

Honolulu, Hawaii

FEB 14, 2006

RE: H.B. No. 3126

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Third State Legislature
Regular Session of 2006
State of Hawaii

Sir:

Your Committee on Consumer Protection & Commerce, to which
was referred H.B. No. 3126 entitled:

"A BILL FOR AN ACT RELATING TO RAPID IDENTIFICATION
DOCUMENTS,"

begs leave to report as follows:

The purpose of this bill is to improve the ability of
emergency services personnel to identify those terminally ill
patients who have requested comfort care only, by:

- (1) Deleting the requirement that the patient's physician
certify that the patient desires comfort care only;
- (2) Deleting the requirement that the rapid identification
document used to identify comfort care only patients be
in the form of a bracelet worn by the patient; and
- (3) Allowing the patient's lawfully appointed guardian,
agent, or surrogate acting consistent with the Uniform
Health Care Decisions Act, to direct medical staff to
provide comfort care only.

The Department of Health (DOH), Hawaiian Islands Hospice
Organization, Kokua Mau, Hospice of Hilo, and several concerned
individuals submitted testimony in support of this measure.



Your Committee finds that persons who elect to receive comfort care only, and not to be resuscitated by more aggressive means when terminally ill, are required to be certified as such by their physician in a comfort care only document filed with their physician. In addition, they are required to wear an identifying bracelet or necklace, prescribed by a physician, ordered through only one pharmacy on Oahu, and made and sent from the mainland.

Your Committee heard testimony that the comfort care bracelet has not been a very successful method of making known the wishes of patients electing comfort care only. The process to obtain the bracelet is difficult, and there have been times when the bracelet was not seen due to clothing or other circumstances until after aggressive measures were instituted. The amendments made by this bill would allow DOH to choose a different option that would increase the likelihood that health care providers give the level of care that the patient desires.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 3126 and recommends that it be referred to the Committee on Finance.

Respectfully submitted on
behalf of the members of the
Committee on Consumer
Protection & Commerce,



ROBERT N. HERKES, Chair



