

JAN 21 2011

A BILL FOR AN ACT

RELATING TO HEALTH CARE.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The Healthcare Association of Hawaii has
2 established a patient safety and quality committee whose mission
3 is to improve the quality of health care delivered by the full
4 range of provider organizations represented by Healthcare
5 Association of Hawaii members. The committee, which includes
6 representatives of hospitals, nursing homes, home care agencies,
7 and hospices, would like to examine medical cases that apply to
8 various types of provider organizations. However, in order to
9 ensure full and free discussion, information about the cases
10 must be protected from its potential use in medical malpractice
11 lawsuits.

12 The importance of protecting peer review and quality
13 assurance of health care is recognized in Hawaii by statute in
14 section 624-25.5, Hawaii Revised Statutes. The intent of this
15 section is to encourage robust discussion that leads to changes
16 in policies, procedures, or practices. The absence of these
17 protections would limit discussion and therefore limit
18 improvements in the quality of care.



1 Until recently, these protections were restricted to
2 committees created by individual facilities. However, Act 133,
3 Session Laws of Hawaii 2010, extended protection to
4 multidisciplinary quality assurance committees convened and
5 conducted by the department of health to monitor, improve, and
6 evaluate emergency and trauma systems.

7 The purpose of this Act is to establish that
8 interdisciplinary quality assurance committees composed of
9 members from various health care organizations have similar
10 protections as those committees formed by hospitals, health
11 maintenance organizations, and statewide trauma care systems.

12 SECTION 2. Section 624-25.5, Hawaii Revised Statutes, is
13 amended by amending the definition of "quality assurance
14 committee" to read as follows:

15 "Quality assurance committee" means [am]:

- 16 (1) An interdisciplinary committee established by the
17 board of trustees or administrative staff of a
18 licensed hospital, clinic, long-term care facility,
19 skilled nursing facility, assisted living facility,
20 home care agency, hospice, health maintenance
21 organization, preferred provider organization,
22 preferred provider network providing medical, dental,



1 or optometric care, or an authorized state agency
2 whose function is to monitor and evaluate patient
3 care~~[r]~~ to identify, study, and correct deficiencies
4 in the health care delivery system ~~[to reduce]~~, with a
5 goal of reducing the risk of harm to patients [and
6 improve], improving patient safety, or otherwise
7 ~~[improve]~~ improving the quality of care delivered to
8 patients[-]; or

9 (2) An interdisciplinary committee composed of
10 representatives of a group of organizations described
11 in paragraph (1) that is established collectively by
12 the boards of trustees or administrative staff of
13 these organizations whose function is to monitor and
14 evaluate patient care to identify, study, and correct
15 deficiencies in the health care delivery system, with
16 a goal of reducing the risk of harm to patients,
17 improving patient safety, or otherwise improving the
18 quality of care delivered to patients."

19 SECTION 3. Statutory material to be repealed is bracketed
20 and stricken. New statutory material is underscored.

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1 SECTION 4. This Act shall take effect upon its approval.

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Report Title:

Quality Assurance Committee; Health Care; Peer Review
Protections

Description:

Expands definition of "quality assurance committee" to include interdisciplinary quality assurance committees composed of members from various health care organizations.

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