
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. There is appropriated out of the general
2 revenues of the State of Hawaii the sum of \$ or so
3 much thereof as may be necessary for fiscal year 2013-2014 and
4 the same sum or so much thereof as may be necessary for fiscal
5 year 2014-2015 for implementation and operation of the emergency
6 services patient advocate program.

7 The sums appropriated shall be expended by the department
8 of health for the purposes of this Act.

9 SECTION 4. New statutory material is underscored.

10 SECTION 5. This Act shall take effect on July 1, 2050.



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 director of health to adopt rules related to implementation of the program. Effective 07/01/2050. (SD2)

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