
A BILL FOR AN ACT

RELATING TO USE OF TOBACCO PRODUCTS AND E-CIGARETTES ON HAWAII
HEALTH SYSTEMS CORPORATION PREMISES.

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

1 SECTION 1. The legislature finds that facilities within
2 the Hawaii health systems corporation are committed to providing
3 quality healthcare for the people of Hawaii and taking steps to
4 reduce the occurrence of preventable disease. Permitting the
5 use of tobacco and other potentially dangerous substances on the
6 premises of its health facilities is inconsistent with this
7 commitment. Allowing such use would not only expose patients,
8 employees, and visitors to the perils of harmful substances, but
9 would also be counterproductive to the corporation's goal of
10 reducing the occurrence of preventable disease.

11 The purpose of this Act is to protect patients, employees,
12 and visitors to the health facilities of the Hawaii health
13 systems corporation from exposure to secondhand smoke and other
14 potentially harmful substances through promoting positive health
15 practices including prohibiting any person from using tobacco
16 products or e-cigarettes on the premises of any Hawaii health



1 systems corporation health facility and making tobacco-cessation
2 programs available to public employees of health facilities.

3 SECTION 2. Chapter 323F, Hawaii Revised Statutes, is
4 amended by adding a new section to be appropriately designated
5 and to read as follows:

6 "§323F- Tobacco product and e-cigarette use prohibited.

7 (a) The corporation shall prohibit the use of any tobacco
8 product or e-cigarette by any person on the premises of all
9 health facilities operated by the corporation within the State,
10 to the extent not prohibited by federal law or regulation.

11 (b) The corporation shall provide tobacco cessation
12 programs for public employees at the corporation's health
13 facilities who are interested in participating in such programs;
14 provided that issues relating to the program costs shall be
15 subject to collective bargaining.

16 (c) Pursuant to section 89-9(d), the tobacco and e-
17 cigarette use prohibitions under this section shall not be
18 subject to collective bargaining.

19 (d) The corporation shall be responsible for educating all
20 health facility personnel, contractors, patients, and visitors
21 to the corporation's health facilities regarding prohibitions



1 under this section. The corporation shall prominently display
2 signs stating that "tobacco and e-cigarette use is prohibited"
3 at all entrances to the corporation's health facilities and at
4 other conspicuous locations throughout the outdoor premises of
5 each health facility, in compliance with section 328J-8.

6 (e) For purposes of this section:

7 "E-cigarette" means any electronic oral device, such as one
8 composed of a heating element, battery, or electronic circuit,
9 or more than one of these, that provides a vapor of nicotine or
10 any other substances for inhalation. The term shall include any
11 such device, whether manufactured, distributed, marketed, or
12 sold as an e-cigarette, e-cigar, e-pipe, or under any other
13 product name or descriptor, but does not include any product
14 specifically approved by the United States Food and Drug
15 Administration for use in medical treatment, such as an asthma
16 inhaler.

17 "Premises" shall mean all indoor and outdoor areas within
18 the State-designated property boundary lines of each of the
19 corporation's health facilities and shall include all employee
20 and visitor parking lots.



1 "Tobacco or e-cigarette use" does not include mere
2 possession or storage of the same for use in locations outside
3 the premises of the corporation's health facilities.

4 "Tobacco product" means any substance containing tobacco
5 leaf including but not limited to cigarettes, cigars, pipe
6 tobacco, hookah tobacco, snuff, chewing tobacco, dipping
7 tobacco, bidis, blunts, clove cigarettes, or any other
8 preparations of tobacco; and any product or formulation of
9 matter containing biologically active amounts of nicotine that
10 is manufactured, sold, offered for sale, or otherwise
11 distributed with the expectation that the product or matter will
12 be introduced into the human body; but does not include any
13 cessation product specifically approved by the United States
14 Food and Drug Administration for use in treating nicotine or
15 tobacco dependence."

16 SECTION 3. New statutory material is underscored.

17 SECTION 4. This Act shall take effect upon its approval.

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H.B. NO. 586

Report Title:

Tobacco Products; E-cigarettes; Prohibition; HHSC Facilities

Description:

Prohibits the use of tobacco products and e-cigarettes on premises of the facilities operated by the Hawaii Health Systems Corporation. Requires the corporation to offer tobacco cessation programs to employees.

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