



DEPARTMENT OF THE ATTORNEY GENERAL

DAVID Y. IGE
GOVERNOR

DOUGLAS S. CHIN
ATTORNEY GENERAL

For Immediate Release
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News Release 2016-25

**9th CIRCUIT COURT TEMPORARILY STOPS TRANSITION
ACTIVITIES RELATED TO THREE MAUI COUNTY HOSPITALS**

HONOLULU – The 9th Circuit Court of Appeals today entered an order temporarily stopping activities related to the transition of Maui Memorial Medical Center, Kula Hospital & Clinic, and Lanai Community Hospital to a private operator. Today's order lasts only until September 30, 2016, unless sooner terminated by the Court. The Court also ordered the parties to the lawsuit to file a joint status report on or before June 30, 2016.

In 2015, the state legislature passed a law ending the Hawaii Health Systems Corporation's delivery of health care services at the three Maui facilities and transferring service delivery to a private operator. On January 14, 2016, the Hawaii Health Systems Corporation board and its regional board signed an agreement to transition to a new Kaiser entity, Maui Health Systems. United Public Workers, representing some of the Maui hospital employees, sued to stop the transition from taking place in the case of United Public Workers v. Ige. On February 19, 2016, United States District Court Judge Helen Gillmor ruled in favor of the State, and UPW appealed to the federal 9th Circuit Court. Today's order does not rule on the appeal.

Attorney General Doug Chin said, "At oral arguments before the 9th Circuit in April, certain judges expressed concern about the impact of the transition on the affected UPW employees. The administration and legislature have put together multiple solutions to address these concerns. We will comply with the 9th Circuit's order and report our progress to them."

Today's order is attached.

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For more information, contact:

James W. Walther
Deputy Attorney General
(808) 586-1284
James.W.Walther@hawaii.gov
<http://ag.hawaii.gov>

FILED

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UNITED STATES COURT OF APPEALS

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

FOR THE NINTH CIRCUIT

UNITED PUBLIC WORKERS,
AMERICAN FEDERATION OF STATE,
COUNTY, MUNICIPAL EMPLOYEES,
LOCAL 646, AFL-CIO,

Plaintiff - Appellant,

v.

DAVID Y. IGE, in his capacity as
Governor of the State of Hawaii,

Defendant - Appellee.

No. 16-15219

DC No. 1:15 cv-0303 HG
D Hawaii

ORDER

Before: TASHIMA, SILVERMAN, and GRABER, Circuit Judges.

On *sua sponte* reconsideration, Plaintiff-Appellant's motion for an injunction pending appeal is granted, in part.

Defendant-Appellee David Y. Ige ("Governor") and all persons acting in concert with the Governor are enjoined from enforcing or implementing, or taking any steps to enforce or implement, 2015 Hawaii Session Law, Act 103. This injunction pending appeal is issued pursuant to Fed. R. App. P. 8 and Fed. R. Civ. P. 62(g), and shall remain in effect only until September 30, 2016, unless sooner terminated by the court.

On or before June 30, 2016, the parties shall file a Joint Status Report setting forth any change in the status of the case.