

STAND. COM. REP. NO.

379

Honolulu, Hawaii

FEB 15 2013

RE: S.B. No. 666
S.D. 1

Honorable Donna Mercado Kim
President of the Senate
Twenty-Seventh State Legislature
Regular Session of 2013
State of Hawaii

Madam:

Your Committees on Health and Judiciary and Labor, to which was referred S.B. No. 666 entitled:

"A BILL FOR AN ACT RELATING TO HEALTH,"

beg leave to report as follows:

The purpose and intent of this measure is to establish an emergency services patient advocate program to provide assistance to and advocate on behalf of patients receiving emergency medical care.

Your Committees received testimony in support of this measure from the Community Alliance for Mental Health and two individuals. Your Committees received testimony in opposition to this measure from the Department of Health and Kaiser Permanente Hawaii.

Your Committees find that sick and vulnerable patients and their family members can become overwhelmed during a medical emergency. Many patients are unaware of their rights regarding the treatment and care they receive from their emergency room physicians. Your Committees find it is commonplace that many patients or their family members may disagree with the diagnosis or treatment plan provided by their emergency room physician, but feel forced to accept the treatment plan because they are unaware of how to effectively exercise their right to secure appropriate and available emergency medical care.

Your Committees note the emotional and moving testimony of former state legislator Fred Rohlfing, whose wife of thirty years

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died after an emergency room physician missed her diagnosis and discharged Mrs. Rohlfing against Mr. Rohlfing's wishes. Your Committees find that it is necessary to establish an emergency services patient advocate program to provide assistance to and advocate on behalf of patients receiving emergency medical treatment. Your Committees further find, however, that a mandated, statewide patient advocate program would be extremely costly and is not feasible at present.

Your Committees have amended this measure by deleting all of the substantive sections of the Act relating to the emergency services patient advocate program except for the section:

- (1) Directing the Department of Health to establish an emergency services patient advocate program, as the codification of the program may serve as a framework for future legislation to expand the program statewide; and
- (2) Requiring the Department of Health to adopt rules related to the program.

As affirmed by the records of votes of the members of your Committees on Health and Judiciary and Labor that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 666, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 666, S.D. 1, and be referred to the Committee on Ways and Means.

Respectfully submitted on
behalf of the members of the
Committees on Health and
Judiciary and Labor,



CLAYTON HEE, Chair



JOSH GREEN, Chair



The Senate
Twenty-Seventh Legislature
State of Hawai'i

Record of Votes
Committee on Health
HTH

Bill / Resolution No.:* SB 666	Committee Referral: HTH / JDL, WAM	Date: 02/11/2013		
<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
GREEN, Josh (C)	✓			
BAKER, Rosalyn H. (VC)	✓			
CHUN OAKLAND, Suzanne	✓			
NISHIHARA, Clarence K.	✓			
SLOM, Sam	✓			
TOTAL	5	—	—	—
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <i>Rosalyn H Baker</i>				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes

The Senate
 Twenty-Seventh Legislature
 State of Hawai'i

Record of Votes
Committee on Judiciary and Labor
JDL

Bill / Resolution No.:* SB 666	Committee Referral: HTH / JDL, WAM	Date: 02.12.2013		
<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
HEE, Clayton (C)	✓			
SHIMABUKURO, Maile S.L. (VC)	✓			
GABBARD, Mike	✓			
IHARA, Jr., Les	✓			
SLOM, Sam				✓
TOTAL	4			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				

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