
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 ~~[knows]~~ 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

INTRODUCED BY:

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HB 3126

Report Title:

Rapid Identification Documents

Description:

Amends the rapid identification documents law by deleting the requirement that the document be in the form of a bracelet. Allows a lawfully appointed guardian, agent, or surrogate to act on a patient's behalf when directing medical staff to provide comfort care only.

