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## HOUSE RESOLUTION

REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO STUDY AVAILABLE LITERATURE CONCERNING THE POTENTIAL OF INCREASED LIFETIME CANCER RISKS ASSOCIATED WITH CUMULATIVE RADIOACTIVE EXPOSURE AS A RESULT OF IMAGING PROCEDURES.

1           WHEREAS, medical physicists are partnering with  
2           technologists, radiologists, regulators, manufacturers,  
3           administrators, and others to deliver the minimum amount of  
4           radiation necessary when a computed tomography scan is medically  
5           indicated; and  
6

7           WHEREAS, because informed consent strengthens a patient's  
8           rights and is a necessary part of the doctor-patient  
9           relationship, disclosure of the attendant risks associated with  
10          any medical procedure is necessary to protect the physical and  
11          mental health of the patient; and  
12

13          WHEREAS, in health care, physicians and patients  
14          continually accept risks in return for benefits and ordinarily  
15          patients are made aware of treatment and diagnostic risks to  
16          enable patients to make informed decisions; and  
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18          WHEREAS, x-rays and computed tomography scans save lives  
19          and are considered important and routine medical procedures used  
20          to diagnose illness and injury and critically assess treatments;  
21          and  
22

23          WHEREAS, questions have been raised recently in medical  
24          research about how to balance the benefits of these imaging  
25          procedures with findings that lifetime cancer risk is increased  
26          by cumulative radiation exposure; and  
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28          WHEREAS, in 2007, the United States Department of Health  
29          and Human Services estimated that the number of computed  
30          tomography scans given to Medicare patients had almost  
31          quadrupled from 1995 to 2005, while the number of Positron  
32          Emission Tomography scans had risen even faster; and  
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1 WHEREAS, the *New York Times* reported on August 28, 2009,  
2 that the *New England Journal of Medicine* had just published a  
3 study finding that at least four million Americans under age  
4 sixty-five are exposed to high doses of radiation each year from  
5 medical imaging tests; and  
6

7 WHEREAS, the study further found that about four hundred  
8 thousand of those patients receive very high doses, more than  
9 the maximum annual exposure allowed for nuclear power plant  
10 employees or anyone else who works with radioactive material;  
11 and  
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13 WHEREAS, the study's lead author, Dr. Reza Fazel, a  
14 cardiologist at Emory University, said that use of scans  
15 appeared to have increased even from 2005 to 2007, the period  
16 covered by the study; and  
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18 WHEREAS, *USA Today* reported February 10, 2010, that one  
19 study published in the *Archives of Internal Medicine* in December  
20 2009, estimated that radiation from such procedures causes  
21 twenty-nine thousand new cancers and fourteen thousand five  
22 hundred deaths a year; and  
23

24 WHEREAS, a second article in the *Archives of Internal  
25 Medicine* reported that the problem could be even worse,  
26 calculating that patients receive four times as much radiation  
27 from imaging tests as previously believed; and  
28

29 WHEREAS, *Time Magazine* reported on December 7, 2009, that  
30 Canada is taking steps to correct the problem by establishing a  
31 national radiation-dosage registry in which patients' radiation  
32 exposure would be stored and accessible to patients and doctors  
33 by becoming part of the patients' permanent medical records; and  
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35 WHEREAS, concerned that Americans may be accumulating too  
36 much radiation exposure from medical tests, doctors at the  
37 National Institutes of Health will begin recording how much  
38 radiation patients receive from computed tomography scans and  
39 other procedures in permanent electronic medical records that  
40 patients can take with them; and  
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42 WHEREAS, section 671-3, Hawaii Revised Statutes, requires  
43 informed consent for diagnostic medical procedures, but it is  
44 unclear how many health care providers notify patients of the



1 health risks associated with numerous procedures, including  
2 harmful exposure to radiation when given imaging tests; now,  
3 therefore,  
4

5 BE IT RESOLVED by the House of Representatives of the  
6 Twenty-fifth Legislature of the State of Hawaii, Regular Session  
7 of 2010, that the Legislative Reference Bureau is requested to  
8 study available literature concerning the potential of increased  
9 lifetime cancer risks associated with cumulative radioactive  
10 exposure as a result of imaging procedures; and  
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12 BE IT FURTHER RESOLVED that the Legislative Reference  
13 Bureau is requested to consult with the Directors Health and  
14 Commerce and Consumer Affairs, the Hawaii Medical Board, the  
15 Department of Health's Indoor and Radiological Health Branch,  
16 the Hawaii Medical Services Association, the Hawaii Nurses  
17 Association, the Hawaii Medical Association, and the President  
18 of the Hawaii Association of Health Plans; and  
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20 BE IT FURTHER RESOLVED that the Legislative Reference  
21 Bureau is requested to report on efforts to:  
22

23 (1) Disclose to patients verbally and in writing about the  
24 potential effects of radiation exposure as a result of  
25 imaging procedures; and  
26

27 (2) Record radiation exposure in patient medical records;  
28 and  
29

30 BE IT FURTHER RESOLVED that the Legislative Reference  
31 Bureau is requested to report findings and recommendations,  
32 including any necessary proposed legislation, to this body no  
33 later than twenty days prior to the convening of the Regular  
34 Session of 2011; and  
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36 BE IT FURTHER RESOLVED that certified copies of this  
37 Resolution be transmitted to the Director of the Legislative  
38 Reference Bureau, Directors of Health and Commerce and Consumer  
39 Affairs, Chairperson of the Hawaii Medical Board, Chief of the  
40 Indoor and Radiological Health Branch of the Department of  
41 Health, President of the Hawaii Medical Services Association,  
42 President of the Hawaii Medical Association, President of the  
43 Hawaii Nurses Association, and President of the Hawaii



# H.R. NO. 212

1 Association of Health Plans for distribution to member  
2 organizations.  
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