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# A BILL FOR AN ACT

RELATING TO HEALTH.

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

1           SECTION 1. The legislature finds that sick and vulnerable  
2 patients and their family members can easily become overwhelmed  
3 within the medical system, especially when emergency medical  
4 attention is necessary. Patients may be unaware of their rights  
5 regarding the treatment and care they receive from their  
6 emergency room physicians. There may be times when patients or  
7 their family members disagree with the diagnosis or treatment  
8 plan provided by the emergency room physicians, but feel forced  
9 to accept the treatment plan despite their reservations or  
10 concerns because they are unaware of how to effectively exercise  
11 their rights to secure appropriate and available emergency  
12 medical care. Thus, the legislature finds that a patient  
13 advocate is needed to assist in effective case management and  
14 intervene for the purpose of better communication among  
15 patients, their family members, and health care providers in  
16 emergency situations.

17           The purpose of this Act is to establish an emergency  
18 services patient advocate program to provide assistance to and



1 advocate on behalf of patients receiving emergency medical care  
2 to enable patients and their family members to recognize and  
3 exercise their rights to secure appropriate and available  
4 emergency medical care.

5 SECTION 2. Chapter 321, Hawaii Revised Statutes, is  
6 amended by adding a new section to be appropriately designated  
7 and to read as follows:

8 "§321- Emergency services patient advocate program;  
9 purpose; established. (a) The department of health shall  
10 establish an emergency services patient advocate program to  
11 provide assistance to and advocate on behalf of patients  
12 receiving emergency medical care. The purpose of the emergency  
13 services patient advocate program is to inform and educate  
14 patients and their family members about their rights and  
15 responsibilities as patients and to assist in resolving issues  
16 relating to the patients' emergency medical care received or  
17 adequacy of emergency medical care received at hospitals until  
18 the appropriate hospital staff has an opportunity to review  
19 their case and render a decision relating to the patients'  
20 emergency medical care.

21 (b) The director of health shall adopt rules necessary for  
22 the purposes of this section pursuant to chapter 91."



1 SECTION 3. New statutory material is underscored.

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

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**Report Title:**

Emergency Medical Care; Department of Health

**Description:**

Establishes an emergency services patient advocate program to provide assistance to and advocate on behalf of individuals receiving emergency medical care. Requires the department of health to adopt rules related to implementation of the program.  
(SD1)

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

