



GOV. MSG. NO. 1281

EXECUTIVE CHAMBERS
HONOLULU

NEIL ABERCROMBIE
GOVERNOR

July 1, 2011

The Honorable Shan Tsutsui, President
and Members of the Senate
Twenty-Sixth State Legislature
State Capitol, Room 409
Honolulu, Hawaii 96813

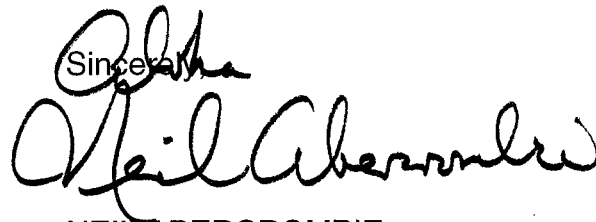
The Honorable Calvin Say, Speaker
and Members of the House
Twenty-Sixth State Legislature
State Capitol, Room 431
Honolulu, Hawaii 96813

Dear President Tsutsui, Speaker Say and Members of the Legislature:

This is to inform you that on July 1, 2011, the following bill was signed into law:

HB889 HD2 SD2 CD1

RELATING TO HEALTH.
Act 177 (11)

Sincerely,


NEIL ABERCROMBIE
Governor, State of Hawaii

on JUL 1 2011

HOUSE OF REPRESENTATIVES
TWENTY-SIXTH LEGISLATURE, 2011
STATE OF HAWAII

ACT 177
H.B. NO. 889
H.D. 2
S.D. 2
C.D. 1

A BILL FOR AN ACT

RELATING TO HEALTH.

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

1 SECTION 1. The purpose of this Act is to ensure that
 2 Hawaii is consistent with the efforts of federal agencies to
 3 control health care-associated infections. This Act also
 4 ensures that the department of health has access to health care-
 5 associated infection data reported by Hawaii's health care
 6 providers to the federal government. In addition, this Act
 7 requires the legislature to be updated on federal and state
 8 efforts to report health care-associated infections.

9 SECTION 2. Chapter 321, Hawaii Revised Statutes, is
 10 amended by adding a new section to be appropriately designated
 11 and to read as follows:

12 "§321- Health care-associated infection reporting. (a)
 13 Each health care facility in the State that is certified by the
 14 Centers for Medicare and Medicaid Services shall report
 15 information about health care-associated infections to the
 16 Centers for Disease Control and Prevention's national healthcare
 17 safety network, as specified in the rules of the Centers for
 18 Medicare and Medicaid Services.



1 (b) Health care facilities subject to this section shall
2 authorize the Centers for Disease Control and Prevention to
3 allow the department to access health care-associated infection
4 data reported by those health care facilities to the national
5 healthcare safety network.

6 (c) The department may adopt rules pursuant to chapter 91
7 to require that health care-associated infections that are
8 multidrug-resistant be reported to the department through the
9 national healthcare safety network. The rules shall specify
10 which health care facilities are required to report those health
11 care-associated infections that are multidrug-resistant through
12 the national healthcare safety network, as well as the patient
13 populations that are to be targeted in the reports. The first
14 year of reporting required under this subsection shall be a
15 pilot test of the reporting system and shall not be reported or
16 disclosed to the public.

17 (d) The department shall preserve patient confidentiality
18 and shall not disclose to the public any patient-level data
19 obtained from any health care facility.

20 (e) The department may issue reports to the public
21 regarding health care-associated infections in aggregate data
22 form to protect individual patient identity. The reports may



1 identify individual health care facilities. The reports shall
2 use the methodology or any part of the methodology developed by
3 the Centers for Disease Control and Prevention and the Centers
4 for Medicare and Medicaid Services for national reporting of
5 health care-associated infections.

6 (f) Health care-associated infection information held by
7 the department as a result of reporting under this section is
8 not subject to subpoena, discovery, or introduction into
9 evidence in any civil or criminal proceeding; provided that
10 health care-associated infection information otherwise available
11 from other sources is not immune from subpoena, discovery, or
12 introduction into evidence through those sources solely because
13 the information was reported as required by this section.

14 (g) Beginning on June 30, 2013, and no later than June 30
15 of each year, thereafter, the department shall prepare a public
16 report, in accordance with this section, containing information
17 pertaining to health care-associated infections in the State for
18 the previous calendar year.

19 (h) For the purposes of this section:

20 "Department" means the department of health.

21 "Health care facility" means the same as in section 323D-
22 2."



1 SECTION 3. The department of health shall submit a report
2 to the legislature providing an update on health care-associated
3 infection reporting required under section 2 of this Act no
4 later than twenty days prior to the convening of the regular
5 session of 2012.

6 SECTION 4. New statutory material is underscored.

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

APPROVED this 1 day of JUL , 2011



GOVERNOR OF THE STATE OF HAWAII

