

Honolulu, Hawaii

FEB 18 2011

RE: S.B. No. 705  
S.D. 1

Honorable Shan S. Tsutsui  
President of the Senate  
Twenty-Sixth State Legislature  
Regular Session of 2011  
State of Hawaii

Sir:

Your Committee on Health, to which was referred S.B. No. 705 entitled:

"A BILL FOR AN ACT RELATING TO HEALTH,"

begs leave to report as follows:

The purpose and intent of this measure is to establish medical error reporting and disclosure requirements, create an advisory board charged with developing methodologies to enhance medical error reporting, and establish a Patient Safety Trust Fund.

Your Committee received testimony in support of this measure from the Hawaii Medical Service Association and one private citizen. Your Committee received testimony in opposition to this measure from the Department of Health; the Hawaii Medical Association; the Healthcare Association of Hawaii; and The Queen's Medical Center.

Your Committee finds that this measure is duplicative of existing law and accreditation standards, would inappropriately interject hospital staff into the physician-patient relationship, and would inhibit existing error prevention programs.

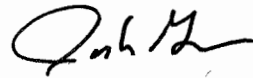
Your Committee further finds that many medical errors are not individual errors but systems errors and that in some instances there is a lack of clarity regarding orders given in a hospital setting.



Therefore, your Committee has amended this measure by deleting its contents and replacing them with new language that includes under the practice of Nursing as a Registered Nurse a requirement that Registered Nurses carry out the orders of licensed Physician Assistants practicing with physician supervision.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 705, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 705, S.D. 1, and be referred to the Committee on Commerce and Consumer Protection.

Respectfully submitted on  
behalf of the members of the  
Committee on Health,



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JOSH GREEN, M.D., Chair



The Senate  
 Twenty-Sixth Legislature  
 State of Hawai'i

**Record of Votes**  
**Committee on Health**  
**HTH**

|  |  |                         |     |          |
|--|--|-------------------------|-----|----------|
| Bill / Resolution No.:*<br><b>SB 705</b>   | Committee Referral:<br><b>HTH, CPN</b> | Date:<br><b>2-16-11</b> |     |          |
| <input type="checkbox"/> The committee is reconsidering its previous decision on this measure.<br>If so, then the previous decision was to: _____                                      |  |                         |     |          |
| The Recommendation is:   |  |                         |     |          |
| <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313 |  |                         |     |          |
| Members  | Aye                                    | Aye (WR)                | Nay | Excused  |
| GREEN, M.D., Josh (C)  |  | ✓                       |     |          |
| NISHIHARA, Clarence K. (VC)  |  | ✓                       |     |          |
| BAKER, Rosalyn H.  |  | ✓                       |     |          |
| CHUN OAKLAND, Suzanne  |  | ✓                       |     |          |
| SHIMABUKURO, Maile   |  | ✓                       |     |          |
| WAKAI, Glenn   |  |                         |     | ✓        |
| SLOM, Sam  | ✓                                      |                         |     |          |
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| <b>TOTAL</b>   | <b>1</b>                               | <b>5</b>                |     | <b>1</b> |
| Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted   |  |                         |     |          |
| Chair's or Designee's Signature:<br><i>Clarence K. Nishihara</i>   |  |                         |     |          |
| Distribution:     Original     Yellow     Pink     Goldenrod<br>File with Committee Report     Clerk's Office     Drafting Agency     Committee File Copy                              |  |                         |     |          |

\*Only one measure per Record of Votes