
A BILL FOR AN ACT

RELATING TO MICROORGANISM IMPORT.

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

1 SECTION 1. Section 150A-6.3, Hawaii Revised Statutes, is
2 amended by amending subsection (f) to read as follows:

3 "(f) The import requirements of this section other than
4 the notification, labeling, and inspection requirements of
5 section 150A-5 shall not apply to import of microorganisms by
6 the following:

7 (1) The state department of health or Tripler Army Medical
8 Center for their laboratories; provided that the
9 department of health shall develop and implement
10 within its laboratories a mechanism for coordinated
11 oversight and inventory control of microorganisms
12 imported for its laboratories and implement internal
13 procedures to assure proper biosafety containment and
14 laboratory practices commensurate with microorganism
15 risk levels; [~~and~~]

16 (2) A laboratory certified under the Clinical Laboratories
17 Improvement Amendments of 1988 (42 U.S.C. 263 et
18 seq.); provided that the certified laboratory is



1 registered with the department pursuant to rules and
2 imports microorganisms that are applicable to the
3 category of examinations or procedures for which the
4 foregoing certification was approved[-]; and

5 (3) A laboratory that has received a federal grant award
6 or an award from a non-federal funding agency approved
7 by the board, for laboratory research that requires
8 the use of microorganisms; provided that the
9 laboratory research:

10 (A) Is under the oversight of an institutional
11 biosafety committee to:

12 (i) Coordinate oversight and inventory control
13 of microorganisms imported for the grantee's
14 laboratory;

15 (ii) Implement internal procedures to assure
16 proper biosafety containment and laboratory
17 practices commensurate with microorganism
18 risk levels; and

19 (iii) When warranted, suspend or terminate
20 research that fails to comply with the
21 institutional biosafety committee's policies
22 and procedures;



1 provided further that the institutional biosafety
2 committee satisfies criteria specified by rules
3 and is approved by the department; and

4 (B) Does not involve certain microorganisms of
5 heightened concern relative to agriculture and
6 the environment, as specified by rules.

7 A laboratory importing microorganisms under this
8 paragraph shall provide the department, in advance of
9 shipment, a photocopy of the official award approval
10 and the scientific name of any microorganism to be
11 imported under the award or, if the scientific name
12 has not yet been determined, a detailed description of
13 the microorganism.

14 The department of health and Tripler Army Medical Center may
15 transfer any such imported microorganisms between their
16 respective laboratories without approval from the department of
17 agriculture, but with notification to the department of
18 agriculture prior to the transfer; provided that transfer of
19 such imported microorganisms from the department of health,
20 Tripler Army Medical Center, [~~or~~] a laboratory certified and
21 registered as described in paragraph (2), or a laboratory that
22 has received an award for research as described in paragraph (3)



1 to other entities in the State shall require prior approval from
2 the department of agriculture in the form of a letter of
3 authorization or a permit for possession."

4 SECTION 2. Part V of chapter 150A, Hawaii Revised
5 Statutes, is repealed.

6 SECTION 3. Statutory material to be repealed is bracketed
7 and stricken. New statutory material is underscored.

8 SECTION 4. This Act shall take effect on July 1, 2020.



Report Title:
Microorganism Import

HB 563
HD1

Description:

Establishes conditions under which the import of microorganisms under an award for laboratory research is exempt from microorganism import requirements. Repeals provisions for microorganism import certification for medical or scientific purposes. (HB563 HD1)

