

Honolulu, Hawaii

MAR 20 2014

RE: H.B. No. 2052  
H.D. 2  
S.D. 1

Honorable Donna Mercado Kim  
President of the Senate  
Twenty-Seventh State Legislature  
Regular Session of 2014  
State of Hawaii

Madam:

Your Committee on Health, to which was referred H.B.  
No. 2052, H.D. 2, entitled:

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

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Increase access to provider orders for life-sustaining treatment by updating references from "physician orders for life-sustaining treatment" to "provider orders for life-sustaining treatment" throughout chapter 327K, Hawaii Revised Statutes;
- (2) Expand health care provider signatory authority to include advanced practice registered nurses;
- (3) Correct inconsistencies over terms used to describe who may sign a provider order for life-sustaining treatment form on behalf of a patient; and
- (4) Require the Department of Health to adopt a sample form for provider orders for life-sustaining treatment.

Your Committee received testimony in support of this measure from the Department of Health, Hawaii State Center for Nursing, Healthcare Association of Hawaii, Hospice Hawaii, Hawaii Island



Family Residency, and four individuals. Your Committee received testimony in opposition to this measure from the Executive Office on Aging and The Queen's Health Systems. Your Committee received comments on this measure from Hawaii Pacific Health, Kokua Mau, Hawaii Medical Association, and one individual.

Your Committee finds that the use of provider orders for life-sustaining treatment, commonly referred to as POLST, is a holistic method of planning for end-of-life care with a specific set of medical orders to ensure that patients' wishes are honored. Your Committee further finds that expanding signatory authority to include advanced practice registered nurses will promote efficiency, assist with a timely completion of POLST forms for patients, and expand access to health care professionals who may sign POLST forms, which will be highly beneficial for individuals living in rural areas and neighbor islands.

Your Committee has amended this measure by:

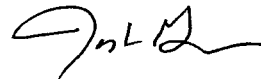
- (1) Changing "legally authorized representative" to "legal representative";
- (2) Adding an agent designated through a power of attorney for health care to the definition of a legal representative;
- (3) Permitting a legal representative to execute a POLST form if the patient lacks capacity;
- (4) Removing the requirement that a POLST form be signed by the patient's provider, in addition to the patient or the patient's legal representative;
- (5) Removing the requirement that the Department of Health adopt a sample POLST form;
- (6) Making the measure effective upon approval; and
- (7) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

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. 2052, H.D. 2, as amended herein, and recommends that it pass



Second Reading in the form attached hereto as H.B. No. 2052,  
H.D. 2, S.D. 1, and be referred to the Committee on Judiciary and  
Labor.

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



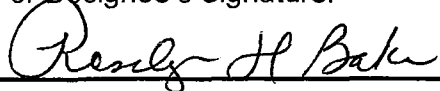
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JOSH GREEN, Chair



The Senate  
 Twenty-Seventh Legislature  
 State of Hawai'i

**Record of Votes**  
**Committee on Health**  
**HTH**

Bill / Resolution No.:*	Committee Referral:	Date:		
HB 2052 HD2	HTH, JDL	3-17-2014		
<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, M.D., Josh (C)	✓			
BAKER, Rosalyn H. (VC)	✓			
CHUN OAKLAND, Suzanne	✓			
NISHIHARA, Clarence K.				✓
SLOM, Sam				✓
<b>TOTAL</b>	3	-	-	2
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
				
<b>Distribution:</b> Original    Yellow    Pink    Goldenrod File with Committee Report    Clerk's Office    Drafting Agency    Committee File Copy				

\*Only one measure per Record of Votes