
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 comprehensive
2 multidisciplinary reviews of child deaths, as performed in the
3 past by the Hawaii child death review system that was
4 established by Act 369, Session Laws of Hawaii 1997, are needed
5 to understand risk factors for and prevent future child deaths
6 and keep children in the State of Hawaii safe and healthy, by
7 producing in-depth, accurate, and timely administration of child
8 health and protection programs and appropriate data reporting to
9 federal and state agencies.

10 However, the legislature finds that the system has been
11 inactive since 2011 and consequently, these important child
12 death reviews are not currently being conducted in the State of
13 Hawaii. The legislature notes that the child death review
14 system is codified under chapter 321, part XXVII, Hawaii Revised
15 Statutes, and is not mandatory.

16 Similarly, comprehensive multidisciplinary reviews of
17 maternal deaths are needed to understand risk factors for and
18 prevent the deaths of mothers during pregnancy, labor, and the



1 year following the birth of a child, and to inform policy making
2 and the establishment and administration of relevant programs.
3 However, the legislature finds that Hawaii does not currently
4 conduct such reviews of maternal deaths.

5 The legislature additionally finds that comprehensive
6 reviews of child and maternal deaths are a matter of ongoing
7 concern. Because the program of reviews must be sustainable,
8 the legislature recognizes the need to provide funding to
9 conduct child and maternal death reviews not only in the current
10 biennium, but in subsequent biennia as well.

11 The purpose of this Act is to ensure that the legislature
12 receives appropriate information about child and maternal death
13 reviews and to provide funding to the department of health to
14 conduct child death reviews and to implement a program for the
15 performance of maternal death reviews.

16 SECTION 2. Chapter 321, Hawaii Revised Statutes, is
17 amended by adding a new section to part XXVII to be
18 appropriately designated and to read as follows:

19 "§321- Child death reviews; reports. (a) The director
20 shall submit an annual written report to the legislature no
21 later than twenty days prior to the convening of each regular



1 session on the status of child death reviews conducted by the
2 department pursuant to section 321-341. The annual report shall
3 include information about the department's child death review
4 activities, if any, in the twelve month period prior to
5 submission of the annual report; the total number of child
6 deaths in Hawaii and the causes of those deaths; and the number
7 of deaths of children in state custody and the causes of those
8 deaths, during the calendar year prior to the year of submission
9 of the annual report. The annual report may also include
10 discussion of identifiable trends in child deaths and
11 recommendations for system changes, including any proposed
12 legislation.

13 (b) The director shall submit a copy of any other child
14 death review report published by the department, including
15 findings and recommendations resulting from such a review, to
16 the legislature upon the report's publication."

17 SECTION 3. Chapter 324, Hawaii Revised Statutes, is
18 amended by adding a new section to part I to be appropriately
19 designated and to read as follows:

20 "§324- Maternal death review; reports. (a) The
21 director of health shall submit an annual written report to the



1 legislature no later than twenty days prior to the convening of
2 each regular session on the status of reviews of maternal deaths
3 conducted by the department. The annual report shall include
4 information about the department's maternal death review
5 activities, if any, in the twelve month period prior to
6 submission of the annual report, the total number of deaths of
7 women while pregnant or within one year after a pregnancy in
8 Hawaii, the causes of those deaths, and whether the causes of
9 death were pregnancy related. The annual report may also
10 include discussion of identifiable trends in maternal deaths and
11 recommendations for system changes, including any proposed
12 legislation.

13 (b) The director of health shall submit a copy of any
14 other maternal death review report published by the department
15 of health, detailing findings and recommendations resulting from
16 such a review, to the legislature upon the report's
17 publication."

18 SECTION 4. Section 324-1, Hawaii Revised Statutes, is
19 amended to read as follows:

20 "§324-1 Sources of information protected. Any person,
21 hospital, sanatorium, nursing or rest home, or other similar



1 medical facility [~~may~~] shall provide information, interviews,
2 reports, statements, memoranda, or other data or material
3 relating to the condition and treatment of any person to the
4 maternal and perinatal mortality study committee of the Hawaii
5 Medical Association, any in-hospital staff committee, or the
6 department of health, to be used in the course of any study for
7 the purpose of reducing morbidity or mortality.

8 No liability of any kind or character for damages or other
9 relief shall arise or be enforced against any person or
10 organization by reason of having provided the information or
11 material, or by reason of having released or published the
12 findings, conclusions, and summaries of the research or study
13 committees to advance medical research and medical education."

14 SECTION 5. There is appropriated out of the general
15 revenues of the State of Hawaii the sum of \$150,000 or so much
16 thereof as may be necessary for fiscal year 2016-2017 for the
17 department of health to conduct child death reviews in
18 accordance with chapter 321, part XXVII, Hawaii Revised
19 Statutes, and to implement a program for the performance of
20 maternal death reviews.



1 The sum appropriated shall be expended by the department of
2 health for the purposes of this Act.

3 SECTION 6. Statutory material to be repealed is bracketed
4 and stricken. New statutory material is underscored.

5 SECTION 7. This Act shall take effect on July 1, 2016.

6



Report Title:

Department of Health; Child and Maternal Death Reviews;
Appropriation

Description:

Appropriates funds to the department of health to conduct child death reviews and implement a program to perform maternal death reviews. Requires the department of health to submit an annual report to the legislature relating to child and maternal deaths and death reviews in the State. Requires any person, hospital, sanatorium, nursing or rest home, or other similar medical facility to provide information or other materials relating to the condition and treatment of any person to the maternal and perinatal mortality study committee of the Hawaii Medical Association, any in-hospital staff committee, or the Department of Health for studies to reduce morbidity or mortality. (SD1)

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

