

JAN 24 2013

A BILL FOR AN ACT

RELATING TO HEALTH.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Chapter 324, Hawaii Revised Statutes, is
2 amended by adding two new sections to be appropriately
3 designated and to read as follows:

4 "§324- Definitions. As used in this part, unless the
5 context requires otherwise:

6 "Department" means the department of health.

7 "Maternal mortality" or "maternal death" means the death of
8 a woman who was pregnant at the time of her death or within one
9 year of her death.

10 §324- Maternal mortality review committee; established;
11 reporting. (a) There is established a maternal mortality
12 review committee to conduct comprehensive, multidisciplinary
13 reviews of maternal deaths in Hawaii for the purposes of
14 identifying factors associated with the deaths and making
15 recommendations for system changes to improve health care
16 services for women in this State. The members of the committee
17 shall be appointed by the director of health and shall consist



1 of a minimum of one representative of each of the following
2 groups:

- 3 (1) Obstetricians, including generalists and maternal
4 fetal medicine specialists;
5 (2) Family practice physicians;
6 (3) Certified nurse-midwives, certified midwives, or
7 advanced practice nurses;
8 (4) Hospital-based nurses;
9 (5) Representatives of the department of health's maternal
10 and child health branch;
11 (6) Social service providers;
12 (7) The chief medical examiner, pathologist, or designee;
13 (8) Hospital representatives; and
14 (9) Community or patient advocates who represent the
15 communities that are most affected by maternal deaths.

16 Additional members with specific expertise shall be added
17 by the director as necessary.

18 (b) The term of each member shall be two years. The
19 director of health shall appoint the initial chair of the
20 committee, who shall call the first meeting of the panel and
21 serve as chair for six months, after which time the panel shall
22 elect its chair. Members of the panel shall serve without



1 compensation but shall be reimbursed for actual expenses
2 necessary for the performance of their duties.

3 (c) The director of health may delegate to the maternal
4 mortality review committee the functions of collecting,
5 analyzing, and disseminating maternal mortality information;
6 organizing and convening meetings of the committee; and such
7 other substantive and administrative tasks as may be incident to
8 these activities. The activities of the maternal mortality
9 review committee and its employees or agents shall be subject to
10 the same confidentiality provisions as apply to members of the
11 committee.

12 (d) The maternal mortality review committee shall submit
13 an annual report to the legislature concerning its activities
14 and the incidents of maternal deaths within the State. The
15 report shall be due no later than twenty days prior to the
16 convening of each regular session of the legislature. The
17 report shall include statistics setting forth the number of
18 maternal deaths, identifiable trends in maternal deaths,
19 including possible causes, and recommendations to reduce the
20 number of preventable maternal deaths."

21 SECTION 2. Section 324-1, Hawaii Revised Statutes, is
22 amended to read as follows:



1 **"§324-1 Sources of information protected.** Any person,
2 hospital, sanitorium, nursing or rest home, or other similar
3 medical facility may provide information, interviews, reports,
4 statements, memoranda, or other data or material relating to the
5 condition and treatment of any person to the maternal [~~and~~
6 ~~perinatal mortality study committee of the Hawaii Medical~~
7 ~~Association,~~] mortality review committee, any in-hospital staff
8 committee, or the department of health, to be used in the course
9 of any study for the purpose of reducing morbidity or mortality.

10 No liability of any kind or character for damages or other
11 relief shall arise or be enforced against any person or
12 organization by reason of having provided the information or
13 material, or by reason of having released or published the
14 findings, conclusions, and summaries of the research or study
15 committees to advance medical research and medical education."

16 SECTION 3. Section 324-2, Hawaii Revised Statutes, is
17 amended to read as follows:

18 **"§324-2 Identification of persons studied; restriction.**
19 The maternal [~~and perinatal mortality study committee of the~~
20 ~~Hawaii Medical Association,~~] mortality review committee, the
21 department of health, or any in-hospital staff committee shall
22 use or publish this material only for the purpose of advancing



1 medical research, medical education, or education of the public
2 in the interest of reducing morbidity or mortality. In all
3 events, the identity, or any group of facts which tends to lead
4 to the identity, of any person whose condition or treatment has
5 been studied shall be confidential and shall not be revealed
6 under any circumstances."

7 SECTION 4. Statutory material to be repealed is bracketed
8 and stricken. New statutory material is underscored.

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

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INTRODUCED BY:

John M. ...

George H. ...

Priscilla ...

Matt ...



S.B. NO. 1238

Report Title:

Health; Medical Research; Maternal Mortality Review Committee

Description:

Establishes the maternal mortality review committee to conduct comprehensive reviews of maternal deaths in Hawaii, which includes collecting, analyzing, and disseminating maternal mortality information. Requires the committee to hold meetings and submit an annual report with findings and recommendations to the legislature.

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

