



EXECUTIVE CHAMBERS
HONOLULU

LINDA LINGLE
GOVERNOR

GOV. MSG. NO. 565

April 27, 2006

The Honorable Robert Bunda, President
and Members of the Senate
Twenty-Third State Legislature
State Capitol, Room 003
Honolulu, Hawaii 96813

Dear Mr. President and Members of the Senate:

This is to inform you that on April 27, 2006, the following bill was signed into law:

HB3126

A BILL FOR AN ACT RELATING TO
RAPID IDENTIFICATION DOCUMENTS.
(ACT 46)

Sincerely,

A handwritten signature in black ink, appearing to read "Linda Lingle".

LINDA LINGLE

A BILL FOR AN ACT

RELATING TO RAPID IDENTIFICATION DOCUMENTS.

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

1 SECTION 1. Section 321-23.6, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "~~[+]~~§321-23.6~~[+]~~ **Rapid identification documents.** (a) The
4 department shall adopt rules for emergency medical services
5 ~~[which]~~ that shall include:

6 (1) Uniform methods of rapidly identifying an adult person
7 who~~+~~

8 ~~(A) Has been certified in a written "comfort care~~
9 ~~only" document by the person's physician to be a~~
10 ~~terminally ill patient of that physician; and~~

11 ~~(B) Has~~ has certified, or for whom has been
12 certified, in ~~[the same]~~ a written "comfort care
13 only" document that the person or, consistent
14 with chapter 327E, the person's guardian, agent,
15 or surrogate directs emergency medical services
16 personnel, first responder personnel, and health
17 care providers not to administer chest
18 compressions, rescue breathing, electric shocks,

1 or medication, or all of these, given to restart
2 the heart if the person's breathing or heart
3 stops, and directs that the person is to receive
4 care for comfort only, including oxygen, airway
5 suctioning, splinting of fractures, pain
6 medicine, and other measures required for
7 comfort; ~~and~~

8 ~~(C) Has been prescribed by a physician a "comfort~~
9 ~~care only" identifying bracelet or necklace;~~

10 (2) The written document containing ~~[both certifications~~
11 ~~must]~~ the certification shall be signed by the patient
12 ~~[with the terminal condition, by the patient's~~
13 ~~physician,]~~ or, consistent with chapter 327E, the
14 person's guardian, agent, or surrogate and by any
15 ~~[one]~~ two other adult ~~[person]~~ persons who personally
16 ~~[knew]~~ know the patient; and

17 (3) The original document containing ~~[both certifications]~~
18 the certification and all three signatures shall be
19 ~~[on file with]~~ maintained by the patient, the
20 patient's ~~[physician-]~~ :

21 (A) Physician;

22 (B) Attorney;



- 1 (C) Guardian;
- 2 (D) Surrogate; or
- 3 (E) Any other person who may lawfully act on the
- 4 patient's behalf.

5 Two copies of [~~this~~] the document shall be given to
6 the patient, [~~one of which shall be used to order the~~
7 ~~patient's identifying necklace or bracelet.~~] or the
8 patient's guardian, agent, or surrogate.

9 (b) The rules shall provide for the following:

10 (1) The patient, or the patient's guardian, agent, or
11 surrogate, may verbally revoke the "comfort care only"
12 document at any time, including during the emergency
13 situation[~~, either verbally or by removing the~~
14 ~~patient's identifying bracelet or necklace];~~

15 (2) An anonymous tracking system shall be developed to
16 assess the success or failure of the procedures and to
17 ensure that abuse is not occurring; and

18 (3) If an emergency medical services person, first
19 responder, or any other health care provider believes
20 in good faith that the provider's safety, the safety
21 of the family or immediate bystanders, or the
22 provider's own conscience requires the patient be

1 resuscitated despite the presence of a "comfort care
 2 only" [~~bracelet or necklace,~~] document, then that
 3 provider may attempt to resuscitate that patient, and
 4 neither the provider, the ambulance service, nor any
 5 other person or entity shall be liable for attempting
 6 to resuscitate the patient against the patient's
 7 will."

8 SECTION 2. Statutory material to be repealed is bracketed
 9 and stricken. New statutory material is underscored.

10 SECTION 3. This Act shall take effect upon its approval.

11

APPROVED this 27 day of APR --, 2006



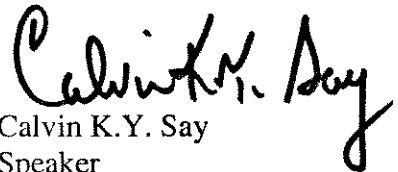
GOVERNOR OF THE STATE OF HAWAII

HB No. 3126

THE HOUSE OF REPRESENTATIVES OF THE STATE OF HAWAII

Date: March 7, 2006
Honolulu, Hawaii

We hereby certify that the foregoing Bill on this day passed Third Reading in the House of Representatives of the Twenty-Third Legislature of the State of Hawaii, Regular Session of 2006.



Calvin K.Y. Say
Speaker
House of Representatives



Patricia Mau-Shimizu
Chief Clerk
House of Representatives

THE SENATE OF THE STATE OF HAWAII

Date: April 11, 2006
Honolulu, Hawaii

We hereby certify that the foregoing Bill on this day passed Third Reading in the Senate of the Twenty-Third Legislature of the State of Hawaii, Regular Session of 2006.



Robert Bunda
President of the Senate



Paul Kawaguchi
Clerk of the Senate