

STAND. COM. REP. NO.

980

Honolulu, Hawaii

March 20, 2015

RE: S.B. No. 1221
S.D. 2
H.D. 1

Honorable Joseph M. Souki
Speaker, House of Representatives
Twenty-Eighth State Legislature
Regular Session of 2015
State of Hawaii

Sir:

Your Committee on Health, to which was referred S.B. No. 1221, 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 require the Department of Education to establish a process for the care of students with diabetes during regular school hours and school-related activities.

The American Diabetes Association - Hawaii, Community Leadership Board of the American Diabetes Association, Hawaii Chapter of the American Academy of Pediatrics, and numerous individuals supported this measure. The Hawaii State Teachers Association supported the intent of this measure. The Department of the Attorney General, Department of Education, State Public Charter School Commission, Hawaii Association for Justice, and an individual commented on this measure.

Your Committee has amended this measure by:

- (1) Amending the provision providing immunity from civil liability or discipline for unprofessional conduct to:

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- (A) Limit immunity for qualified health care professionals providing training on diabetes care; and
 - (B) Not apply for conduct constituting gross negligence, wilfull and wanton conduct, or intentional misconduct; and
- (2) Changing its effective date to July 1, 2112, to facilitate further discussion.

To enable legislative deliberation on the financial and other aspects of this measure, your Committee requests that the Department of Education provide a cost estimate for implementing this measure to the Committee on Finance in a timely manner.

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. 1221, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1221, S.D. 2, H.D. 1, and be referred to the Committee on Education.

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



DELLA AU BELATTI, Chair



State of Hawaii
House of Representatives
The Twenty-eighth Legislature

HSCR 980

Record of Votes of the Committee on Health

Bill/Resolution No.: <i>SB1221 SD2</i>	Committee Referral: <i>HLT, EDN, FIN</i>	Date: <i>3/18/15</i>		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
HLT Members	Ayes	Ayes (WR)	Nays	Excused
1. BELATTI, Della Au (C)	✓			
2. CREAGAN, Richard P. (VC)	✓			
3. HASHEM, Mark J.	✓			
4. JORDAN, Jo	✓			
5. KOBAYASHI, Bertrand	✓			
6. MORIKAWA, Dee	✓			
7. OSHIRO, Marcus R.	✓			
8. FUKUMOTO CHANG, Beth	✓			
9. TUPOLA, Andria P.L.				✓
TOTAL (9)	8			1
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ committee acronym(s) did not support recommendation.				
Vice Chair's or designee's signature: <i>Richard Ly</i>				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				