

NEIL ABERCROMBIE  
GOVERNOR OF HAWAII



LORETTA J. FUDDY, A.C.S.W., M.P.H.  
ACTING DIRECTOR OF HEALTH

STATE OF HAWAII  
DEPARTMENT OF HEALTH  
P.O. Box 3378  
HONOLULU, HAWAII 96801-3378

In reply, please refer to:  
File:

HOUSE COMMITTEE ON JUDICIARY

SB3039 SD1 HD1, RELATING TO ANATOMICAL GIFTS

Testimony of Loretta J. Fuddy, A.C.S.W., M.P.H.  
Director of Health

Written Testimony Only

March 27, 2012  
2:00pm, Room 325

1 **Department's Position:** The Department of Health (DOH) offers comments on this measure. The  
2 DOH believes that this measure is unnecessary.

3 **Fiscal Implications:** There would be no impact to the general fund.

4 **Purpose and Justification:** This measure requires the DOH to submit a report to the legislature on the  
5 total number of individuals who received organ transplants from a medical facility or center in the State  
6 since 2009; and the number of persons with HIV, AIDS, and ARC related complex who have received  
7 organ transplants from a medical facility or center in the State since 2009. The DOH is aware of The  
8 Queen's Medical Center (QMC) efforts in achieving designations for liver and kidney organ donor  
9 transplantation programs through United Network for Organ Sharing (UNOS). UNOS has rigorous  
10 standards in place to achieve and maintain designation for the transplant programs.

11 The DOH is anecdotally aware of transplants that have been provided to HIV infected patients in  
12 Hawaii through physicians in the community.

13 Thank you for the opportunity to provide testimony.

14

**Committee on Judiciary**

**Representative Gilbert S.C. Keith-Agaran, Chair**

**Representative Karl Rhoads, Vice Chair**

**\*\*\*Bill No: SB 3039 SD1 HD1**

**Place: State Capitol Room 325**

**Date and Time: Tuesday, March 27, 2012 @ 9:00 AM**

**\*\*\*Testifiers: Dialysis Nurses and Technicians of Liberty/Fresenius Dialysis  
Waipahu Unit**

**\*\*\*On Behalf of: All by Signatures below at:**

**94-450 Mokuola Street**

**Waipahu, HI 96796**

**Subject: SB 3039 SD1 HD1**

**Committee Room: March 27, 2012**

**Time: 2:00 PM**

**Position: In Strong Support**

**Please include prospective amendment, sent in by s Patient, merging SD1 and HD1, to resolve this life saving matter by March 4, 2013, 45 days after the beginning of the 2013 Legislative Session and the Review of the Department of Health's Report is finalized, concluding that in fact NO TRANSPLANTS have been facilitated for an HIV+ Patient since the Nationally Accredited 21 Programs across the Nation began 20 yrs ago, stepping up to the plate of not just letting their Chronically Ill just wither away, just because they don't want to.**

**If they don't want to, they shouldn't have taken an Oath of "To Do No Harm", because by ignoring these Patients as Insignificant or Obsolete, then Hawai'i is promoting Discrimination and Murder by torture, for the Long Term HIV+ Survivors, suffering and fighting, just to live just one more day!**

**Aloha Judiciary Chair, Representative Gilbert S.C. Keith-Agaran, Judiciary Vice Chair, Representative Karl Rhoads, and Distinguished Judiciary Committee Members,**

Our purpose for this petition is to recognize the state Bill S33039SD1 that prohibits discrimination against a person who has human immunodeficiency virus (HIV), acquired immune deficiency syndrome (AIDS), or AIDS-related complex (ARC), from receiving organ transplantation.

As Hemo-Dialysis Technicians, Nurses, Administrators, Dieticians & Social Workers and Patients we know firsthand the perseverance consumers and their `Ohanas must have in keeping the Compassionate fight going despite other health issues. Regardless if a person has HIV, AIDS, or ARC, they should not be refused a transplant, as long as they are in compliance in keeping themselves healthy and strong.

**Everyone deserves a second chance!**

Mahalo nui loa for GIVING US THE OPPORTUNITY TO TESTIFY & for your all of your time and Consideration,

**Maryline Tagama**

**Liberty/Fresenius Staff & Patients as signified below:**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

SEE ATTACHED FOR 19 SIGNATURES

# Refugee # CB3039

1. Kristin Keliyama RN
2. Ellen Samson RN
3. Maibeth Samean RN
4. Joene Nielson
5. Bernadette Velasco
6. Krista Mendenhall, RN
7. ~~John~~
8. Carol Smith
9. Jeff Colby
10. ~~Mark A. King~~
11. ~~John~~
12. ~~John A. King~~
13. Judy King
14. ~~John~~
15. Gerald
16. Mervyn
17. ~~John~~
18. ~~John~~
19. Susan