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## HOUSE CONCURRENT 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

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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

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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

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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



1 quadrupled from 1995 to 2005, while the number of Positron  
2 Emission Tomography scans had risen even faster; and

3  
4 WHEREAS, the *New York Times* reported on August 28, 2009,  
5 that the *New England Journal of Medicine* had just published a  
6 study finding that at least four million Americans under age  
7 sixty-five are exposed to high doses of radiation each year from  
8 medical imaging tests; and

9  
10 WHEREAS, the study further found that about four hundred  
11 thousand of those patients receive very high doses, more than  
12 the maximum annual exposure allowed for nuclear power plant  
13 employees or anyone else who works with radioactive material;  
14 and

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16 WHEREAS, the study's lead author, Dr. Reza Fazel, a  
17 cardiologist at Emory University, said that use of scans  
18 appeared to have increased even from 2005 to 2007, the period  
19 covered by the study; and

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21 WHEREAS, *USA Today* reported February 10, 2010, that one  
22 study published in the *Archives of Internal Medicine* in December  
23 2009, estimated that radiation from such procedures causes  
24 twenty-nine thousand new cancers and fourteen thousand five  
25 hundred deaths a year; and

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

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32 WHEREAS, *Time Magazine* reported on December 7, 2009, that  
33 Canada is taking steps to correct the problem by establishing a  
34 national radiation-dosage registry in which patients' radiation  
35 exposure would be stored and accessible to patients and doctors  
36 by becoming part of the patients' permanent medical records; and

37  
38 WHEREAS, concerned that Americans may be accumulating too  
39 much radiation exposure from medical tests, doctors at the  
40 National Institutes of Health will begin recording how much  
41 radiation patients receive from computed tomography scans and  
42 other procedures in permanent electronic medical records that  
43 patients can take with them; and



1 WHEREAS, section 671-3, Hawaii Revised Statutes, requires  
2 informed consent for diagnostic medical procedures, but it is  
3 unclear how many health care providers notify patients of the  
4 health risks associated with numerous procedures, including  
5 harmful exposure to radiation when given imaging tests; now,  
6 therefore,  
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8 BE IT RESOLVED by the House of Representatives of the  
9 Twenty-fifth Legislature of the State of Hawaii, Regular Session  
10 of 2010, the Senate concurring, that the Legislative Reference  
11 Bureau is requested to study available literature concerning the  
12 potential of increased lifetime cancer risks associated with  
13 cumulative radioactive exposure as a result of imaging  
14 procedures; and  
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16 BE IT FURTHER RESOLVED that the Legislative Reference  
17 Bureau is requested to consult with the Directors Health and  
18 Commerce and Consumer Affairs, the Hawaii Medical Board, the  
19 Department of Health's Indoor and Radiological Health Branch,  
20 the Hawaii Medical Services Association, the Hawaii Nurses  
21 Association, the Hawaii Medical Association, and the President  
22 of the Hawaii Association of Health Plans; and  
23

24 BE IT FURTHER RESOLVED that the Legislative Reference  
25 Bureau is requested to report on efforts to:  
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27 (1) Disclose to patients verbally and in writing about the  
28 potential effects of radiation exposure as a result of  
29 imaging procedures; and  
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31 (2) Record radiation exposure in patient medical records;  
32 and  
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34 BE IT FURTHER RESOLVED that the Legislative Reference  
35 Bureau is requested to report findings and recommendations,  
36 including any necessary proposed legislation, to the Legislature  
37 no later than twenty days prior to the convening of the Regular  
38 Session of 2011; and  
39

40 BE IT FURTHER RESOLVED that certified copies of this  
41 Concurrent Resolution be transmitted to the Director of the  
42 Legislative Reference Bureau, Directors of Health and Commerce  
43 and Consumer Affairs, Chairperson of the Hawaii Medical Board,  
44 Chief of the Indoor and Radiological Health Branch of the



# H.C.R. NO. 294

1 Department of Health, President of the Hawaii Medical Services  
2 Association, President of the Hawaii Medical Association,  
3 President of the Hawaii Nurses Association, and President of the  
4 Hawaii Association of Health Plans for distribution to member  
5 organizations.

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OFFERED BY: *Bella G. Belotti*

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