

JAN 24 2024

A BILL FOR AN ACT

RELATING TO PUBLIC HEALTH STANDING ORDERS.

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

1 SECTION 1. The legislature finds that standing orders are
2 written protocols describing a specific medical practice that
3 will be delegated to non-physicians without a patient-specific
4 order signed by a physician. Standing orders outline procedures
5 that must be followed and identify permissible patient
6 populations, level of required physician supervision, and
7 allowable practice settings.

8 The legislature also find that Hawaii's well documented
9 physician shortage may restrict patient access to preventative
10 care, resulting in sub-optimal outcomes, increased costs, and
11 decreased quality of life. Population-based care can help
12 reduce provider administrative burden while increasing access to
13 evidence-based clinical preventive services. Secondary
14 prevention is the provision of a clinical preventive service to
15 screen for a condition in an asymptomatic individual, such as
16 mammography to screen for breast cancer. Public health standing
17 orders may help reduce barriers to receiving secondary
18 prevention services.

S.B. NO. 3122

1 Standing orders are already used in routine, urgent, or
2 emergent settings upon the occurrence of certain clinical events
3 that take place on an individual patient basis or a population
4 health event. An example of a routine individual patient
5 standing order is certain vaccine administrations, which are
6 evidence-based practices that authorize nurses, pharmacists, and
7 other healthcare providers to assess a client's immunization
8 status and administer vaccinations according to a protocol.
9 Emergent population health crises are also supported by standing
10 orders, specifically for mass prophylaxis following a
11 bioterrorism incident that are activated only when the director
12 of health declares a state of emergency due to a specific
13 bioterrorism incident.

14 Accordingly, the purpose of this Act is to effectuate
15 public health standing orders with regard to evidence-based
16 healthcare screenings that have received the highest
17 recommendations from the United States Preventive Services Task
18 Force to reduce barriers to access and expand population health-
19 based interventions.

20 SECTION 2. Chapter 321, Hawaii Revised Statutes, is
21 amended by adding to part II a new section to be appropriately
22 designated and to read as follows:

S.B. NO. 3122

1 "§321- Public health standing orders; screening. (a)
2 The director of health may issue public health standing orders
3 authorizing patients who are eighteen years or older to receive
4 evidence-based items or services that have in effect a rating of
5 A or B in the current recommendations of the United States
6 Preventive Services Task Force, as defined by the Affordable
7 Care Act of 2010, P.L. 111-148, section 4106, without patient-
8 specific orders from a licensed healthcare provider.

9 (b) The director of health shall annually review the items
10 or services that have in effect a rating of A or B as
11 recommended by the United States Preventive Services Task Force
12 and amend public health standing orders as necessary.

13 (c) The duration of public health standing orders issued
14 pursuant to this section shall remain in effect until repealed
15 by the director of health.

16 (d) The director of health shall post public health
17 standing orders on the department's website in an easily located
18 manner.

19 (e) The entity providing the items or services pursuant to
20 the public health standing order shall request from the patient
21 the name of the patient's primary care provider and shall make
22 good faith efforts to transmit the results of the screening to

S.B. NO. 3122

1 the primary care provider or other healthcare provider
2 identified by the patient.

3 (f) The entity providing the items or services shall
4 provide any results to the patient in writing. The results
5 shall:

6 (1) Be written in plain language;

7 (2) Clearly indicate if the result is normal, abnormal, or
8 undetermined; and

9 (3) Provide instructions for follow up with a healthcare
10 provider, as appropriate.

11 For purposes of this section "licensed healthcare provider"
12 means physicians and osteopathic physicians licensed under
13 chapter 453, physician assistants licensed under chapter 453,
14 and advanced practice registered nurses licensed under chapter
15 457."

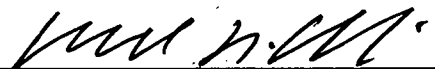
16 SECTION 3. New statutory material is underscored.

17 SECTION 4. This Act, upon its approval, shall take effect
18 on July 1, 2024.

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INTRODUCED BY:



21

BY REQUEST

S.B. NO. 3122

Report Title:

Public Health Standing Orders; United States Preventive Services Task Force; Screenings

Description:

Authorizes the Director of Health to issue public health standing orders for patients to self-refer to certain healthcare screening services.

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

JUSTIFICATION SHEET

DEPARTMENT: Health

TITLE: A BILL FOR AN ACT RELATING TO PUBLIC HEALTH STANDING ORDERS.

PURPOSE: To decrease administrative burden in healthcare and improve patient access and convenience by authorizing self-referral for items and services with a grade of A or B by the United States Preventive Health Services Task Force, and require attempts to report results to the patient's primary care provider.

MEANS: Add a new section to part II of chapter 321, Hawaii Revised Statutes.

JUSTIFICATION: Standing orders are written protocols that authorize designated members of a healthcare team (e.g., nurses or medical assistants) to complete certain clinical tasks without having to first obtain a physician order. This can improve efficiency by freeing physicians to focus on more complex care. Several studies have demonstrated that standing orders can increase the delivery of routine preventive care services including immunizations, leading the Centers for Disease Control and Prevention's Community Preventive Services Task Force to strongly recommend their use.

Impact on the public: Easier and quicker access to items and services with a grade of A or B as recommended by the U.S. Preventive Services Task Force, and improved coordination of care with primary care providers.

Impact on the department and other agencies: This bill will potentially increase referrals to department clinical service programs and potentially increase reimbursement for Medicaid and Hawaii Employer-Union Health Benefits Trust Fund

beneficiaries if patients have greater and more direct access to routine screenings.

GENERAL FUND: N/A.

OTHER FUNDS: N/A.

PPBS PROGRAM
DESIGNATION: HTH-907/AP.

OTHER AFFECTED
AGENCIES: N/A.

EFFECTIVE DATE: July 1, 2024.