
A BILL FOR AN ACT

RELATING TO USE OF TOBACCO PRODUCTS AND E-CIGARETTES ON HAWAII
HEALTH SYSTEMS CORPORATION PREMISES.

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

1 SECTION 1. The legislature finds that facilities within
2 the Hawaii health systems corporation are committed to providing
3 quality healthcare for the people of Hawaii and taking steps to
4 reduce the occurrence of preventable disease. Permitting the
5 use of tobacco and other potentially dangerous substances on the
6 premises of its health facilities is inconsistent with this
7 commitment. Allowing such use would not only expose patients,
8 employees, and visitors to the perils of harmful substances, but
9 would also be counterproductive to the corporation's goal of
10 reducing the occurrence of preventable disease.

11 The purpose of this Act is to promote positive health
12 practices that protect patients, employees, and visitors of the
13 health facilities of the Hawaii health systems corporation from
14 exposure to secondhand smoke and other potentially harmful
15 substances by prohibiting the use of tobacco products or
16 electronic smoking devices, commonly referred to as "e-



1 cigarettes" or "electronic cigarettes", on the premises of any
2 Hawaii health systems corporation health facility and making
3 tobacco-cessation programs available to public employees of
4 those health facilities.

5 SECTION 2. Chapter 323F, Hawaii Revised Statutes, is
6 amended by adding a new section to be appropriately designated
7 and to read as follows:

8 "§323F- Tobacco product and electronic smoking device;
9 use prohibited; education. (a) The corporation shall prohibit
10 the use of any tobacco product or electronic smoking device by
11 any person on the premises of all health facilities operated by
12 the corporation within the State, to the extent not prohibited
13 by federal law or regulation.

14 (b) The corporation shall provide tobacco cessation
15 programs for public employees of the corporation's health
16 facilities who are interested in participating in the programs;
17 provided that issues relating to program costs shall be subject
18 to collective bargaining.

19 (c) Pursuant to section 89-9(d), the tobacco and
20 electronic smoking device use prohibitions under this section
21 shall not be subject to collective bargaining.



1 (d) The corporation shall be responsible for educating all
2 health facility personnel, contractors, patients, and visitors
3 of the corporation's health facilities regarding the
4 prohibitions under this section. The corporation shall
5 prominently display signs stating that "tobacco and electronic
6 smoking device use is prohibited" at all entrances to the
7 corporation's health facilities and at other conspicuous
8 locations throughout the outdoor premises of each health
9 facility, in compliance with section 328J-8.

10 (e) For purposes of this section:

11 "Electronic smoking device" means any electronic oral
12 device, such as one composed of a heating element, battery, or
13 electronic circuit, or more than one of these, that provides a
14 vapor of nicotine or any other substances for inhalation. The
15 term shall include any such device, whether manufactured,
16 distributed, marketed, or sold as an electronic smoking device,
17 e-cigarette, e-cigar, e-pipe, or under any other product name or
18 descriptor, but does not include any product specifically
19 approved by the United States Food and Drug Administration for
20 use in medical treatment, such as an asthma inhaler.



1 "Premises" shall mean all indoor and outdoor areas within
2 the State-designated property boundary lines of each of the
3 corporation's health facilities and shall include all employee
4 and visitor parking lots.

5 "Tobacco or electronic smoking device use" does not include
6 mere possession or storage of the same for use in locations
7 outside the premises of the corporation's health facilities.

8 "Tobacco product" means any substance containing tobacco
9 leaf including but not limited to cigarettes, cigars, pipe
10 tobacco, hookah tobacco, snuff, chewing tobacco, dipping
11 tobacco, bidis, blunts, clove cigarettes, or any other
12 preparations of tobacco; and any product or formulation of
13 matter containing biologically active amounts of nicotine that
14 is manufactured, sold, offered for sale, or otherwise
15 distributed with the expectation that the product or matter will
16 be introduced into the human body; but does not include any
17 cessation product specifically approved by the United States
18 Food and Drug Administration for use in treating nicotine or
19 tobacco dependence."

20 SECTION 3. New statutory material is underscored.

21 SECTION 4. This Act shall take effect on July 1, 2015.



Report Title:

Tobacco Products; Electronic Smoking Devices; Prohibition; HHSC
Facilities

Description:

Prohibits the use of tobacco products and electronic smoking
devices on premises of the facilities operated by the Hawaii
Health Systems Corporation (HHSC). Requires HHSC to offer
tobacco cessation programs to its employees. (HB586 HD1)

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