



EXECUTIVE CHAMBERS  
HONOLULU

DAVID Y. IGE  
GOVERNOR

July 2, 2019

**GOV. MSG. NO. 1284**

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

The Honorable Scott K. Saiki,  
Speaker and Members of the  
House of Representatives  
Thirtieth 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 2, 2019, the following bill was signed into law:

SB804 SD1 HD1 CD1

RELATING TO PALLIATIVE CARE.  
**ACT 182 (19)**

Sincerely,

DAVID Y. IGE  
Governor, State of Hawai'i

# A BILL FOR AN ACT

RELATING TO PALLIATIVE CARE.

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

1           SECTION 1. The legislature finds that numerous studies  
2 show that palliative care significantly improves patient quality  
3 of life and lowers symptom burden. Palliative care is defined  
4 by the World Health Organization as an approach that improves  
5 the quality of life of patients and their families facing the  
6 problems associated with life-threatening illness through the  
7 prevention and relief of suffering by means of early  
8 identification, assessment, and treatment of pain and other  
9 issues of a physical, psychosocial, and spiritual nature.

10           Palliative care has a team approach that utilizes  
11 clinicians, physicians, nurses, social workers, and chaplains  
12 who work with the person with serious illness and their loved  
13 ones. There have been misunderstandings about palliative care  
14 and it has often been confused with hospice and end-of-life  
15 care. Hospice, which is provided only when there is a six month  
16 or less diagnosis and once curative treatments have stopped, is  
17 only one type of palliative care. In other situations,  
18 palliative care is an extra layer of support that can be offered



1 at the same time as curative treatments and can continue if  
2 curative treatments are completed. All palliative care strives  
3 to provide the best quality of life for those with serious  
4 illness and their loved ones.

5 The legislature finds that palliative care and hospice  
6 utilization in Hawaii deviates from mainland patterns. A 2017  
7 study titled "Hospice Utilization of Medicare Beneficiaries in  
8 Hawaii Compared to Other States", found that hospice utilization  
9 in Hawaii was 45.7 per cent compared to a national average of  
10 fifty-two per cent; the mean length of stay was sixty days in  
11 Hawaii compared with seventy-one days nationally. A consistent  
12 finding of this study is that Asians and Pacific Islanders were  
13 less likely than whites to enroll in hospice and that "further  
14 research is needed to understand these differences and eliminate  
15 potential barriers to hospice care." A key concept identified  
16 by this analysis is that Hawaii's culture, uniquely influenced by  
17 Asian values compared to the mainland, emphasizes filial piety  
18 and "the expectation of caring for their loved ones at home  
19 rather than in a nursing home."

20 Other studies make similar observations, such as the  
21 "Culturally Competent Palliative and Hospice Care Training for



1 Ethnically Diverse Staff in Long-Term Care Facilities", which  
2 found that culturally competent palliative and hospice training  
3 is a promising practice to increase patient, family, and  
4 provider engagement with end-of-life conversations.

5 Therefore, the purpose of this Act is to support activities  
6 that increase the utilization of palliative care through public  
7 education and the development of practices specific to the  
8 cultural norms of Hawaii's patients and families.

9 SECTION 2. (a) There is established the culturally  
10 competent palliative care pilot program, to be administered by  
11 the department of health. The department of health shall:

12 (1) Provide public education to:

13 (A) Promote palliative care utilization;

14 (B) Emphasize referrals to palliative care earlier  
15 during treatment for patients; and

16 (C) Acquire local health care utilization data for  
17 purposes of more precisely measuring palliative  
18 care utilization in the State; and

19 (2) Conduct competitive bidding for at least two pilot  
20 programs for home- or community-based palliative care.

21 At least one pilot program shall be implemented in a



1 county with a population of less than two hundred  
2 thousand residents.

3 (b) The department of health shall submit to the  
4 legislature:

5 (1) A preliminary report no later than twenty days prior  
6 to the convening of the regular session of 2020 on the  
7 expenditure of funds for the culturally competent  
8 palliative care pilot program as of the date of the  
9 preliminary report; and

10 (2) A final report no later than twenty days prior to the  
11 convening of the regular session of 2021 on the  
12 expenditure of all funds for the culturally competent  
13 palliative care pilot program as of the date of the  
14 final report.

15 SECTION 3. The department of health shall establish an  
16 advisory group to oversee implementation of the palliative care  
17 pilot program. The advisory group shall consist of the director  
18 of health or the director's designee, the mayor of the county in  
19 which the pilot program is implemented or the mayor's designee,  
20 and the chief executive of the Hawaii health systems corporation  
21 region in which the pilot program is implemented or the chief



1 executive's designee; provided that if the pilot program is  
2 implemented in the county of Maui, the director of health shall  
3 invite the chief executive of Maui Health System or the chief  
4 executive's designee. The director of health shall also invite  
5 to serve on the advisory group a representative from the John A.  
6 Burns school of medicine, a representative from the American  
7 Cancer Society, a representative from Kokua Mau, and a  
8 representative who is a patient or family of a patient who  
9 previously received palliative care. The advisory group shall  
10 be exempt from chapter 92, Hawaii Revised Statutes.

11 SECTION 4. There is appropriated out of the general  
12 revenues of the State of Hawaii the sum of \$250,000 or so much  
13 thereof as may be necessary for fiscal year 2019-2020 and the  
14 same sum or so much thereof as may be necessary for fiscal year  
15 2020-2021 for the palliative care pilot programs.

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

18 SECTION 5. This Act shall take effect on July 1, 2019.

APPROVED this 02 day of JUL, 2019



GOVERNOR OF THE STATE OF HAWAII

**THE SENATE OF THE STATE OF HAWAI'I**

Date: April 30, 2019  
Honolulu, Hawaii 96813

We hereby certify that the foregoing Bill this day passed Final Reading in the Senate of the Thirtieth Legislature of the State of Hawai'i, Regular Session of 2019.

  
President of the Senate

  
Clerk of the Senate

SB No. 804, SD 1, HD 1, CD 1

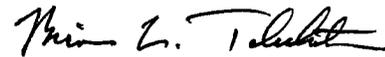
THE HOUSE OF REPRESENTATIVES OF THE STATE OF HAWAII

Date: April 30, 2019  
Honolulu, Hawaii

We hereby certify that the above-referenced Bill on this day passed Final Reading in the House of Representatives of the Thirtieth Legislature of the State of Hawaii, Regular Session of 2019.



Scott K. Saiki  
Speaker  
House of Representatives



Brian L. Takeshita  
Chief Clerk  
House of Representatives