

JAN 23 2009

A BILL FOR AN ACT

RELATING TO HEALTH.

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

1 SECTION 1. The legislature finds that there has been an
2 alarming increase in drug-resistant staph infections. Until
3 now, there has been no state requirement for reporting staph
4 infections. As a result, disease trackers have had difficulty
5 calculating the severity of the problem.

6 Staph infections have been a problem in hospitals for
7 decades, but since the 1990s various strains of drug-resistant
8 staph have been turning up outside the medical setting,
9 afflicting a broad spectrum of society, from jail inmates and
10 injection drug users to athletes, mothers and schoolchildren.

11 According to the Mayo Clinic, methicillin-resistant
12 staphylococcus aureus (MRSA) is an infection caused by a strain
13 of staph that is resistant to the broad-spectrum antibiotics
14 commonly used to treat it. Methicillin-resistant staphylococcus
15 aureus can be fatal.

16 Most methicillin-resistant staphylococcus aureus infections
17 occur in hospitals or other health care settings, such as



1 nursing homes and dialysis centers. It is known as "health
2 care-associated methicillin-resistant staphylococcus aureus."
3 Older adults and people with weakened immune systems are at most
4 risk of health care-associated methicillin-resistant
5 staphylococcus aureus.

6 More recently, another type of methicillin-resistant
7 staphylococcus aureus has occurred among otherwise healthy
8 people in the wider community. This form, community-associated
9 methicillin-resistant staphylococcus aureus, is responsible for
10 serious skin and soft tissue infections and for a serious form
11 of pneumonia, for which a majority of the infections are treated
12 in emergency rooms across the United States.

13 A landmark study in the Journal of the American Medical
14 Association in October 2007 found that nearly sixty per cent of
15 life-threatening methicillin-resistant staphylococcus aureus
16 cases occurred among people who were infected within a year of
17 having been hospitalized for any reason, and that an additional
18 twenty-five per cent acquired their infections while they were
19 patients in a hospital. Epidemiologists typically view these
20 early infections as community-acquired, because it can take more
21 than two days for a hospital-acquired bug to incubate.



1 The purpose of this Act is to protect the public health by
2 reducing the incidence and spread of staph infections by
3 requiring all physicians, health care professionals, and
4 laboratory directors to report every incidence of an individual
5 infected with staphylococcus aureus bacteria to the department
6 of health. In addition, this Act establishes a permanent staph
7 advisory committee to research and collect data on
8 staphylococcus aureus infection rates in Hawaii, and to
9 establish guidelines for education and monitoring of persons
10 infected with staphylococcus aureus bacteria.

11 SECTION 2. Chapter 325, Hawaii Revised Statutes, is
12 amended by adding a new section to be appropriately designated
13 and to read as follows:

14 "§325- Staph advisory committee; establishment. (a)
15 There is established within the department of health the staph
16 advisory committee to consist of seven members, of which, one
17 shall be the director of health or the director's designee, and
18 six shall be from the clinical medical community statewide. The
19 director shall be the chairperson of the committee. The members
20 shall serve without compensation, but shall be reimbursed for
21 reasonable expenses, including travel expenses, incurred in the
22 performance of their duties.



1 (b) The committee shall adopt rules in accordance with
2 chapter 91 as it may consider necessary for the conduct of its
3 business.

4 (c) It shall be the responsibility of the committee to:

5 (1) Establish standards and guidelines for the reporting,
6 screening, identification, diagnosis, control,
7 intervention, and monitoring of persons infected with
8 staphylococcus aureus bacteria;

9 (2) Research and collect data on staphylococcus aureus
10 infection rates in Hawaii, its causes, and the
11 relationship of the use or overuse of antimicrobials
12 to staphylococcus aureus infections;

13 (3) Collect and analyze data reported to the department of
14 health in relation to the duties and responsibilities
15 of the department; and

16 (4) Submit annual reports to the department of health on
17 the reported incidences of staph infections and any
18 recommendations."

19 SECTION 3. Section 325-2, Hawaii Revised Statutes, is
20 amended to read as follows:

21 **"§325-2 Physicians, laboratory directors, and health care**
22 **professionals to report.** Every physician or health care



1 professional having a client affected by or suspected of being
2 affected by a disease, staphylococcus aureus bacteria, or a
3 condition declared to be communicable or dangerous to the public
4 health by the director of health shall report the incidence or
5 suspected incidence of [~~such~~] the disease or condition to the
6 department of health in writing or in the manner specified by
7 the department of health. Every laboratory director having
8 laboratory data regarding an individual affected by or suspected
9 of being affected by a disease, staphylococcus aureus bacteria,
10 or a condition declared to be communicable or dangerous to the
11 public health shall report [~~such~~] the diseases or conditions to
12 the department of health in writing or in a manner specified by
13 the health department. Every physician, laboratory director, or
14 health care professional who refuses or neglects to give [~~such~~]
15 the notice, or make [~~such~~] a report, as required by this
16 section, may be fined in an amount not to exceed \$1,000 per
17 violation, to be assessed by the director of health. The
18 director of health is authorized to impose the penalty pursuant
19 to this section."

20 SECTION 4. Statutory material to be repealed is bracketed
21 and stricken. New statutory material is underscored.

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1 SECTION 5. This Act shall take effect upon its approval.

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Report Title:

Staph Infections; Reporting; Staph Advisory Committee

Description:

Requires all physicians, health care professionals, and laboratory directors to report every incidence of staph infection to the department of health; establishes a permanent staph advisory committee within the department of health.

