STAND. COM. REP. NO. 3294

Honolulu, Hawaii APR - 4 2006

RE: H.B. No. 3126

Honorable Robert Bunda President of the Senate Twenty-Third State Legislature Regular Session of 2006 State of Hawaii

Sir:

Your Committee on Judiciary and Hawaiian Affairs, 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 measure is to amend the rapid identification documents law by deleting the requirement that the document be in the form of a bracelet. In addition, this measure allows a lawfully appointed, guardian, agent, or surrogate to act on a patient's behalf when directing medical staff to provide comfort only.

Your Committee received testimony in support of this measure from the Department of Health, the Hawaii Medical Association, the Healthcare Association of Hawaii, Hospice Hawaii, the Hawaiian Islands Hospice Organization, Kokua Mau, and five individuals. The Maui Chapter of Hawaii Right to Life submitted testimony in opposition to this measure.

Your Committee finds that the current "Comfort Care Only" bracelet system has proven to be ineffective in allowing health care providers to honor the wishes of the patient. A rapid identification document system will allow a patient to clearly communicate his or her health care wishes absent any ambiguity, confusion, or delay.

Your Committee also notes that this measure requires the patient's guardian, agent, or surrogate to direct health care



providers in a manner consistent with chapter 327E, Hawaii Revised Statutes, to administer comfort only in an emergency situation. More importantly, this measure requires the Department of Health to adopt rules in implementing the rapid identification document system, which would be the most appropriate mechanism to address the issue of additional safeguards or requirement to be imposed upon a patient's guardian, agent, or surrogate.

As affirmed by the record of votes of the members of your Committee on Judiciary and Hawaiian Affairs 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 pass Third Reading.

Respectfully submitted on behalf of the members of the Committee on Judiciary and Hawaiian Affairs,

COLLEEN HANABUSA, Chair

The Senate Twenty-Third Legislature State of Hawaii

Record of Votes of the Committee on Judiciary and Hawaiian Affairs (Bills and Resolutions)

Measure:* Committee F		eferral:		Date:			
нв 3126	HTH, JHW			3-32-06			
The committee is reconsidering its previous decision on this measure.							
If so, then the previous decision was to:							
The Recommendation is to:							
Pass, unamended Pass, with amendments Hold Recommit (2312) (2311) (2310) (2313)							
Members		Ayes	Ayes	s(WR)	Nays	Excused	
HANABUSA, Colleen (C)							
HEE, Clayton (VC)							
CHUN OAKLAND, Suzanne				nandii. Totaloonii			
ENGLISH, J. Kalani							
IHARA, Jr., Les						ay sa esa a unina a antes y la sur 10,5 pc	
WHALEN, Paul		/					
TOTAL		4		0	0	0	
Recommendation: Adopted Not Adopted							
Two Adopted							
Chair's or Designee's Signature:							
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy							

^{*}Do <u>not</u> list more than one measure per Record of Votes.