
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) By personnel working in food establishments; and

8 (2) With limited exceptions:

9 (A) By personnel working in dental health facilities
10 or health care facilities; or

11 (B) By personnel providing ambulance services or
12 emergency medical services.

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

16 "§321- Dental health facilities; health care facilities;
17 use of latex gloves. All personnel working in dental health
18 facilities or health care facilities, including all facilities
19 listed in section 321-11(10), shall be prohibited from using
20 latex gloves for patient care where the patient is unconscious
21 or otherwise physically unable to communicate. Where the
22 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.** All personnel providing ambulance services or
8 emergency medical services pursuant to this part shall be
9 prohibited from using latex gloves where the patient is
10 unconscious or otherwise physically unable to communicate.
11 Where the patient receiving ambulance services or emergency
12 medical services is conscious and physically able to
13 communicate, latex gloves may be used if the patient
14 affirmatively states that the patient is not allergic to latex."

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

18 **"§328- Food establishments; use of latex gloves**
19 **prohibited.** The use of latex gloves by personnel in a food
20 establishment permitted under title 11, chapter 50 of the Hawaii
21 administrative rules, shall be prohibited."



- 1 SECTION 5. New statutory material is underscored.
- 2 SECTION 6. This Act shall take effect on July 1, 2016.



Report Title:

Latex Gloves; Prohibitions

Description:

Prohibits the use of latex gloves by personnel working in food establishments. Prohibits the use of latex gloves, with limited exceptions, by personnel working in dental health facilities or health care facilities, or by personnel providing ambulance services or emergency medical services.

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

