

Honolulu, Hawaii

MAR 02 2012

RE: S.B. No. 3039

S.D. 1

Honorable Shan S. Tsutsui
President of the Senate
Twenty-Sixth State Legislature
Regular Session of 2012
State of Hawaii

Sir:

Your Committee on Judiciary and Labor, to which was referred S.B. No. 3039 entitled:

"A BILL FOR AN ACT RELATING TO ANATOMICAL TRANSPLANTS,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Prohibit a health care facility or health care provider from discriminating against a person who has human immunodeficiency virus (HIV), acquired immune deficiency syndrome (AIDS), or AIDS-related complex (ARC) and who is in need of an organ transplant by refusing to perform the organ transplantation; and
- (2) Specify that persons with HIV, AIDS, or ARC shall not be prohibited from receiving an anatomical gift.

Your Committee did not receive any testimony on this measure.

Your Committee finds that individuals with HIV, AIDS, or ARC were previously prevented from receiving organ transplants due to doubts that these patients could survive the procedure given their weakened immune systems. However, with advances in treatment, people with HIV, AIDS, and ARC are living longer now than they were twenty years ago. This measure provides people with HIV, AIDS, or ARC with a fair opportunity to receive potentially life-saving organ transplants.

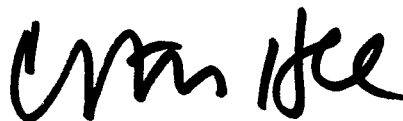


Your Committee has amended this measure by:

- (1) Inserting an effective date of July 1, 2050, to allow for further discussion; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary and Labor that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3039, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 3039, S.D. 1.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary and
Labor,



CLAYTON HEE, Chair



