



GOV. MSG. NO. 1101

EXECUTIVE CHAMBERS
HONOLULU

NEIL ABERCROMBIE
GOVERNOR

February 6, 2012

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 February 4, 2012, the following bill was signed into law:

HB608 HD3 SD1 CD2

RELATING TO HEALTH.
Act 001 (12)

~~Sincerely,~~
A handwritten signature in black ink, appearing to read "Neil Abercrombie".

NEIL ABERCROMBIE
Governor, State of Hawaii

on FEB 4 2012

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

H.B. NO.

608
H.D. 3
S.D. 1
C.D. 2

A BILL FOR AN ACT

RELATING TO HEALTH.

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

1 SECTION 1. This Act is recommended by the governor for
2 immediate passage in accordance with section 9 of article VII of
3 the Constitution of the State of Hawaii.

4 SECTION 2. The legislature finds that organ
5 transplantation is a life-saving therapy for many critically ill
6 patients with end-stage diseases. More than one hundred ten
7 thousand patients are on the national organ transplant waiting
8 list; four hundred seven of those patients are Hawaii residents.

9 Funding is critical to maintain a federally-recognized
10 stage 3 chronic kidney disease program that focuses on
11 prevention for disparate populations in Hawaii. Without
12 operational organ transplant services in the State, patients
13 with end-stage diseases must register on transplant waiting
14 lists for mainland transplant centers and many of these patients
15 will face a longer waiting time to receive a donor organ at a
16 transplant center on the mainland than at a transplant center in
17 Hawaii. The increased waiting time for an organ may mean that



1 the sickest of those patients may not survive long enough for a
2 donor organ to become available. In addition to the increased
3 waiting time, many waitlisted patients in the State will have
4 the additional burden of relocating to other areas of the
5 country, away from friends and family, while awaiting a donor
6 organ and during their recovery.

7 An emergency appropriation is necessary to preserve and
8 save the lives of individuals combating organ failure by
9 providing them with access to organ transplantation in the State
10 and giving them quality care and treatment throughout their
11 operation and recovery.

12 National Kidney Foundation of Hawaii provides a federally-
13 recognized chronic kidney disease management program in Hawaii.
14 It meets the eligibility requirements of section 42F-103, Hawaii
15 Revised Statutes, for recipients of grants and subsidies. The
16 Queen's Medical Center is establishing a kidney and liver
17 transplant program in Hawaii. It also meets the eligibility
18 requirements of section 42F-103, Hawaii Revised Statutes, for
19 recipients of grants and subsidies, with the exception of
20 approval as a member of the Organ Procurement and
21 Transplantation Network/United Network for Organ Sharing with
22 designations as a liver transplant program and a kidney and



1 living donor kidney transplant program, for which it has applied
2 and which it expects to receive approval on or before February
3 15, 2012.

4 The purpose of this Act is to appropriate emergency funds,
5 subject to dollar-for-dollar private matching funds, to support
6 services by The Queen's Medical Center to perform kidney and
7 liver transplants in Hawaii, and by the National Kidney
8 Foundation of Hawaii to maintain its chronic kidney disease
9 management program.

10 SECTION 3. There is appropriated out of the general
11 revenues of the State of Hawaii the sum of \$1,500,000 or so much
12 thereof as may be necessary for fiscal year 2011-2012 as a grant
13 pursuant to chapter 42F, Hawaii Revised Statutes, for The
14 Queen's Medical Center to support services to perform kidney and
15 liver transplants in Hawaii; provided that:

16 (1) No funds appropriated under this Act shall be expended
17 unless matched dollar-for-dollar with private funds;
18 and

19 (2) Any private matching funds obtained for the purposes
20 of this Act shall have priority in being encumbered
21 over public funds.



1 The sum appropriated shall be expended by the department of
2 health for the purposes of this Act.

3 SECTION 4. There is appropriated out of the general
4 revenues of the State of Hawaii the sum of \$300,000 or so much
5 thereof as may be necessary for fiscal year 2011-2012 as a grant
6 pursuant to chapter 42F, Hawaii Revised Statutes, for National
7 Kidney Foundation of Hawaii to maintain its chronic kidney
8 disease management program; provided that:

9 (1) No funds appropriated under this Act shall be expended
10 unless matched dollar-for-dollar with private funds;
11 and

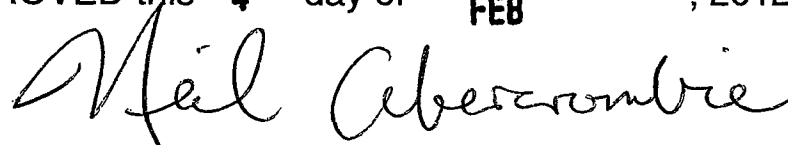
12 (2) Any private matching funds obtained for the purposes
13 of this Act shall have priority in being encumbered
14 over public funds.

15 The sum appropriated shall be expended by the department of
16 health for the purposes of this Act.

17 SECTION 5. If any provision of this Act, or the
18 application thereof to any person or circumstance, is held
19 invalid, the invalidity does not affect other provisions or
20 applications of the Act that can be given effect without the
21 invalid provision or application, and to this end the provisions
22 of this Act are severable.

1 SECTION 6. This Act shall take effect upon its approval;
2 provided that section 3 of this Act shall take effect on the
3 date on which The Queen's Medical Center obtains approval as a
4 member of the Organ Procurement and Transplantation
5 Network/United Network for Organ Sharing with designations as a
6 liver transplant program and a kidney and living donor kidney
7 transplant program, and provided that a copy of the document
8 evidencing the approval is delivered to the department of
9 health.

APPROVED this 4 day of FEB, 2012



GOVERNOR OF THE STATE OF HAWAII

