

NEIL ABERCROMBIE
GOVERNOR OF HAWAII



LATE

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

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

In reply, please refer to:
File:

SENATE COMMITTEE ON HEALTH

SB3039, RELATING ANATOMICAL TRANSPLANTS

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

February 15, 2012, 3:30PM, Rm. 229

1 **Department's Position:** The Department of Health does not support this measure. The Department
2 believes that this measure is unnecessary and would potentially perpetuate older, obsolete beliefs about
3 HIV/AIDS.

4 **Fiscal Implications:** There would be no fiscal impacts to the general fund.

5 **Purpose and Justification:** This measure would prohibit a health care facility or health care provider
6 from discriminating against a person who has HIV, AIDS, or ARC related complex and who is in need
7 of organ transplantation. The measure would amend section 327-11, HRS to specify that persons with
8 HIV, AIDS, or ARC shall not be prohibited from receiving anatomical gifts.

9 The Department of Health recommends that the decision regarding any transplant needs to be
10 made by health care providers in close consultation with their patients. People are now living longer and
11 relatively healthy lives with HIV/AIDS when viral replication is successfully suppressed with HIV
12 treatment regimes. This is a nationally recognized position. In Hawaii people living with HIV are
13 receiving transplants.

14 The Department respectfully requests that this bill be held.

15 Thank you for the opportunity to testify.

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Bill No. **SB 3039**
Bill Title: **Relating to Anatomical Gifts**

Committee: **Health**
Chair: **Senator Josh Green M. D.**
Vice Chair: **Senator Clarence T. Nishihara**

Hearing Date: **February 14, 2012**
Hearing Location: **Conference Room 229**

Testimony from: **Joseph Rattner O. D., MPH, Csac**

Representing: ****Myself**
***People living with HIV/AIDS in Hawai`i**
***West O`ahu Hope For A Cure Foundation (Founder and President)**

Aloha,
Senator Josh Green M.D., Chair; Senator Clarence T. Nishihara; Vice Chair,
Committee Members;
Senator Rosalyn Baker, Senator Suzanne Chun Oakland,
Senator Maile S.L. Shimabukuro, Senator Glenn Wakai and Senator Sam Slom;

It has been a long time since my Passion, Advocacy and Conviction for the Moral & Medical good brings me here, requesting that you assure Medical Equality in the future of the "New" Transplant Institute of The Pacific.

Opening @ Queen's Medical Center, in as little as a few months, gives Hope back to those who will be back on the Transplant Waiting List, hoping that page comes for "The Gift of Life" so desperately needed.

Why though, does the Patient in Hawai'i that is diagnosed HIV+, have to pack up there bags, save up for the lodging and airfare and be shipped to a State that truly does provide Medical Equality for All?

Then, evaluate and Proceed with Cutting Edge Procedures for Extremely Debilitating, Severe and Chronic Needs of Hawai'i's citizen's. That is why for me, SB 3039 it is a very personal.

Now affected by Life Changing choices, next month I will be living for 28 yrs HIV+, it stills humbles me with enormous Gratitude, whenever I testify in front of Legislators like ALL of you. Think that I'm just '*saying that*' because I want you to **Support SB 3039?**

No, it's just because since I've Testified in front of almost every one of you since I began my Advocacy in Hawai'i back in 2005, have ALWAYS, and I mean always, found a way to "fix" or "mend" whatever Community Funding Needs and/or Personal Medical Equality Needs One yr earlier, I became the Founder and CEO of a now 7 yr old Domestic Not for Profit called West O`ahu Hope For A Cure Foundation, Inc. with many pieces of Legislation brought to the table, discussed and most Bills Passing into Law, helping the Intended Community in Need.

Today, I am the Individual in a Discriminated against Community as an HIV+ Patient, denied in October of 2011, by HMC E, Transplant Institute for a Kidney Transplant, solely because of my "Medical Condition", which precluded me from any Transplantation in the State of Hawai'i. This was obviously being blocked by its Bankrupt owners St. Francis Health Systems..

My situation becomes Hopeful again as I have been accepted for Transplant at UCSF that has opened 21 Center that provide theses High Risk Transplants with remarkably fantastic results, of which should be one of the documents faxed to Senator Josh Green's Office on 2/14/2012.

I am hopeful that all of you will look at the Documentation I have provided by the National Groundbreaking Educators, teaching Transplant Centers how to Care for any HIV+ Patients needing a Transplant, specifically after the Transplant then for the rest their lives.

All I ask, is for the same Medical Equality afforded to every other Patient with an Infectious Disease or any Immune Compromising Conditions. Please voter to enforce Medical Equality and Compassionate Care for Patients like me, that are Long Term Survivors and just got their 2nd wind, ready to run another 20 yrs, sharing the Light of Life by emulating what the Gift of Life concludes.

Mahalo nui loa, for giving me the Opportunity to again Testify in front of you tomorrow, and address the essential reasons and Medical facts that would give no one a reason to say "no" to any HIV+ Patient to be eligible for any Transplant, just because they may be HIV+.

The enclosed documentation will give you all some more insight into a process, that shouldn't have been blinded but transparent. Better later, than never. If this Bill save 10% of HIV+ Patients lives a yr, that approximately 300 more Transplants done annually.

Look forward to seeing you all tomorrow,

Malama Pono,
Joseph B. Rattner O.D., Csac
91-211 Maka'ina Place
Ewa Beach, Hawai'i 96706
808-685-6677

PLEASE COPY
DOCUMENTS OTHER THAN
TESTIMONY FOR
COMMITTEE
MEMBERS

THANK YOU
JOE HATTNER

(6 PAGES)

UCSF Medical Center
Transplant Service

ADULT KIDNEY TRANSPLANT SERVICE (LIVING DONOR)

What are UCSF's post-transplant outcomes?

THE...

UCSF Medical Center

Kidney & Pancreas
Transplant Services
400 Parnassus Avenue, #701
San Francisco, CA 94143-0116
Tel: 415/353-1551
Fax: 415/353-8708
TTY: 415/885-3889
www.ucsfhealth.org

University of California
San Francisco

January 23rd, 2012

Rattner, Joseph
91-211 Makaina Place
Ewa Beach, HI 96706

Dear Mr. Rattner,

Your physician has referred you to our center for a kidney transplant. We have insurance authorization to proceed with listing you for transplant here at UCSF. In order to enter your name on the waiting list for transplant, I will need you to have your blood drawn. We have enclosed some tubes that you will need to take to your laboratory or dialysis unit on a Monday or Tuesday. Once they are filled with your blood, please return them to me by Federal Express using the enclosed envelope. (You can call 1-800-GO-FEDEX and they will pick up at your home if your laboratory does not have a routine Federal Express pickup).

Should you have any questions regarding the above please contact me at 800-482-7389 ext 34632. Or, my direct line is 559-696-4265. We look forward to working with you in the future and meeting you soon. We will contact you to make an appointment directly with us the next time we are in your area.

Sincerely,

Kelly Yeary, RN
Transplant Coordinator

cc: Dr. Eugene Wong



THE QUEEN'S HEALTH SYSTEMS

LATE

1301 Punchbowl Street • Honolulu, Hawaii 96813 • Phone (808) 691-6100

Senator Josh Green, M.D., Chair
Senator Clarence K. Nishihara, Vice Chair
SENATE COMMITTEE ON HEALTH

February 15, 2012 – 3:30 p.m.
State Capitol, Conference Room 229

Regarding S.B. 3039, Relating to Anatomical Transplants

Chair Green, Vice Chair Nishihara and Members of the Committee:

The Queen's Medical Center (QMC) is providing comments on S.B. 3039, Relating to Anatomical Transplants.

My name is Karen Schultz, RN, MS, Vice President, Patient Care /Behavioral Health Services, Surgical Services, Orthopedics and Transplant at The Queens Medical Center (QMC). I am the current executive overseeing the new transplant program at QMC.

In healthcare, we do not discriminate on gender, religion, sexual orientation, or medical diagnoses. Rather, patient selection criteria for an organ transplant is highly individualized based on the best possible outcome. Transplant programs are heavily regulated by Federal agencies. As a new transplant program, our outcomes will be monitored closely by Centers of Medicare & Medicaid (CMS) and United Network of Organ Sharing (UNOS) Organ Procurement and Transplantation Network (OPTN).

Thank you for this opportunity to provide testimony on this measure.