
A BILL FOR AN ACT

RELATING TO PUBLIC HEALTH.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The purpose of this Act is to require employers
2 to use materials provided by the department of labor and
3 industrial relations to educate employees with respect to
4 seizure first aid.

5 SECTION 2. Chapter 396, Hawaii Revised Statutes, is
6 amended by adding a new section to be appropriately designated
7 and to read as follows:

8 "§396- Seizure first aid; information. (a) The
9 department shall provide employers, employees, and the general
10 public with information with respect to rendering seizure first
11 aid. The information shall be disseminated through exhibitions,
12 broadcasts, lectures, pamphlets, or any other method of
13 disseminating information.

14 (b) All employers shall post the seizure first aid
15 information provided by the department of labor and industrial
16 relations in a prominent position in the employer's work place.

17 (c) The department shall adopt rules in accordance with
18 chapter 91 to implement this section.



1 (d) For the purposes of this section, "seizure first aid"
2 means procedures to respond, attend, and provide comfort and
3 safety to a person suffering from a primary generalized tonic-
4 clonic seizure or complex partial seizure. The term does not
5 include training to medically treat a person suffering a
6 seizure."

7 SECTION 3. Section 396-15, Hawaii Revised Statutes, is
8 amended to read as follows:

9 "[~~§~~396-15[~~]~~] **Exception to liability.** (a) Any employee
10 who is required by [~~the regulations under~~] this chapter to be
11 trained and certified in first aid, and consequently renders
12 first aid care as provided by this chapter, shall not be liable
13 for any civil damages resulting from the employee's acts or
14 omissions, except for such damages as may result from the
15 employee's gross negligence or wanton acts or omissions.

16 (b) Any employee who renders seizure first aid pursuant to
17 section 396- or the employee's employer, shall not be liable
18 for any civil damages resulting from the employee's acts or
19 omissions related to the first aid rendered, except for such
20 damages as may result from the employee's gross negligence or
21 wanton acts or omissions."



1 SECTION 4. Statutory material to be repealed is bracketed
2 and stricken. New statutory material is underscored.

3 SECTION 5. This Act shall take effect on July 1, 2009.

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INTRODUCED BY: Cindy Evans

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JAN 23 2009

Report Title:

Seizure First Aid; DLIR

Description:

Requires employers to educate employees regarding seizure first aid with information provided by DLIR.

