

Maui Health Initiative Task Force
Final Meeting
June 20, 2008
Maui Community College, Ka`a`ike Building
Videoconference Room 103
Minutes

Task Force members present: Rita Barreras (Chair), Tony Krieg (Vice-Chair), Dr. Emmet Aluli, Norman Bezane Jan Yagi-Buen, May Fujiwara Hermine Harman, Dr. Guy Hirayama, Mark Hyde, Phyllis McOmber, Leonard Oka, Dr. Richard Weiland

Task Force members excused: Alan Lee, Jeanne Skog, John Smith

Audience Participants: Dr. Al Arensdorf, Marv and Michele Paularena

Call to Order. Chair Rita Barreras called the meeting to order at 12 noon. She welcomed everyone to the meeting, noting that this is the final task force meeting. Dr. Emmet Aluli participated through a videoconferencing link to Moloka`i. Everyone brought on food to the potluck prior to the meeting.

Approval of Agenda. The agenda was adopted as presented (motion by Dr. Weiland, second by Dr. Aluli; adopted unanimously).

Public Testimony:

Dr. Al Arensdorf shared with the task force members that the proposal from the task force to create a county task force was presented to the Maui County Medical Society. He said the society members voted to support the proposal and would be willing to offer testimony before the County Council. He said that the Mayor's view is that the next step is to see if the County Council would create and empower a task force. They have a boards and commissions mechanism. They usually assign such groups to a particular department. The Mayor is favorably inclined to establish a county task force. Dr. Arensdorf said that the members of the Medical Society also gave compliments to Dr. Weiland for his work on the task force. Task force members also acknowledged Dr. Weiland for the great ribs that he makes.

Marv and Michele Paularena were welcomed and introduced to the members. They are former residents of Lahaina and now live in Kahului. They acknowledged May as a great friend from Lahaina.

Review and approval of May 30, 2008 minutes. The minutes were approved (motion by Phyllis McOmber, second by Mark Hyde; adopted unanimously).

Updates.

- **Proposal for Maui County Health Care Task Force – Feedback from Mayor Charmaine Tavares and Maui County Council.**

Mayor Tavares was not available to attend today's meeting. Dr. Arensdorf represented her. (Reference testimony above regarding an update from Mayor Tavares). Mayor Tavares has scheduled a meeting for June 27, 2008 to discuss the task force's recommendation. Chair Barreras will be on vacation then. The meeting will be changed to a later date.

Chair Barreras sent a letter to County Council Chairman Riki Hokama as well as Council members, to invite them today's meeting and to request an information briefing. Chairman Hokama advised Chair Barreras that he was not available to attend the meeting and will get in touch with her about the information briefing.

➤ **Prioritization of Maui County Health Initiative Task Force priorities list – Feedback from Maui County Legislators**

Chair Barreras pointed the members to the copy of the survey tool that Senator Shan Tsutsui prepared following the last task force meeting. The task force members asked the Maui County legislators to prioritize the task force's set of priorities. Senator Tsutsui is ill and could not attend today's meeting. Representative McKelvey's office called this morning and indicated that he had completed the survey and sent it in to Chair Barreras. She'll compile the surveys as they are sent to her.

Dr. Hirayama felt that this tracking system would keep the legislature on their toes. We need this kind of accountability system. A score card would be another tool that could be developed.

Tony Kreig said that he had a brief discussion with Senator Baker recently and asked her about her thoughts about a county task force. She shared with him that the more controversial items that the task force members dealt with were items that she thought had been in the legislative purview. She suggested to him that another task force should address prevention topics.

Dr. Hirayama respectfully disagreed with the Senator. He commented on his concerns about the accountability of our legislators. It appears that they were not doing much to support the task force's recommendations.

Jan Yagi-Buen asked Tony Krieg if Senator Baker would be willing to hold a hearing on tort reform? We agreed to support tort reform legislation and a hearing is needed.

Hermine Herman felt that the legislators came up with some legislative bills and then threw the baby out with the bathwater.

Chair Barreras noted that some legislators did carry some legislation and worked to support the recommendations. As we end our role with this task force she encourages the members to take the high road and ask the next county task force to work on the next steps.

Dr. Hirayama expressed his frustration and that the task force may have failed, but at the same time, he has to admit that his fellow physicians questioned how come there were not more physicians on the task force initially. After serving on the task force and learning about the issues, he has come to realize it is a task force of the community. It is going to take the community, not physicians to carry the issues. Now that the community task force has come to the county government level, they can articulate what they want. We need to keep the issues and the task force publicly visible. Legislators need to be held accountable. As the community task force becomes stronger, legislators will eventually realize they can't ignore it. Mark Hyde noted that he feels we produced a great document that can be used in the future by the new task force.

Dr. Weiland noted that if the Maui Health Initiative Task Force consisted only of doctors, they would be discussing topics like obesity and diabetes issues. This was not intended to be a panel of physicians. It is a community task force.

May Fujiwara expressed her feeling that she does not think the task force failed. The public is more aware about the issues because of the task force and it did great work.

Mark Hyde concurred that we didn't fail. He feels that all of us do not understand the legislative process well. The task force report that we prepared was done pretty good. He agrees there is power in people raising issues. A county wide task force can be effective, like on tort reform. It is contentious nationwide. It has to come to from the people. We put in a stepping stone and have to keep moving forward.

Tony Krieg noted that a citizen's task force is not a new idea in health planning history. In the late 1960's, subarea councils were formed. In about 1980, there was a state staff person to do health planning. Over time the staffing went away and the plan was written so broadly with a set of priorities. As long as there is a sub-area council in place and is authorized by the legislature, we need to acknowledge this process. If it is staffed by the county, perhaps we could get back to a original health planning process. He noted the evolution of the sub-area councils to review certificate of need applications.

Chair Barreras noted that forming the county task force provides an opportunity to create a ground swell in the community to keep the pressure on decision makers; not just legislators, but county council, mayor, congress persons.

Jan Yagi-Buen posed a question about what do we propose to put the pressure on the legislature; how do we propose to get people to lobby for tort reform? We can have meetings and invite the public. We don't have the money to go to the legislature. How do we create the ground swell of the citizens?

Chair Barreras indicated that the proposal submitted to the Mayor by the task force and proposed to the County Council could include some staffing support to help with this role.

Dr. Arensdorf noted that the Mayors' in Hawai'i have set up a Council of Mayors. They create an agenda. Last year the priority was health care. He attended a conference on the Big Island last year and brought information to the task force, which was incorporated in the task force report.

Jan Yagi-Buen hopes that the new Big Island Mayor follows through with the work that was begun by Mayor Harry Kim. His term is up this year.

Mark Hyde noted that we did present a report to the legislature and Maui County legislators presented bills. The report was stalled in the Governor's office for a long time and didn't get to the legislators right away after we submitted it.

Dr. Hirayama noted that legislators are paid representatives. How could they say that you guys (task force members) didn't show up at the legislature to support our recommendations. They are supposed to push for things in the legislature. He expressed his concern that they stood back.

Norm Bezane noted that the group is not interested in any change. Our recommendations got to them so late. It was difficult to do anything with the recommendations. Representative McKelvey is one who is building alliances in the legislature on many issues. He is interested in the West Maui situation. He would be very interested in introducing and pushing various bills. We would need to educate him and encourage him to represent us.

Dr. Hirayama asked about the other representatives. What would they do? It is apparent that none of the Maui County senators went to bat for the task force.

Chair Barreras reminded the task force members that the copy of the task force report was emailed to each legislator across the state before the Governor's office submitted the official report to the legislature. The legislature had it in advance of the Governor's signed Governor's Message communication.

The members thanked Chair Barreras for this reminder or did not know this had occurred.

Dr. Hirayama said that as a final action, the task force could do a report card on how our representatives fought for the community on the issues. The only way to get action is to get accountability. The public needs to know. What did our representatives actually do? When did they get the report? When did they get the survey? What did they do? He said that he would like to see the task force make a final report, to include performance of our representatives that would be on the record. He felt that we do not have enough information at this time to do this. But, we could publicize the unfinished business.

Chair Barreras asked if Dr. Hirayama could elaborate about the unfinished business. She noted that the Maui News has been regularly covering the task force and mentions its over 100 page report and lack of performance by Maui County legislators.

Mark Hyde said he thinks at this stage we need to move forward with the county task force. This set of tasks could be positioned for the next group. We should hand the ball off.

Leonard Oka said that the continuation of the task force is a nice way to say that nothing was done. It might be better to take this approach than a negative approach.

Dr. Hirayama said that coming from a school of the nicer approach it has its time and place. The nicer approach hasn't worked. We did lobby our legislators. It is the duty of the representatives to lobby on our behalf. The report and set of recommendations was presented to them.

Leonard Oka said that we didn't have time to lobby. He didn't expect a lot of things to pass. It is naïve if we thought something would pass and change.

Jan Yagi-Buen said that when someone delivers something to a contractor, they are held accountable. This task force - we did our duty. We created a great report and gave it to the legislators to run with it.

Dr. Hirayama said that they created some bills, but he doesn't have the impression that much was done.

Jan Yagi-Buen said that creation of the task force came from the legislature. It was through the legislature that they wanted the task force to do some work. She tracked the bills and watched how bills moved through the House and bills made it past first reading. On the Senate side there was action only on first reading. Jan expected to at least have a hearing in committee about the task force's report. She does commend some of our legislators for the work and effort put in by the House members. More could have been done this session.

Tony Krieg said that it is going to be important to develop a broader constituency. In order to get something changed, we need a broader group working on it. We need to continue the education process.

Chair Barreras noted that when she compares the legislative process in Hawai'i to the state she came from, Colorado, there are differences. Our state's process seems to be built on status quo. She once asked for information about fiscal notes tied with bills and learned that these are not readily made available to the public. In her former role in Colorado, she drafted legislation and fiscal notes. This information was made available to the public. She shared her experience in Oahu when she did present before Joint Senate Committees about the task force findings and recommendations. Senator Hemmings from Kailua was very complimentary of the task force's work and asked Senator Ige how come more time was not spent on the well thought out findings and recommendations of the task force. She witnessed political jockeying before Democrats and Republicans.

Tony Krieg noted that this is the way it is. It happens all over America.

Chair Barreras noted that her point is that the status quo is “thick” here in our state.

Dr. Hirayama clarified that it is “thicker”.

Mark Hyde suggested that we are not going to solve the larger political issues and the task force could frame a resolution to encourage legislative action on our fine work. The tone is important.

Norm Bezane noted that Representative McKelvey favors a revision of the CON process that would be supportive of the task force’s recommendation.

Dr. Hirayama said that the task force already developed a recommendation to propose a county task force. We should pass along our work to the new county task force. We should give a recommendation that the issues be handled timely and with a methodology of tracking performance. We need to not waste people’s time. He suggests that an accountability system or methodology would accomplish this.

Chair Barreras said she would like to take this item up under Actions on the agenda.

➤ **Release of Task Force Funds by Governor Lingle**

Chair Barreras wrote 3 emails and a letter to Governor Lingle to request the release of funds. She received a reply indicating that the reason the task force’s funds were not released is because it was her understanding that the State Health Planning and Development Agency (SHPDA) had sufficient funds to cover the task force’s costs. Shortly afterward, Chair Barreras received a call from the Deputy Director of the Department of Health indicating that the letter was unexpected by SHPDA and Department of Health. However, the Department would work to find the money to pay the task force’s expenses, even if it came from next fiscal year’s funds. Ms. Valerie Monson and Mr. Joe Lapilio have been paid. There is one outstanding bill (Ms. Anne Trygstad). Chair Barreras received a reimbursement for xeroxing costs. We should expect that the bill for Ms. Trygstad will be paid.

➤ **Other**

There was some discussion about the CON process and the task force’s recommendation. Norm Bezane gave a brief update on the status of the CON application for the West Maui Hospital. Tony Krieg gave an update on Hale Makua’s CON application through the administrative review process. The CON was granted for the Maui PACE (Program for All Inclusive Care for the Elderly) program. Hale Makua hopes to have this program begin in October. People who are Medicaid and Medicare eligible, who are certified to need a nursing home level of care and are able to live safely in the community can be enrolled in PACE. There will be flexibility given in the use of Medicare funds, such as providing benefits such as, meals, home nursing, personal care etc. Hale Makua hopes to have 120 people enrolled by mid-2010. This option will help to keep people in the community. The CON process asked a fair number of questions and Hale Makua received suggestions on how to

make the application better. SHPDA determines when an application is complete not the applicant.

Jan Yagi-Buen noted that if it is a facility review, a different process would be used.

Mark Hyde asked if Hale Makua was being capitated so many dollars? Tony said yes. Mark indicated that it sounds like Hale Makua is taking on a lot of risk. He shared his experience in California and asked if Hale Makua has individual stop loss insurance. Tony Krieg said that the federal government is sharing in the risk for the first couple of years. Tony Krieg said that the risk is about \$500 million. Task force members congratulated Tony on getting the certificate of need application approved, recognizing this is a large risk undertaking.

Dr. Arensdorf said that he is aware of two other CON's in the process:

1. Maui Medical Group MRI expansion
2. Maui Diagnostic Imaging radiology

Chair Barreras noted that she is aware of a worker shortage at Maui Diagnostic Imaging.

Actions

Chair Barreras asked for a motion for a recommendation to develop a resolution that would implement Dr. Hirayama's suggestion to pass along our task force work to the new county task force and that the issues be handled timely and with a methodology of tracking performance. A motion was made by Dr. Hirayama, second by Tony Krieg; adopted unanimously, following the discussion: 1) we should not tie the hands of the new task force and 2) "appropriate action" terminology should be used to give this flexibility, and 3) there should be accountability to do public reporting.

The members developed the following language to include in a letter to be signed by Chair Barreras:

The Maui Health Initiative Task Force strongly recommends that the Mayor of Maui County and County Council establish an ongoing health care task force to serve the needs of the people of Maui County. The task force, in concluding its work, to develop a comprehensive health care plan for Maui County, respectfully asks that the new health care task force, created by the county, recognize that the state legislature and county council carefully consider the task force's report of findings and its twelve (12) major recommendations.

Motion to accept the language above: (motion by Mark Hyde, second by Dr. Aluli; adopted unanimously).

Dr. Hirayama emphasized that performance reporting is important. We need to let the public know what is going on.

Mark Hyde suggested that copies of the final task force's report be sent to representatives in other counties. Perhaps each Mayor could receive a copy.

Dr. Arensdorf indicated that Justin Gruenstein has the contact names of people in the other counties.

Norm Bezane is interested in knowing who might be interested in serving on the task force. The Mayor is interested in having all the task force members apply to serve on the task force. Some members said they are not interested in applying and some are sitting on the fence. Chair Barreras said she feels a responsibility to apply to serve on the task force and help the new county task force move forward to the next phase. She hopes Elaine Slavinsky, Chair of the Tri-Isle SAC, will also consider applying.

Hermine Harman felt that it would be great if Chair Barreras, Tony Krieg, and Elaine Slavinsky would be considered for the task force.

Dr. Aluli said that he would be available to meet with the Council to testify about setting up a new task force. He suggested that our task force members should meet with the new task force - all the members.

Hermine Harman concurred and said that we could have a joint meeting.

Dr. Aluli said that Moloka`i, Lana`i and Hana should also serve on the new task force.

Dr. Weiland said that something we did on a late aspect of our committee is that the bills should be brought up first. We shouldn't have to do the last minute. The new task force could expand on bills now.

Dr. Hirayama noted that our task force was on a deadline. The new county task force will not be. They may take a couple of years to figure out the legislation to propose. We don't want to assume they will recommend the same package of legislative proposals.

Mahalos! Everyone expressed Mahalo to each other for a fine job. Jan Yagi-Buen presented a beautiful ti leaf lei to Chair Barreras. Members thanked her for her work in leading this task force. Chair Barreras thanked everyone for their dedication and a great job! She will keep members posted about the development with the proposed county task force.

Adjournment. The meeting adjourned at 1:45 p.m. Motion by Dr. Hirayama, second by May Fujiwara; adopted unanimously.