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:

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

Palliative care has a team approach that utilizes clinicians, physicians, nurses, social workers, and chaplains who work with the person with serious illness and their loved ones. There have been misunderstandings about palliative care and it has often been confused with hospice and end-of-life care. Hospice, which is provided only when there is a six month or less diagnosis and once curative treatments have stopped, is only one type of palliative care. In other situations, palliative care is an extra layer of support that can be offered...
at the same time as curative treatments and can continue if
curative treatments are completed. All palliative care strives
to provide the best quality of life for those with serious
illness and their loved ones.

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

Other studies make similar observations, such as the
"Culturally Competent Palliative and Hospice Care Training for
Ethnically Diverse Staff in Long-Term Care Facilities", which
found that culturally competent palliative and hospice training
is a promising practice to increase patient, family, and
provider engagement with end-of-life conversations.

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

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

(1) Provide public education to:

(A) Promote palliative care utilization;

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

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

(2) Conduct competitive bidding for at least two pilot
programs for home- or community-based palliative care.
At least one pilot program shall be implemented in a
county with a population of less than two hundred thousand residents.

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

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

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

SECTION 3. The department of health shall establish an advisory group to oversee implementation of the palliative care pilot program. The advisory group shall consist of the director of health or the director's designee, the mayor of the county in which the pilot program is implemented or the mayor's designee, and the chief executive of the Hawaii health systems corporation 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
12 SECTION 4. There is appropriated out of the general
13 revenues of the State of Hawaii the sum of $250,000 or so much
14 thereof as may be necessary for fiscal year 2019-2020 and the
15 same sum or so much thereof as may be necessary for fiscal year
16 2020-2021 for the palliative care pilot programs.
17
18 SECTION 5. This Act shall take effect on July 1, 2019.

APPROVED this 02 day of JUL, 2019

[Signature]

GOVERNOR OF THE STATE OF HAWAII
S.B. No. 804, S.D. 1, H.D. 1, C.D. 1

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.

[Signatures]
President of the Senate

[Signature]
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