

Honolulu, Hawaii

April 8, 2016

RE: S.B. No. 2181
S.D. 2
H.D. 2

Honorable Joseph M. Souki
Speaker, House of Representatives
Twenty-Eighth State Legislature
Regular Session of 2016
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.B. No. 2181, S.D. 2, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO ACCESS TO TREATMENT FOR TERMINALLY ILL PATIENTS,"

begs leave to report as follows:

The purpose of this measure is to adopt "Right to Try" legislation that allows terminally ill patients to use and manufacturers to make available potentially life-saving investigational drugs and biological products.

Several concerned individuals testified in support of this measure. The Department of the Attorney General and the Hawaii Association for Justice provided comments.

Your Committee has amended this measure by:

- (1) Clarifying that a health care provider that recommends to an eligible patient an investigational drug or biological product that is being developed to treat the type of terminal illness that afflicts the patient will not serve as a basis for licensing or certification sanctions;
- (2) Making this measure effective upon approval; and



- (3) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2181, S.D. 2, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2181, S.D. 2, H.D. 2.

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



KARL RHOADS, Chair



State of Hawaii
House of Representatives
The Twenty-eighth Legislature

Hsce 1676-16

Record of Votes of the Committee on Judiciary

Bill/Resolution No.: SB 2181, SD2, HD1	Committee Referral: HLT, JUD	Date: 04/01/16
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The committee is reconsidering its previous decision on the measure.

The recommendation is to: Pass, unamended (as is) Pass, with amendments (HD) Hold
 Pass short form bill with HD to recommit for future public hearing (recommit)

JUD Members	Ayes	Ayes (WR)	Nays	Excused
1. RHOADS, Karl (C)	/			
2. SAN BUENAVENTURA, Joy A. (VC)	/			
3. BELATTI, Della Au	/			
4. BROWER, Tom	/			
5. CREAGAN, Richard P.				/
6. HASHEM, Mark J.				/
7. KAWAKAMI, Derek S.K.				/
8. LEE, Chris				/
9. MORIKAWA, Dee	/			
10. NAKASHIMA, Mark M.	/			
11. TAKAYAMA, Gregg	/			
12. WOODSON, Justin H.	/			
13. McDERMOTT, Bob	/			
14. THIELEN, Cynthia				/
TOTAL (14)	9			5

The recommendation is: Adopted Not Adopted

If joint referral, _____ did not support recommendation.
committee acronym(s)

Vice Chair's or designee's signature: _____

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