 and 2021. However, it restored the funding program in 2022 when it awarded $48.5 million in grants.

$48.5 Million in GIAs Awarded in 2022

- Human Services and Housing: 33%
- Culture, Arts, Community: 23%
- Health: 19%
- Ag, Econ Dev., Environment: 14%
- Other: 10%

Budget analysis provided by Beth Giesting, former Director of Hawai’i Budget & Policy Center
<table>
<thead>
<tr>
<th>Category</th>
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<td>Total Senate carryover bills from 2021</td>
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<td>Total House bills passed by the Legislature and sent to the Governor</td>
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</tr>
<tr>
<td>Total bills passed by the Legislature and sent to the Governor</td>
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Where Health Bills Died at the Legislature This includes any bill with action taken in 2022, which includes carryover measures that received referrals in 2022.

- **No Hearing**: 40% of bills were introduced but were not scheduled for a committee hearing.
- **Failed 1st Crossover**: 14% of bills did not cross over to the opposite chamber.
- **Died in Conference**: 5% of bills could not come to agreement on a final version.
- **Heard and Failed 1st Lateral**: 7% of bills were heard but failed to advance to their final committee in the originating chamber.
- **Failed 2nd Crossover**: 22% of bills failed to return to the originating chamber.
- **Passed Legislature**: 12% of bills were submitted to the Governor for approval. 

Hawaiʻi Public Health Institute
Economic Justice & Family Stability
Following the Legislature’s frugal approach in 2021, the House and Senate vowed to pass meaningful laws in 2022 to alleviate financial stress on families.

Minimum Wage and Earned Income Tax Credit
After years of negotiations, the Legislature passed HB 2510 (passed), which incrementally increases the state’s minimum wage from $10.10/hr to $18/hr by 2028.

The bill also makes permanent and refundable the state’s EITC, which is set to expire in December 2022. The bill awaits Governor Ige’s signature.

Paid Sick Days and Family Leave
The Legislature considered but ultimately rejected measures to provide paid sick days and paid family leave to Hawai’i’s workers.

HB 1504 (failed) would have required employers to provide paid sick leave if they worked 80 hours in a year, with every 30 hours worked accruing one hour of paid sick leave.

SB 3316 (failed) would have allowed employees to take up to eight weeks off from work to care for a new child or seriously ill or injured family member. Under this proposal, leave would be covered through expansion of the employer’s temporary disability insurance,
a model criticized by paid family leave advocates and businesses.

**Hawaii Saves**
According to AARP, over 200,000 workers in Hawai‘i lack access to retirement plans through their employers. To address this gap in adequate retirement savings, the Legislature passed **SB 3289 (passed)**, which creates a state-facilitated payroll deduction retirement savings program.

**Housing**
Various bills are introduced each year to address Hawai‘i’s high cost of living through affordable housing. This year, the Legislature again considered creating the Aloha Homes Program, a social housing modeled program modeled after Singapore.

**SB 3261 (failed)** would have studied the feasibility of the proposal. Support for this year’s Aloha Homes bill was tepid, and testifiers raised concerns about implementation and unintended consequences for ceded public lands.

Another bill, **SB 2251 (passed)**, seeks to greenlight mixed-income housing developments, but gained opposition from the Office of Hawaiian Affairs, which worried that market-rate developments on public lands could foreclose Native Hawaiian land interests.
HB2024 (passed) reassigns management for Mauna Kea from the University of Hawai‘i system to the newly established Mauna Kea Stewardship and Oversight Authority, which will establish a culturally sensitive management framework.

HB2511 (passed) allocates funding of $600 million to the Department of Hawaiian Home Lands to provide Native Hawaiian beneficiaries with housing, assisted payments, and related infrastructure. Providing the necessary amount will help to address the long-standing waitlist issues that left many qualified applicants waiting their entire lives.
Expanding Medicaid Coverage
Multiple bills were introduced to expand Medicaid coverage to ensure access to services in preventative and restorative dental care and 12-month care for postpartum patients.

While appropriations bills to provide this coverage passed through both chambers, the expanded coverage was ultimately funded by the state budget bill (HB 1600, passed) rather than appropriations, securing increased sustainability for the future of this coverage. Adult dental benefits were reinstated with $25.9 million in funding.

Telehealth
The Legislature continued conversations this year around expanding access to care through telehealth. Facing concerns that video calls are sometimes infeasible or impossible for patients, especially elderly patients and those living in rural areas,

SB 2073 (failed) was introduced to allow telehealth to take place over the phone in addition to video calls. Although this measure failed, SB 2624 (passed) creates and funds rural health and telehealth pilot projects within DOH, and requires reporting on the efficacy of telehealth delivery models.
Adding Capacity for Oral Health in Public Health Settings

SB2280 (passed) allows dental assistants to provide ancillary support in public health settings. Advocates argued this change would add capacity to community-based programs such as in-school sealant programs, which will lead to reducing health disparities among children.

Trans Health Equity

HB2405 (passed) prohibits insurers in Hawai’i from denying coverage for medically necessary treatments and services related to gender affirmation. Proponents of the bill pointed to erroneous insurance denials to transgender patients for services that are otherwise covered when unrelated to gender affirmation.

Community Health Workers

Measures introduced in 2022 sought to address certification for community health workers (CHW), who provide vital care to underserved communities in Hawai’i. SB 2882 (failed) would have established a CHW certification program. While many advocates and health organizations supported the intent of the legislation, they had concerns about unintended consequences of adding barriers to employment without the guarantee of improved pay and opportunities for CHWs.
Heeding advocates’ concern, the Legislature instead adopted SCR 2 (adopted), which requests the State Auditor to conduct a sunrise analysis of a CHW certification program. Another resolution, SCR 182 (adopted by the Senate only), requests the University of Hawai‘i to establish a culturally appropriate curriculum to train community health workers.

**Bail Reform**

After years of calls from criminal legal reform advocates to reduce the State’s reliance on money bail, the Legislature took its most significant step forward in making this a reality when it passed HB 1567 (passed).

This eliminates cash bail for certain low-level offenses that do not involve violence. While critics have referred to the bill as a “get out of jail free card,” expressing concerns over the potential increase in crime, the bill’s supporters worry that the bill’s many exclusions may temper the bill’s impact.

**Reentry and Recidivism Prevention**

The Women’s Prison Project led efforts on 12 bills to reduce the harm resulting from women’s incarceration. SB 2641 (passed) appropriates $200,000 for residential correctional programs to allow children to stay with their mothers, such as community-based furlough programs, residential drug treatment, therapeutic community programs, and mental health programs. SB 3294 (passed) appropriates another $200,000 for reentry planning circles for incarcerated individuals.

Other bills aiming to reduce recidivism did not survive. SB 3293/HB 2259 and SB 2775/HB 2310 (failed) would have established a recidivism prevention pilot program including housing vouchers, child care vouchers, and employer income tax credits to assist those exiting the Women’s Community Correctional Center.
Spotlight: Red Hill
In December 2021, reports emerged that 14,000 gallons of fuel had leaked from the Red Hill storage tank back in November. This affected roughly 93,000 people in military-housed communities as the closure of the storage facility compromised their communities' water source.

Around 5,000 people and numerous household pets were reported to have fallen ill with symptoms mirroring those associated with gasoline poisoning, and 17 people were hospitalized. The Navy did not finish flushing contaminated water until well into March 2022. On December 6, 2021, DOH issued an emergency order requiring the Navy
to suspend Red Hill Bulk Fuel Storage Facility operations. The Navy contested the order, which was ultimately upheld. In February, the Navy appealed this ruling in State court, and filed a separate action against the State in federal court.

In March 2022, however, the U.S. Secretary of Defense ordered the Navy to shut down Red Hill and, in April, the Navy dropped its lawsuits. In May 2022, DOH replaced its earlier emergency order with a new order setting out benchmarks for Red Hill’s safe defueling and closure.

Multiple bills were introduced to address Red Hill. **HB2514 (failed)**, would have limited the number of gallons stored in the underground storage tank, allowing no more than 100,000 gallons to mitigate the risk of leakage from the tanks and prevent further contamination of Oahu’s aquifer.

Two bills ultimately enrolled to the Governor seek to both address the current fuel leak and prevent future water contamination: **SB 3124 (passed)** makes an emergency appropriation to response and enforcement related to the Red Hill fuel leaks. **SB 2600 (passed)** prohibits the issuance or renewal of permits for large capacity storage tanks to be located above drinking water aquifers.
This year saw a major push for increased regulation on tobacco products, largely in response to the youth vaping epidemic. Health advocates also renewed a push for bills intended to curb driving under the influence.

**Tobacco Prevention and Control**

**HB1570 (passed)** originally would have ended the sale of all flavored tobacco products in Hawai‘i, as supporters of the bill point to data demonstrating that enticing flavors are one of the top drivers behind the youth vaping epidemic. However, the bill’s final form exempted certain flavored tobacco products that have been authorized by the U.S. Food and Drug Administration.

Supporters of the original bill argue that the breadth of this loophole undermines the purpose of the bill, severely limits the bill’s impact, and may inadvertently lead to youth switching to the remaining flavored tobacco products instead of quitting.

Opponents to the bill argued that banning flavors would cause adults who vape to return to smoking combustible cigarettes.

Several bills were introduced to regulate e-cigarettes to create parity between the treatment of e-cigarettes and conventional tobacco products. Of these, **HB 598 (failed)**, a 2021 carryover measure, made it the furthest, but was ultimately killed in conference committee when the conferees did not meet.
Alcohol

**HB 2375 (failed)** would have lowered the legal limit of driving under the influence of alcohol. Due to increased incidents of DUI and deaths, this measure would lower the blood alcohol content limit from 0.08 to 0.05.

If this bill had passed, Hawai‘i would have been the second state to lower the threshold alongside Utah, which reportedly experienced reduced DUI incidents following the law’s passage.

Those who oppose the bill argue that some people may have just one drink and already reach 0.05, which will still not be a state of impairment for some people at that threshold. Bills to increase alcohol taxes also failed this year.

**SB 2441/HB 1618 (failed)** attempted to place a 10 cent-per-drink surcharge on alcohol. The measures ultimately failed in the face of vehement opposition from bars and breweries.

Cannabis

**HB1886 (failed)** would have targeted Delta 8 tetrahydrocannabinol by banning cannabinoids created through isomerization. Supporters from DOH and HPD point to the lack of authorization for Delta 8 by the FDA, as well as cases of adverse effects on consumers associated with its use. Those in opposition argued that this...
could interfere with the use of medical cannabis, as well as ongoing state efforts around cannabis.

The pandemic highlighted the extent of Hawai‘i’s dependency on imported food products, which causes ongoing challenges for food access. Several bills this year aimed to alleviate food insecurity and incorporate a localized approach to meet the needs of local families while investing in sustainable food systems. **HB 1568 (passed)** amends Act 176 (2021), which required that, by 2050, fifty percent of produce purchased by state agencies must be locally-grown.

HB 1568 narrows this requirement to only apply to the state’s largest food purchasers, including the Departments of Health, Education, Public Safety, Defense, and University of Hawai‘i system.

**Support for Hawai‘i Food Banks**

This year’s budget provided $2 million to Hawai‘i food banks for operational costs. Proponents argued that this funding would especially help populations that the COVID-19 pandemic has disparately impacted.

Other measures to support food banks did not pass, including **SB 2956/HB 1566 (failed)**, which would have created a permanent farm to food bank program administered by the Office of Commu-
nity Services within the Department of Labor and Industrial Relations. The bill would have established a trust fund, out of which monies could be disbursed to food banks on the condition that they are used to purchase locally-grown food. Neither bill received committee hearings.

**Investment in Farm to School**
Achieving health equity necessitates improved investments in broad access to nutrient-dense, locally-grown foods and nutrition education beginning at an early age.

The Legislature passed **SB 2182 (passed)**, which appropriates $200,000 for a school garden specialist position within the DOE to help schools develop their own school garden programs. Other bills seeking to support Farm to School programming did not succeed. **HB 1844 (failed)**, for example, would have funded an Agriculture Education Coordinator position within the UH College of Tropical Agriculture to develop a framework of support for preschool through post-secondary agriculture education.
Sugar-sweetened Beverage Fee
SB 2211 (failed) would have enacted a 2-cent-per ounce fee on sugar-sweetened beverages, a strategy that has been shown in other jurisdictions to decrease sugary drink consumption and increase water consumption, and the revenue from which can fund instrumental programs to address chronic disease at the community level.

Advocates for the fee point to projected cost savings to the state and anticipated reduction in chronic disease like diabetes.

Critics worry that the fee could function as a regressive tax on communities that suffer disparate rates of chronic diseases associated with sugary beverage consumption. Neither advocates nor critics had the opportunity to testify on the bill because, as was the case in 2021, the bill was never scheduled to be heard in committee.

Safe Routes to School
Much of health is determined by our immediate surroundings, and advocates are working towards improving built environments to reflect sustainability, accessibility, and active living.

Safe Routes to School programming aims to ensure that all keiki have a safe environment to walk, bus, roll, or bike to school. SB 2544/HB 2014 (failed)
would have established a Safe Routes to School Advisory Committee within the Department of Transportation to develop a statewide strategic plan for SRTS programming.

After the bill was deferred in committee in the face of DOT opposition, the bill’s sponsor, Sen. Chris Lee, introduced SR 126 (passed), urging DOT to convene a SRTS advisory group. The resolution was adopted in the Senate.

**Lung Health**

At least ten percent of children in Hawai‘i have asthma, which has increased in recent years. Asthma has become one of the leading causes of absenteeism.

**SB 2822 (passed)** authorizes DOE to offer optional asthma education to students and asthma training to teachers and staff. Other measures this year also focused on lung health, including **SB 3367 (passed)**, which establishes and funds an Early Lung Cancer Screening Task Force to make recommendations for improving early detection of lung cancer in Hawai‘i.
By all accounts, the Hawai‘i State Legislature ended its 2022 session by delivering some significant wins. However, as in any year, sine die did not come without its fair share of missed opportunities. We saw this across all areas of public health policy: from tobacco prevention and control to sustainable food access, to establishing paid family leave.

While the Council of Revenues’ most recent forecast anticipates a more modest increase in general funds for fiscal year 2024 than fiscal year 2023, it is critical to continue funding public health and social services even during lean economic times and not only in times of disasters.

The Legislature can choose to continue its commitment to supporting programs and services that will make our communities healthier.
OUR MISSION To advance the health and wellness of the people and islands of Hawai‘i.

TO ACHIEVE OUR MISSION
• We expand understanding of what creates health of people and place, embracing upstream social, cultural and environmental factors.
• Foster partnerships among public health, health care, and other diverse sectors to improve health and wellness.
• Cultivate programs — including education, advocacy, research, capacity building and training — to improve policies, systems, and the environments where people live, learn, work, age, and play.

HIPHI is home to, or provides fiscal administrative & management support to, Coalition for a Tobacco-Free Hawai‘i, Community Health Worker Association, Hawai‘i Alcohol Policy Alliance, Hawai‘i Farm to School Hui, Hawai‘i Oral Health Coalition, Healthy Eating + Active Living (HEAL) county coalitions, and the Obesity Prevention Task Force.

Learn more about HIPHI at hphi.org