

Honolulu, Hawaii

February 28, 2014

RE: H.B. No. 2052
H.D. 2

Honorable Joseph M. Souki
Speaker, House of Representatives
Twenty-Seventh State Legislature
Regular Session of 2014
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 2052, H.D. 1, entitled:

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

begs leave to report as follows:

The purpose of this measure is to increase access to physician orders for life-sustaining treatment by, among other things:

- (1) Authorizing advanced practice registered nurses to sign such orders;
- (2) Updating the name of such orders to provider orders for life-sustaining treatment (POLST) and making other statutory references to reflect the inclusion of other healthcare providers;
- (3) Correcting inconsistencies in terms used to describe who may sign a POLST on behalf of a patient; and
- (4) Requiring the Department of Health to develop and adopt a sample POLST form.



The Executive Office on Aging, Maui County Office on Aging, Hawaii Pacific Health, Hawaii Association of Health Plans, Hawaii Medical Service Association, American Medical Response, Healthcare Association of Hawaii, American Organization of Nurse Executives, Hawaii State Center for Nursing, and numerous concerned individuals testified in support of this measure. The Queen's Health Systems, Kokua Mau, Hospice Hawaii, and several concerned individuals provided comments.

Your Committee has amended this measure by:

- (1) Clarifying that to be validly executed a POLST form must always be signed by a patient's provider;
- (2) Specifying that a legally authorized representative may execute a POLST regardless of the patient's capacity and only if authority to do so is designated by the patient;
- (3) Requiring that the Department of Health adopt as opposed to develop a sample form; and
- (4) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2052, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2052, H.D. 2.

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



KARL RHOADS, Chair



