

LINDA LINGLE
GOVERNOR OF HAWAII



CHIYOME LEINAALA FUKINO, M.D.
DIRECTOR OF HEALTH

STATE OF HAWAII
DEPARTMENT OF HEALTH
P.O. Box 3378
HONOLULU, HAWAII 96801-3378

In reply, please refer to:
File:

Senate Committee on Finance

SB 0930, Relating to Volunteer Medical Assistance Services

**Testimony of Chiyome Leinaala Fukino, M.D.
Director of Health**

March 25, 2010, 11:00a.m.

1 **Department's Position:** The Department of Health strongly supports this Administration sponsored
2 measure.

3 **Fiscal Implications:** No impact.

4 **Purpose and Justification:** This measure would provide immunity from liability and coverage of
5 medical expenses for licensed medical personnel providing volunteer services in non-emergency
6 situations, such as school-based immunization clinics, on behalf of the State or a county. Volunteer
7 workers who hold medical licenses and who are performing volunteer activities within the scope of their
8 license are indemnified under Hawaii law when responding to an emergency, but are not protected from
9 liability if they are volunteering for the State for a non-emergency activity, even if this activity serves as
10 training for future emergency response. Lack of coverage for professional liability may mean that these
11 valuable workers will not participate as state volunteers, thereby limiting the ability of the State to draw
12 upon their skills as a critical public health resource. The coverage of medical expenses under this bill
13 does not represent an expansion of benefits as it is identical to that offered to State and county
14 volunteers under existing law.

Thank you for the opportunity to testify.



HAWAII MEDICAL ASSOCIATION

1380 S. Beretania Street, Suite 200, Honolulu, Hawaii 96814
Phone (808) 536-7702 Fax (808) 528-2376 www.hmaonline.net

Thursday, March 25, 2010, 11:00 A.M., Conference Room 308

To: COMMITTEE ON FINANCE
Rep. Marcus R. Oshiro, Chair
Rep. Marilyn B. Loe, Vice Chair

From: Hawaii Medical Association
Gary A. Okamoto, MD, Legislative Co-Chair
Linda Rasmussen, MD, Legislative Co-Chair
April Donahue, Executive Director
Lauren Zirbel, Government Affairs
Dick Botti, Government Affairs

Re: SB 930 RELATING TO VOLUNTEER MEDICAL ASSISTANCE SERVICES

The Hawaii Medical Association supports Senate Bill 930, which provides immunity from liability and coverage of medical expenses for licensed medical personnel providing volunteer services in non-emergency situations. This bill provides protections to healthcare workers volunteering emergency services that are consistent with Good Samaritan practices elsewhere.

We believe SB 930 will protect those healthcare workers who come to the aid of their community in times of crises anywhere in Hawaii.

SB 930 will also protect those healthcare workers who volunteer to help the Hawai'i State Department of Health with important vaccination efforts.

Patients who were harmed due to willful or criminal misconduct, gross negligence, or reckless misconduct will maintain their legal rights for compensation.

Thank you for the opportunity to testify.

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