

JAN 25 2012

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# 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 The legislature further finds that there is only one Centers for  
10 Medicare and Medicaid Services-certified organ transplant  
11 facility for liver and kidney transplants in the State, where  
12 dozens of transplantations are performed each year and patients  
13 with organ transplants continue to receive monitoring and  
14 follow-up care from medical staff, physicians, and surgeons  
15 after their operations.

16           Funding is critical to maintain a federally-recognized  
17 stage 3 chronic kidney disease program that focuses on



1 prevention for disparate populations in Hawaii. Without  
2 operational organ transplant services in the State, patients  
3 with end-stage diseases must register on transplant waiting  
4 lists for mainland transplant centers and many of these patients  
5 will face a longer waiting time to receive a donor organ at a  
6 transplant center on the mainland than at a transplant center in  
7 Hawaii. The increased waiting time for an organ may mean that  
8 the sickest of those patients may not survive long enough for a  
9 donor organ to become available. In addition to the increased  
10 waiting time, many waitlisted patients in the State will have  
11 the additional burden of relocating to other areas of the  
12 country, away from friends and family, while awaiting a donor  
13 organ and during their recovery.

14 An emergency appropriation is necessary to preserve and  
15 save the lives of individuals combating organ failure by  
16 providing them with access to organ transplantation in the State  
17 and giving them quality care and treatment throughout their  
18 operation and recovery.

19 The purpose of this Act is to appropriate emergency funds,  
20 subject to dollar-for-dollar private matching funds, to support  
21 ongoing services by a qualified provider with United Network for  
22 Organ Sharing certification to perform kidney and liver



1 transplants in Hawaii, and to support a federally-recognized  
2 chronic kidney disease management program.

3 SECTION 3. There is appropriated out of the general  
4 revenues of the State of Hawaii the sum of \$1,800,000 or so much  
5 thereof as may be necessary for fiscal year 2011-2012 to support  
6 ongoing services by a qualified provider with United Network for  
7 Organ Sharing certification to perform kidney and liver  
8 transplants in Hawaii and to support a federally-recognized  
9 chronic kidney disease management program; provided that:

- 10 (1) No funds appropriated under this Act shall be expended  
11 unless matched dollar-for-dollar with private funds;  
12 and  
13 (2) Any private matching funds obtained for the purposes  
14 of this Act shall have priority in being encumbered  
15 over public funds.

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

18 SECTION 4. Funds appropriated under this Act shall be  
19 exempt from chapter 42F, Hawaii Revised Statutes.

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



**Report Title:**

Kidney; Liver; Transplants; Appropriation

**Description:**

Appropriates emergency funds, subject to dollar-for-dollar private matching funds, to be expended by the Department of Health to support ongoing services provided by a qualified provider with United Network for Organ Sharing certification to perform kidney and liver transplants in Hawaii and to support a federally-recognized chronic kidney disease management program, subject to certain conditions. (HB608 CD1)

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

