



GOV. MSG. NO. 1282

EXECUTIVE CHAMBERS
HONOLULU

DAVID Y. IGE
GOVERNOR

July 1, 2016

The Honorable Ronald D. Kouchi,
President
and Members of the Senate
Twenty-Eighth State Legislature
State Capitol, Room 409
Honolulu, Hawai'i 96813

The Honorable Joseph M. Souki,
Speaker and Members of the
House of Representatives
Twenty-Eighth State Legislature
State Capitol, Room 431
Honolulu, Hawai'i 96813

Dear President Kouchi, Speaker Souki, and Members of the Legislature:

This is to inform you that on July 1, 2016, the following bill was signed into law:

SB911 SD2 HD2 CD1

RELATING TO LATEX
ACT 180 (16)

Sincerely,

DAVID Y. IGE
Governor, State of Hawai'i

A BILL FOR AN ACT

RELATING TO LATEX.

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

1 SECTION 1. The legislature finds that the unrestricted use
2 of latex is a serious concern because it can cause allergic
3 reactions including mild rash, impaired breathing, and even
4 deadly anaphylaxis. Approximately 3,000,000 people in the
5 general population of the United States are allergic to latex,
6 and the incidence rate of the allergy is higher in certain at-
7 risk populations. Nearly sixty-eight per cent of children with
8 spina bifida and nearly seventeen per cent of health care
9 workers have a latex allergy.

10 Exposure to the allergen latex proteins can occur in a
11 variety of settings. Research has shown that latex proteins can
12 be transferred from natural rubber latex gloves to the food that
13 is prepared and served in food establishments.

14 The legislature also finds that major leading hospitals ban
15 the use of latex gloves. For example, Johns Hopkins Hospital
16 banned almost all latex medical products, including latex
17 gloves, which were banned since 2008. Furthermore, several



1 states prohibit or strictly regulate the use of latex gloves in
2 food establishments.

3 The legislature believes that the significant risk of a
4 severe allergic reaction to latex justifies limiting its use.
5 The purpose of this Act is to protect the public by prohibiting
6 the use of latex gloves:

- 7 (1) With limited exceptions, by personnel working in
8 dental health facilities or health care facilities;
9 (2) By personnel providing ambulance services or emergency
10 medical services; and
11 (3) By personnel working in food establishments.

12 SECTION 2. Chapter 321, Hawaii Revised Statutes, is
13 amended by adding a new section to part I to be appropriately
14 designated and to read as follows:

15 "§321- Dental health facilities; health care facilities;
16 use of latex gloves. All personnel working in dental health
17 facilities or health care facilities, including all facilities
18 listed in section 321-11(10), shall be prohibited from using
19 latex gloves for patient care where the patient is unconscious
20 or otherwise physically unable to communicate. Where the
21 patient is conscious and physically able to communicate, latex



1 gloves may be used if the patient affirmatively states that the
2 patient is not allergic to latex."

3 SECTION 3. Chapter 321, Hawaii Revised Statutes, is
4 amended by adding a new section to part XVIII to be
5 appropriately designated and to read as follows:

6 "§321- Emergency medical services; use of latex gloves
7 prohibited. The use of latex gloves by personnel providing
8 ambulance services or emergency medical services pursuant to
9 this part shall be prohibited."

10 SECTION 4. Chapter 328, Hawaii Revised Statutes, is
11 amended by adding a new section to part I to be appropriately
12 designated and to read as follows:

13 "§328- Food establishments; use of latex gloves
14 prohibited. The use of latex gloves by personnel in a food
15 establishment permitted under title 11, chapter 50 of the Hawaii
16 administrative rules, shall be prohibited."

17 SECTION 5. New statutory material is underscored.

18 SECTION 6. This Act shall take effect upon its approval;
19 provided that sections 2, 3, and 4 shall take effect on
20 January 1, 2017.

APPROVED this 1 day of JUL, 2016



GOVERNOR OF THE STATE OF HAWAII