

Family Health Services Division (FHSD)
Hawaii State Department of Health (DOH)

STATUTORY AUTHORITY

FHSD falls within the purview of Title 19 Chapter 321 of the Hawaii Revised Statutes. § 321-1 General powers and duties of the department. Among these include:

- The department of health shall have general charge, oversight, and care of the health and lives of the people of the State, and shall pursue as a goal, the achievement of health equity.
- The department shall consider social determinants of health in the assessment of state needs for health.
- The department may conduct epidemiologic investigations of diseases and injuries that threaten or are deemed by the department to threaten the public health and safety.
- The department shall establish and administer programs, and adopt rules as deemed necessary, for the prevention of domestic and sexual violence and the protection and treatment of victims of domestic and sexual violence.

§ 321-31 Functions of the Department under Part II Preventive Medicine defines the functions of the Department. The powers, duties, and functions of the department of health relating to preventive medicine shall be as follows:

- To supervise and coordinate activities in the field of preventive medicine, including... crippled children... maternal and child health... nutrition...;
- To formulate.... Programs for the purposed of preventing and reducing disease and disability;
- To engage in the collection and analysis of statistical information pertinent to any of its activities;
- To cooperate with and propose methods and programs to other governmental agencies relating to the field of preventive medicine;
- To serve as the coordinating agency for programs which provide for a range of child abuse and neglect prevention services in relation to assess needs ... and to coordinate the prevention programs with child abuse and neglect treatment services....

There are additional statutes which govern specific program activities within the division.

Office of Primary Care & Rural Health

- HRS § 321-1.5 Primary Care incentive program allows for needs assessment and the development of strategies to meet the health needs of the medically underserved.
- HRS §321-1.65 Established and defines the scope of the Community health centers special fund for federally qualified health centers.

Children with Special Health Needs have several statutes governing it various programs:

- HRS § 321-51-54 Children with Special Health Needs describes its power, duties

and activities.

- HRS § 321-101 Provides authority for Systematic Hearing and Vision Program for children
- HRS § 321-291 Defines the scope of the Newborn Metabolic Screening Program.
- HRS § 321-296 Newborn pulse oximetry screening for congenital heart defects
- HRS § 321-351 to 357 Infants and Toddlers defines the eligibility and scope of the Part C Early Intervention Program and establishment of Early Intervention Special Fund.
- HRS § 321-361 to 363 Defines the scope of the Statewide Newborn Hearing Screening Program.
- HRS § 321-421 to 426 Defines the scope of the Birth Defects Program & Birth Defects special fund.

Maternal and Child Health Branch have the following statutes which govern part of its function and activities:

- HRS § 321-1.3 Established and defines the scope of the Domestic Violence Special Fund.
- HRS § 321-36 to 38 Defines the scope of Child Abuse and Neglect Prevention.
- HRS § 321-321 to 326 Establishes the scope of the Maternal and Child Health Program.
- HRS § 321-327 Hawaii home visiting program; established
- HRS § 321-331 Defines the scope and authority of the Prenatal Health Program.
- HRS § 321-341 to 346 Provides authority for Child Death Review
- HRS § 321-471-476 Provides authority for Domestic Violence Fatality Review
- HRS § 324-1-6 Provides authority for Maternal Mortality Reviews
- HRS § 350B-5 Established and defined the scope of the Hawaii Children's Trust Fund (in Department of Human Services Chapter 350)

Other § 321 statutes related to MCHB programs:

- HRS § 321-11.1 Medically accurate sexuality health education(a) Sexuality health education programs funded by the State shall provide medically accurate and factual information.
- HRS § 321-33 Shaken baby syndrome. Hospitals may provide parents of the newborn with written information approved by the department of health and provided by nonprofit organizations.

While there is no statute specific to WIC services its activities would fall within the scope of Part VII of the Health statute HRS § 321-81 Nutrition, which allows for nutritional education, evaluation, and contractual services.