

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.

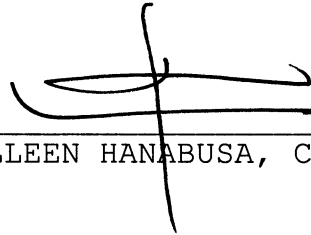
Your Committee also notes that this measure requires the patient's guardian, agent, or surrogate to direct health care



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



