

MAR 13 2013

SENATE RESOLUTION

REQUESTING THE DEPARTMENT OF HEALTH AND THE JOHN A. BURNS SCHOOL OF MEDICINE TO CONDUCT A STUDY ON STATES WITH GOOD SAMARITAN LAWS AND THEIR IMPACT ON DECREASING DRUG OVERDOSE DEATHS.

1 WHEREAS, this body finds that Good Samaritan policies, also
2 known as medical amnesty, are life-saving measures that are in
3 the best interest of the public's health, safety, and welfare;
4 and
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6 WHEREAS, these policies enable people to make responsible
7 decisions by shielding them from punishment when they seek
8 medical attention during an emergency involving controlled
9 substances; and
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11 WHEREAS, this body finds that the threat of criminal
12 punishment for being in possession of a controlled substance may
13 often cause people to hesitate from taking necessary action in
14 such emergency situations, and time spent worrying about legal
15 consequences delays the arrival of critically needed medical
16 assistance, in which even a short delay can mean the difference
17 between life and death; and
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19 WHEREAS, this body further finds that overdoses nationwide
20 more than doubled between 2000 and 2006, and nationally and
21 locally, more overdose deaths are caused by prescription drugs
22 than all illegal drugs combined; and
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24 WHEREAS, middle-aged Americans are the hardest hit by the
25 overdose crisis, and nationally, more people aged thirty-five to
26 fifty-four die from drug overdoses than from motor vehicle
27 accidents; and
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29 WHEREAS, drug overdose is the second leading cause of
30 injury-related deaths among young adults aged fifteen to thirty-
31 four; and
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33 WHEREAS, fatal drug overdose was the leading cause of
34 injury-related deaths in Hawaii in 2011; and



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2 WHEREAS, in Hawaii, according to the Department of Health's
3 Injury Prevention and Control Branch, there were one hundred
4 eighty-three drug overdose deaths in 2011, and the increase in
5 unintentional drug poisonings has made this the third leading
6 cause of fatalities among Hawaii's residents over the last five
7 years; and

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9 WHEREAS, over twenty years, unintentional drug overdoses
10 have surpassed car crashes, homicides, drowning, and pedestrian
11 fatalities as a leading cause of injury mortality; and

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13 WHEREAS, this body also finds that a study conducted at
14 Cornell University, and recently published in the International
15 Journal of Drug Policy, demonstrated that Good Samaritan
16 policies are effective in ensuring that people receive help
17 during alcohol-related emergencies; and

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19 WHEREAS, over ninety college campuses across the United
20 States have policies that provide protection from prosecution
21 for witnesses who call 911; and

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23 WHEREAS, Good Samaritan laws have been enacted as state law
24 in ten states, including California, Colorado, Florida, New
25 York, and Washington; and

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27 WHEREAS, this body further finds that if criminal
28 punishment is intended to deter drug abuse, it is clearly too
29 late to deter such abuse when a person is already suffering from
30 an overdose; and

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32 WHEREAS, the number one reason cited for not calling 911 in
33 response to a drug overdose is fear of arrest for drug
34 possession; and

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36 WHEREAS, Good Samaritan polices should not be perceived as
37 a "get out of jail free card" or a reward for illegal drug use,
38 but rather a way to enable individuals to make potentially life-
39 saving decisions promptly and without hesitation; and

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41 WHEREAS, Good Samaritan policies foster the Aloha spirit of
42 caring for one another; now, therefore,
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1 BE IT RESOLVED by the Senate of the Twenty-seventh
 2 Legislature of the State of Hawaii, Regular Session of 2013,
 3 that the Department of Health, together with researchers from
 4 the John A. Burns School of Medicine, are requested to study the
 5 states with Good Samaritan laws and the laws' impact on
 6 decreasing drug overdose deaths; and

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 8 BE IT FURTHER RESOLVED that the Department of Health is
 9 requested to submit a report outlining policies in other states
 10 and the effect of Good Samaritan policies on drug overdoses and
 11 deaths to the Legislature no later than twenty days prior to the
 12 convening of the 2014 Regular Session; and

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 14 BE IT FURTHER RESOLVED that certified copies of this
 15 Resolution be transmitted to the President of the Senate,
 16 Speaker of the House of Representatives, Chair of the Senate
 17 Health Committee, Chair of the House of Representatives Health
 18 Committee, Director of Health, and Dean of the John A. Burns
 19 School of Medicine.

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OFFERED BY: Therese Chun Oaldard

[Handwritten signatures]
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