

STAND. COM. REP. NO.

2555

Honolulu, Hawaii

FEB 26 2010

RE: S.B. No. 2728
S.D. 2

Honorable Colleen Hanabusa
President of the Senate
Twenty-Fifth State Legislature
Regular Session of 2010
State of Hawaii

Madam:

Your Committee on Judiciary and Government Operations, to which was referred S.B. No. 2728, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO TRAUMA,"

begs leave to report as follows:

The purpose of this measure is to establish a process to review and improve trauma care in the State.

Specifically, this measure establishes quality assurance and peer review committees, authorizes these committees to establish subcommittees for the purpose of making recommendations to the Department of Health on trauma system improvements, and provides statutory protection from discovery for the Department of Health trauma care multiagency and multidisciplinary peer review and quality assurance subcommittees.

Your Committee finds that the Department of Health has been charged in section 321-22.5, Hawaii Revised Statutes, with building a comprehensive statewide trauma system in order to save lives and improve outcomes of injured patients. The trauma system will consist of multiple emergency medical service agencies, hospitals, and committees formed to review and improve the care provided to patients within the system. The multidisciplinary quality assurance and peer review committees in this measure would seek broad participation within health organizations to produce improvements in patient care.



Your Committee supports the intent of this measure but shares concerns that the measure, as drafted, is overly broad and would benefit from further discussion.

Your Committee has amended this measure by:

- (1) Amending the references of peer review and quality assurance subcommittees to advisory committees in order to avoid confusion and differentiate these committees from existing quality assurance and peer review committees that function in a different manner;
- (2) Clarifying that within any advisory committee, a system performance review subcommittee may be created to review confidential patient care records and related documents to make recommendations on improvements to the trauma care system, and to exempt the system performance review subcommittee from the State's Sunshine Law;
- (3) Clarifying that a system performance review subcommittee shall not be compelled to testify about the patient care records reviewed;
- (4) Clarifying that only patient care and related documents be designated as confidential and exempt from discovery, except under certain conditions; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary and Government Operations that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2728, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2728, S.D. 2.



Respectfully submitted on
behalf of the members of the
Committee on Judiciary and
Government Operations,




BRIAN T. TANIGUCHI, Chair



The Senate
Twenty-Fifth Legislature
State of Hawaii

Record of Votes
Committee on Judiciary and Government Operations
JGO

Bill / Resolution No.:*	Committee Referral:	Date:		
SB 2728, SDI	HTH, JGO	2/24/10		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is:				
<input type="checkbox"/> Pass, unamended 2312	<input checked="" type="checkbox"/> Pass, with amendments 2311	<input type="checkbox"/> Hold 2310		
<input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
TANIGUCHI, Brian T. (C)	✓			
TAKAMINE, Dwight Y. (VC)				✓
BUNDA, Robert	✓			
GABBARD, Mike	✓			
NISHIHARA, Clarence K.	✓			
SLOM, Sam	✓			
TOTAL	5	—	—	1
Recommendation:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
				
Distribution:				
Original	Yellow	Pink	Goldenrod	
File with Committee Report	Clerk's Office	Drafting Agency	Committee File Copy	

*Only one measure per Record of Votes