Honorable Colleen Hanabusa
President of the Senate
Twenty-Fifth State Legislature
Regular Session of 2009
State of Hawaii

Madam:

    Your Committee on Health, to which was referred S.B. No. 1178
entitled:

    "A BILL FOR AN ACT RELATING TO HEALTH,"

begs leave to report as follows:

    The purpose of this measure is to ensure the safety of
dialysis patients in an emergency situation by requiring all
dialysis centers in Hawaii to have backup emergency generators
with the capacity to sustain dialysis treatments and the center's
water treatment system.

    Your Committee received testimony in support of this measure
from two individuals. Your Committee received testimony in
support of intent of this measure with comments from the National
Kidney Foundation, Liberty Dialysis, and the Policy Advisory Board
for Elder Affairs. Your Committee received testimony in
opposition to this measure from the Department of Health.

    Copies of written testimony are available for review on the
Legislature's website.

    Your Committee finds that a more comprehensive approach is
necessary to ensure the safety of dialysis patients in the event
of an emergency. Federal regulations require every dialysis
clinic to have an emergency plan and are required to conduct
periodic drills. In the event of an area wide major emergency,
all medical care institutions may be damaged. Currently, the
Centers for Medicaid and Medicare Services are in the process of

determining whether life safety measures should require backup generators in all dialysis facilities.

Your Committee further finds that the Department of Health is the appropriate agency to ensure that emergency plans are properly in place and implemented to ensure the safety of all dialysis patients.

Accordingly, your Committee has amended this measure by:

(1) Removing the requirement that all dialysis centers in Hawaii have backup emergency generators;

(2) Requiring the Department of Health to review emergency plans and develop guidelines of all dialysis centers in the State to ensure the safety of dialysis patients in the event of a public emergency; and

(3) Requiring the Department to post on its website a list of all dialysis centers in Hawaii that have backup emergency generators with the capacity to sustain dialysis treatments and maintain their water treatment system.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1178, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1178, S.D. 1, and be referred to the Committee on Commerce and Consumer Protection.

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

DAVID Y. IGE, Chair

2009-1203 SSCR SMA.doc

Record of Votes
Committee on Health
HTH

Bill / Resolution No.:*	Committee Referral:	Date:
SB 1178	HTH, CPN	2/13/9

☐ The committee is reconsidering its previous decision on this measure.

If so, then the previous decision was to: _____

The Recommendation is:

☐ Pass, unamended 2312   ☑ Pass, with amendments 2311   ☐ Hold 2310   ☐ Recommit 2313

Members	Aye	Aye (WR)	Nay	Excused
IGE, David Y. (C)	✓			
GREEN, M.D., Josh (VC)	✓			
BAKER, Rosalyn H.	✓			
ESPERO, Will				✓
NISHIHARA, Clarence K.	✓			
HEMMINGS, Fred	✓			
TOTAL	5	0	0	1

Recommendation:

☑ Adopted   ☐ Not Adopted

Chair's or Designee's Signature: _[signature]_

***Only <u>one</u> measure per Record of Votes**

Revised: 12/18/08