

STAND. COM. REP. NO.

971

Honolulu, Hawaii

March 15, 2013

RE: S.B. No. 1238
S.D. 2
H.D. 1

Honorable Joseph M. Souki
Speaker, House of Representatives
Twenty-Seventh State Legislature
Regular Session of 2013
State of Hawaii

Sir:

Your Committee on Health, to which was referred S.B. No. 1238, S.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO HEALTH,"

begs leave to report as follows:

The purpose of this measure is to establish a maternal mortality review panel (panel) to conduct comprehensive multidisciplinary reviews of maternal deaths in Hawaii to:

- (1) Identify factors associated with maternal deaths; and
- (2) Make recommendations for system changes to improve health care services for women in the State.

This measure also appropriates funds for the implementation and operation of the panel.

The Hawaii Medical Association; March of Dimes; Healthy Mothers Health Babies Coalition of Hawaii; American Congress of Obstetricians and Gynecologists, Hawaii Section; Planned Parenthood of Hawaii; and numerous individuals supported this measure. The Department of Health supported the intent of this measure with amendments. An individual submitted comments.

SB1238 HD1 HSCR HLT HMS 2013-2699



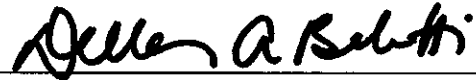
Your Committee has amended this measure by, among other things:

- (1) Adding clarifying definitions;
- (2) Specifying that the definition of "director" also means the Director of Health's designee;
- (3) Deleting the provision allowing additional panel members with specific expertise to be appointed by the Director of Health as necessary;
- (4) Specifying that the panel is not subject to the meeting provisions under the Public Agency Meetings and Records law;
- (5) Amending confidentiality and rules provisions, including by specifying that the panel's recommendations are not to contain any information that would permit identification of a person;
- (6) Adding information provision requirements for providers of medical care and state and county agencies;
- (7) Requiring that information regarding an ongoing civil or criminal investigation be disclosed at the discretion of the applicable state, county, or federal law enforcement agency;
- (8) Expanding provisions relating to the use of maternal mortality review information and records;
- (9) Providing that the panel, panel members, any medical provider, state or county agency, or individual participating in, or cooperating in, the review of a maternal death under the new part, will not be held civilly or criminally liable for providing the information;
- (10) Deleting reference to the Department of Health in certain existing statutory provisions related to the maternal and perinatal mortality study committee; and
- (11) Making technical, nonsubstantive amendments for clarity, consistency, and style.



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. 1238, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1238, S.D. 2, H.D. 1, and be referred to the Committee on Consumer Protection & Commerce.

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



DELLA AU BELATTI, Chair



