



EXECUTIVE CHAMBERS
HONOLULU

DAVID Y. IGE
GOVERNOR

July 5, 2018

GOV. MSG. NO. 1237

The Honorable Ronald D. Kouchi,
President
and Members of the Senate
Twenty-Ninth State Legislature
State Capitol, Room 409
Honolulu, Hawai'i 96813

The Honorable Scott K. Saiki,
Speaker and Members of the
House of Representatives
Twenty-Ninth State Legislature
State Capitol, Room 431
Honolulu, Hawai'i 96813

Dear President Kouchi, Speaker Saiki, and Members of the Legislature:

This is to inform you that on July 5, 2018, the following bill was signed into law:

SB2487 HD1 CD1

RELATING TO HEALTH
ACT 136 (18)

Sincerely,

DAVID Y. IGE
Governor, State of Hawai'i

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 quality assurance
2 committees provide hospitals, health plans, long term care
3 facilities, and other healthcare organizations with a mechanism
4 to evaluate, monitor, and improve quality of care; reduce
5 patient risk and error; and assess the overall effectiveness of
6 care provided to patients. Quality assurance committees are
7 well established and essential to our healthcare delivery
8 system.

9 However, the legislature notes that there are two separate
10 and inconsistent definitions of "quality assurance committee" in
11 the Hawaii Revised Statutes. Because of this inconsistency,
12 quality assurance committees established by different types of
13 health care organizations may face different confidentiality and
14 liability protection provisions.

15 The purpose of this Act is to make the usage of the term
16 "quality assurance committee" consistent throughout the Hawaii
17 Revised Statutes.



1 Specifically, this Act amends the definition of "quality
2 assurance committee", for the purpose of liability protection,
3 to:

- 4 (1) Include committees established by long-term care
5 facilities, skilled nursing facilities, assisted
6 living facilities, home care agencies, hospices, and
7 authorized state agencies; and
- 8 (2) Allow for the creation of a quality assurance
9 committee outside of a single health plan or hospital.

10 SECTION 2. Section 663-1.7, Hawaii Revised Statutes, is
11 amended by amending subsection (a) to read as follows:

12 "(a) As used in this section:

13 "Ethics committee" means a committee that may be an
14 interdisciplinary committee appointed by the administrative
15 staff of a licensed hospital, whose function is to consult,
16 educate, review, and make decisions regarding ethical questions,
17 including decisions on life-sustaining therapy.

18 "Licensed health maintenance organization" means a health
19 maintenance organization licensed in Hawaii under chapter 432D.

20 "Peer review committee" means a committee created by a
21 professional society, or by the medical or administrative staff



1 of a licensed hospital, clinic, health maintenance organization,
2 preferred provider organization, or preferred provider network,
3 whose function is to maintain the professional standards of
4 persons engaged in its profession, occupation, specialty, or
5 practice established by the bylaws of the society, hospital,
6 clinic, health maintenance organization, preferred provider
7 organization, or preferred provider network of the persons
8 engaged in its profession or occupation, or area of specialty
9 practice, or in its hospital, clinic, health maintenance
10 organization, preferred provider organization, or preferred
11 provider network.

12 "Preferred provider organization" and "preferred provider
13 network" means a partnership, association, corporation, or other
14 entity which delivers or arranges for the delivery of health
15 services, and which has entered into a written service
16 arrangement or arrangements with health professionals, a
17 majority of whom are licensed to practice medicine or
18 osteopathy.

19 "Professional society" or "society" means any association
20 or other organization of persons engaged in the same profession
21 or occupation, or a specialty within a profession or occupation,



1 a primary purpose of which is to maintain the professional
2 standards of the persons engaged in its profession or occupation
3 or specialty practice.

4 "Quality assurance committee" means ~~[an]~~:

5 (1) An interdisciplinary committee established by the
6 board of trustees or administrative staff of a
7 licensed hospital, clinic, long-term care facility,
8 skilled nursing facility, assisted living facility,
9 home care agency, hospice, health maintenance
10 organization, preferred provider organization, ~~[or]~~
11 preferred provider network~~[,]~~ providing medical,
12 dental, or optometric care, or an authorized state
13 agency whose function is to monitor and evaluate
14 patient care~~[, and]~~ to identify, study, and correct
15 deficiencies ~~[and seek improvements in the patient~~
16 ~~care delivery process.]~~ in the health care delivery
17 system, with a goal of reducing the risk of harm to
18 patients, improving patient safety, or otherwise
19 improving the quality of care delivered to patients;
20 or



1 (2) An interdisciplinary committee composed of
2 representatives of organizations described in
3 paragraph (1) that is established collectively by the
4 boards of trustees or administrative staff of these
5 organizations, and whose function is to monitor and
6 evaluate patient care to identify, study, and correct
7 deficiencies in the health care delivery system, with
8 a goal of reducing the risk of harm to patients,
9 improving patient safety, or otherwise improving the
10 quality of care delivered to patients."

11 SECTION 3. Statutory material to be repealed is bracketed
12 and stricken. New statutory material is underscored. .

13 SECTION 4. This Act shall take effect upon its approval.
14

APPROVED this 05 day of JUL, 2018



GOVERNOR OF THE STATE OF HAWAII

THE SENATE OF THE STATE OF HAWAI'I

Date: May 1, 2018
Honolulu, Hawaii 96813

We hereby certify that the foregoing Bill this day passed Final Reading in the
Senate of the Twenty-ninth Legislature of the State of Hawai'i, Regular Session of 2018.



President of the Senate



Clerk of the Senate

SB No. 2487, HD 1, CD 1

THE HOUSE OF REPRESENTATIVES OF THE STATE OF HAWAII

Date: May 1, 2018
Honolulu, Hawaii

We hereby certify that the above-referenced Bill on this day passed Final Reading in the House of Representatives of the Twenty-Ninth Legislature of the State of Hawaii, Regular Session of 2018.



Scott K. Saiki
Speaker
House of Representatives



Brian L. Takeshita
Chief Clerk
House of Representatives