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## HOUSE CONCURRENT RESOLUTION

REQUESTING THE DEPARTMENT OF HEALTH TO CONVENE A WORKING GROUP TO EXAMINE OVERLAP AND CONFLICTS AMONG STATUTES RELATING TO PATIENT CARE DIRECTIVES RECOGNIZED IN HAWAII, INCLUDING PHYSICIAN ORDERS FOR LIFE SUSTAINING TREATMENT, "DO NOT RESUSCITATE" ORDERS, AND ADVANCE HEALTH CARE DIRECTIVES.

1           WHEREAS, the Legislature enacted Act 186, Session Laws of  
2 Hawaii 2009, relating to physician orders for life sustaining  
3 treatment; and

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5           WHEREAS, physician orders for life sustaining treatment  
6 have been found by the State and other states to allow for  
7 individuals to more clearly state their wishes for end-of-life  
8 treatment in all pre-hospital and health care settings; and

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10          WHEREAS, Hawaii also recognizes:

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12          (1) Do not resuscitate orders that direct health care  
13 providers to provide comfort care to a patient and  
14 refrain from resuscitating if the patient's heart or  
15 breathing stops; and

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17          (2) Advance health care directives that provide assurance  
18 that decisions regarding future medical care will  
19 reflect a person's specific wishes if the person is  
20 incapacitated and that provide mechanisms to establish  
21 legally authorized decision-makers when the patient is  
22 incapacitated; and

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24          WHEREAS, because Hawaii has multiple statutes involving a  
25 range of procedures and directives dealing with a person's  
26 health care choices, including end-of-life decisions, that may  
27 lead to confusion, including physician orders for life  
28 sustaining treatment, "do not resuscitate" orders, and advance  
29 health care directives; now, therefore,



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2 BE IT RESOLVED by the House of Representatives of the  
3 Twenty-fifth Legislature of the State of Hawaii, Regular Session  
4 of 2010, the Senate concurring, that the Department of Health is  
5 requested to convene a working group to examine overlap and  
6 conflicts among patient care directives recognized in Hawaii,  
7 including physician orders for life sustaining treatment, "do  
8 not resuscitate" orders, and advance health care directives; and  
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10 BE IT FURTHER RESOLVED that the working group is requested  
11 to consist of representatives from:

- 12  
13 (1) The University of Hawaii Elder Law Program;  
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15 (2) The Emergency Services Department of the City and  
16 County of Honolulu;  
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18 (3) Healthcare Association of Hawaii;  
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20 (4) Kokua Mau, Inc.;  
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22 (5) Hawaii State Bar Association Elder Law Section; and  
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24 (6) Hawaii State Bar Association Probate and Estate  
25 Section; and  
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27 BE IT FURTHER RESOLVED that the Director of Health is  
28 requested to submit the working group's report, to include  
29 findings and recommendations, including any necessary proposed  
30 legislation, to address any inadequacies in and overlap and  
31 conflicts among these types of patient-care directives and ways  
32 to resolve any conflicts, to the Legislature not later than  
33 twenty days prior to the convening of the Regular Session of  
34 2011; and  
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36 BE IT FURTHER RESOLVED that certified copies of this  
37 Concurrent Resolution be transmitted to the Director of Health,  
38 the Director of the University of Hawaii Elder Law Program, the  
39 President of the Hawaii State Bar Association, the President of



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1 the Healthcare Association of Hawaii, the President of Kokua  
2 Mau, Inc., and the Director of the Emergency Services Department  
3 of the City and County of Honolulu.  
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OFFERED BY:

*Paula A. ...*  
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*059.2*  
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*By ...*

MAR 09 2010

