

STAND. COM. REP. NO.

1032

Honolulu, Hawaii

MAR 27 2009

RE: H.B. No. 1379
H.D. 2
S.D. 1

Honorable Colleen Hanabusa
President of the Senate
Twenty-Fifth State Legislature
Regular Session of 2009
State of Hawaii

Madam:

Your Committee on Health, to which was referred H.B.
No. 1379, H.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO PHYSICIAN ORDERS FOR LIFE
SUSTAINING TREATMENT,"

begs leave to report as follows:

The purpose of this measure is to ensure a person's wishes regarding end-of-life care are followed by allowing for the use of a standardized physician orders for life sustaining treatment form that states an individual's wishes regarding end-of-life treatment in all pre-hospital and health care settings.

Your Committee received testimony in support of this measure from the Department of Health, the City and County of Honolulu Emergency Services Department, the Healthcare Association, and Kookaa Kalihi Valley. Testimony in opposition to this measure was submitted by the Hawaii Health Systems Corporation.

Written testimony presented to the Committee may be reviewed on the Legislature's website.

Your Committee finds that emergency services personnel are mandated by law to attempt resuscitation unless the person has a state issued comfort care only, do not resuscitate bracelet or necklace. However, these bracelets are only issued to individuals who have a terminal condition. Many community members mistakenly believe that their advanced health care directive or living will

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is enough to prevent an unwanted attempt at resuscitation by emergency responders.

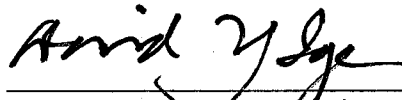
Your Committee further finds that this measure is not intended to impose mandates on hospitals to accept the "physicians orders for life sustaining treatment" form. Acceptance of the form is discretionary and reports have shown that even without mandates, eighty-five per cent of facilities honor the "physicians orders for life sustaining treatment" form.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2009; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and style.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1379, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1379, H.D. 2, S.D. 1, and be referred to the Committee on Judiciary and Government Operations.

Respectfully submitted on
behalf of the members of the
Committee on Health,

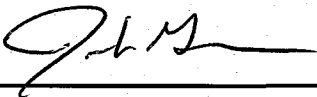


DAVID Y. ICE, Chair



The Senate
Twenty-Fifth Legislature
State of Hawaii

Record of Votes
Committee on Health
HTH

Bill / Resolution No.:*	Committee Referral:	Date:		
HB 1379, HD2	HTH, JGO	3/23/09		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is:				
<input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
IGE, David Y. (C)	✓			
GREEN, M.D., Josh (VC)	✓			
BAKER, Rosalyn H.	✓			
ESPERO, Will	✓			
NISHIHARA, Clarence K.	✓			
HEMMINGS, Fred				✓
TOTAL	5	0	0	1
Recommendation:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
				
Distribution:				
Original	Yellow	Pink	Goldenrod	
File with Committee Report	Clerk's Office	Drafting Agency	Committee File Copy	

*Only one measure per Record of Votes