

MAR 13 2013

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## SENATE CONCURRENT RESOLUTION

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REQUESTING THE DEPARTMENT OF HEALTH AND THE JOHN A. BURNS SCHOOL OF MEDICINE TO CONDUCT A STUDY ON STATES WITH GOOD SAMARITAN LAWS AND THEIR IMPACT ON DECREASING DRUG OVERDOSE DEATHS.

1           WHEREAS, this body finds that Good Samaritan policies, also  
2 known as medical amnesty, are life-saving measures that are in  
3 the best interest of the public's health, safety, and welfare;  
4 and

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6           WHEREAS, these policies enable people to make responsible  
7 decisions by shielding them from punishment when they seek  
8 medical attention during an emergency involving controlled  
9 substances; and

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11           WHEREAS, this body finds that the threat of criminal  
12 punishment for being in possession of a controlled substance may  
13 often cause people to hesitate from taking necessary action in  
14 such emergency situations, and time spent worrying about legal  
15 consequences delays the arrival of critically needed medical  
16 assistance, in which even a short delay can mean the difference  
17 between life and death; and

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19           WHEREAS, this body further finds that overdoses nationwide  
20 more than doubled between 2000 and 2006, and nationally and  
21 locally, more overdose deaths are caused by prescription drugs  
22 than all illegal drugs combined; and

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24           WHEREAS, middle-aged Americans are the hardest hit by the  
25 overdose crisis, and nationally, more people aged thirty-five to  
26 fifty-four die from drug overdoses than from motor vehicle  
27 accidents; and

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29           WHEREAS, drug overdose is the second leading cause of  
30 injury-related deaths among young adults aged fifteen to thirty-  
31 four; and



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2 WHEREAS, fatal drug overdose was the leading cause of  
3 injury-related deaths in Hawaii in 2011; and  
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5 WHEREAS, in Hawaii, according to the Department of Health's  
6 Injury Prevention and Control Branch, there were one hundred  
7 eighty-three drug overdose deaths in 2011, and the increase in  
8 unintentional drug poisonings has made this the third leading  
9 cause of fatalities among Hawaii's residents over the last five  
10 years; and  
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12 WHEREAS, over twenty years, unintentional drug overdoses  
13 have surpassed car crashes, homicides, drowning, and pedestrian  
14 fatalities as a leading cause of injury mortality; and  
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16 WHEREAS, this body also finds that a study conducted at  
17 Cornell University, and recently published in the International  
18 Journal of Drug Policy, demonstrated that Good Samaritan  
19 policies are effective in ensuring that people receive help  
20 during alcohol-related emergencies; and  
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22 WHEREAS, over ninety college campuses across the United  
23 States have policies that provide protection from prosecution  
24 for witnesses who call 911; and  
25

26 WHEREAS, Good Samaritan laws have been enacted as state law  
27 in ten states, including California, Colorado, Florida, New  
28 York, and Washington; and  
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30 WHEREAS, this body further finds that if criminal  
31 punishment is intended to deter drug abuse, it is clearly too  
32 late to deter such abuse when a person is already suffering from  
33 an overdose; and  
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35 WHEREAS, the number one reason cited for not calling 911 in  
36 response to a drug overdose is fear of arrest for drug  
37 possession; and  
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39 WHEREAS, Good Samaritan polices should not be perceived as  
40 a "get out of jail free card" or a reward for illegal drug use,  
41 but rather a way to enable individuals to make potentially life-  
42 saving decisions promptly and without hesitation; and  
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1 WHEREAS, Good Samaritan policies foster the Aloha spirit of  
2 caring for one another; now, therefore,  
3

4 BE IT RESOLVED by the Senate of the Twenty-seventh  
5 Legislature of the State of Hawaii, Regular Session of 2013, the  
6 House of Representatives concurring, that the Department of  
7 Health, together with researchers from the John A. Burns School  
8 of Medicine, are requested to study the states with Good  
9 Samaritan laws and the laws' impact on decreasing drug overdose  
10 deaths; and  
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12 BE IT FURTHER RESOLVED that the Department of Health is  
13 requested to submit a report outlining policies in other states  
14 and the effect of Good Samaritan policies on drug overdoses and  
15 deaths to the Legislature no later than twenty days prior to the  
16 convening of the 2014 Regular Session; and  
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18 BE IT FURTHER RESOLVED that certified copies of this  
19 Concurrent Resolution be transmitted to the President of the  
20 Senate, Speaker of the House of Representatives, Chair of the  
21 Senate Health Committee, Chair of the House of Representatives  
22 Health Committee, Director of Health, and Dean of the John A.  
23 Burns School of Medicine.  
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OFFERED BY: Shiranne Chun Oakland

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