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## A BILL FOR AN ACT

RELATING TO MEDICINE.

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

1           SECTION 1. Section 453-1, Hawaii Revised Statutes, is  
2 amended to read as follows:  
3           "**§453-1 Practice of medicine defined.** (a) For the  
4 purposes of this chapter the practice of medicine by a physician  
5 or an osteopathic physician includes the use of drugs and  
6 medicines, water, electricity, hypnotism, osteopathic medicine,  
7 or any means or method, or any agent, either tangible or  
8 intangible, for the treatment of disease in the human subject;  
9 provided that when a duly licensed physician or osteopathic  
10 physician pronounces a person affected with any disease hopeless  
11 and beyond recovery and gives a written certificate to that  
12 effect to the person affected or the person's attendant nothing  
13 herein shall forbid any person from giving or furnishing any  
14 remedial agent or measure when so requested by or on behalf of  
15 the affected person.  
16           (b) No act or omission by a physician under this section  
17 shall be deemed to constitute the crime of murder in the second



1 degree or manslaughter, even though the act or omission may have  
2 a secondary effect of advancing the time of death.

3 This section shall not amend or repeal the law respecting  
4 the treatment of those affected with Hansen's disease.

5 (c) For purposes of this chapter, "osteopathic medicine"  
6 means the utilization of full methods of diagnosis and treatment  
7 in physical and mental health and disease, including the  
8 prescribing and administration of drugs and biologicals of all  
9 kinds, operative surgery, obstetrics, radiological, and other  
10 electromagnetic emissions, and placing special emphasis on the  
11 interrelation of the neuro-musculoskeletal system to all other  
12 body systems, and the amelioration of disturbed structure-  
13 function relationships by the clinical application of the  
14 osteopathic diagnosis and therapeutic skills for the maintenance  
15 of health and treatment of disease."

16 SECTION 2. New statutory material is underscored.

17 SECTION 3. This Act shall take effect upon its approval.

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INTRODUCED BY:



JAN 24 2011



**Report Title:**

End-of-life care

**Description:**

Provides that the acts or omissions of a physician engaged in the practice of medicine shall not make the physician liable for murder in the second degree or manslaughter even if the act or omission has the secondary effect of advancing the time of death of a patient.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

