

Honolulu, Hawaii

March 6, 2009

RE: H.B. No. 1379  
H.D. 2

Honorable Calvin K.Y. Say  
Speaker, House of Representatives  
Twenty-Fifth State Legislature  
Regular Session of 2009  
State of Hawaii

Sir:

Your Committee on Finance, to which was referred H.B. No. 1379, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO PHYSICIAN ORDERS FOR LIFE SUSTAINING TREATMENT,"

begs leave to report as follows:

The purpose of this bill is to ensure a person's wishes regarding end-of-life care are followed by allowing for the use of a standardized physician orders for life sustaining treatment form (Form) that states an individual's wishes regarding end-of-life treatment in all pre-hospital and health care settings.

The Policy Board for Elder Affairs and a concerned individual supported this bill. The Department of Health (DOH), Hawaii Health Systems Corporation, Honolulu Emergency Services Department, Healthcare Association of Hawaii, and a concerned individual submitted comments.

Your Committee has amended this bill by:

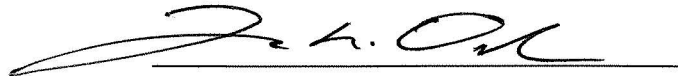
- (1) Authorizing DOH to adopt rather than design a form for use by the patient in designating their care preferences;
- (2) Defining the terms "health care provider" and "patient's physician";



- (3) Including emergency medical services personnel and emergency physicians as health care providers required to follow the instructions the patient has provided on the Form;
- (4) Authorizing the Director of Health's use of discretion in determining whether to adopt rules to carry out the provisions of this bill;
- (5) Deleting provisions requiring public and private hospitals to adopt the use of the Forms; and
- (6) Making technical, nonsubstantive changes for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1379, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1379, H.D. 2.

Respectfully submitted on  
behalf of the members of the  
Committee on Finance,



MARCUS R. OSHIRO, Chair



