

THE SENATE
THE TWENTY-EIGHTH LEGISLATURE
REGULAR SESSION OF 2016

COMMITTEE ON JUDICIARY AND LABOR

Senator Gilbert S.C. Keith-Agaran, Chair
Senator Maile S.L. Shimabukuro, Vice Chair

AMENDED NOTICE OF DECISION MAKING

DATE: Friday, February 26, 2016
TIME: ~~9:00 a.m.~~ 10:00 a.m.
PLACE: Conference Room 016
State Capitol
415 South Beretania Street

A M E N D E D A G E N D A

THE FOLLOWING MEASURES WERE PREVIOUSLY HEARD IN THEIR RESPECTIVE STANDING COMMITTEES:

<p><u>SB 2856</u> (SSCR2102) Status & Testimony</p>	<p>RELATING TO CONSUMER PROTECTION. Clarifies scope of Office of Consumer Protection investigator powers.</p>	<p>CPH, JDL</p>
<p><u>SB 2858</u> (SSCR2101) Status & Testimony</p>	<p>RELATING TO CONSUMER PROTECTION. Clarifies that the statute of limitations governing it does not apply to the State and its agencies with respect to chapter 480, Hawaii Revised Statutes. Repeals subsection (b) of section 480-24, Hawaii Revised Statutes. Technical amendments.</p>	<p>CPH, JDL</p>
<p><u>SB 2181, SD1</u> (SSCR2106) Status & Testimony</p>	<p>RELATING TO ACCESS TO TREATMENT FOR TERMINALLY ILL PATIENTS. Beginning January 1, 2017, allows manufacturers of investigational drugs, biological products, or devices to make available such drugs, products, or devices to terminally ill patients under certain conditions. Effective 7/1/2050. (SD1)</p>	<p>CPH, JDL</p>
<p><u>SB 2320, SD1</u> (SSCR2326) Status & Testimony</p>	<p>RELATING TO CONTRACEPTIVE SUPPLIES. Authorizes pharmacists to prescribe and dispense self-administered hormonal contraceptive supplies to persons eighteen years of age or older. Specifies requirements pharmacists must meet prior to prescribing and dispensing contraceptive supplies. Requires all insurers in the State, including health benefits plans under chapter 87A, Hawaii Revised Statutes, and medicaid managed care programs, to reimburse pharmacists who prescribe and dispense contraceptive supplies. (SD1)</p>	<p>CPH, JDL</p>



[SB 2615, SD1](#)
[\(SSCR2315\)](#)
[Status & Testimony](#)

RELATING TO MINORS.
Prohibits persons licensed to provide professional counseling from engaging in or advertising sexual orientation change efforts on students and persons under eighteen years of age. Makes advertising the offering of sexual orientation change efforts an unfair or deceptive act or practice. (SD1)

EDU/CPH, JDL

[SB 2688, SD1](#)
[\(SSCR2431\)](#)
[Status & Testimony](#)

RELATING TO THE SALE OF E-LIQUID.
Beginning January 1, 2017, prohibits the sale of an e-liquid container for an electronic smoking device unless the container is child-resistant and prohibits the sale of an e-liquid container for an e-liquid product containing nicotine unless the e-liquid product packaging is labeled with warning language. Establishes penalties. Includes e-liquid under the definition of "hazardous substance" as used in the Hawaii Poison Prevention Packaging Act. (SD1)

CPH, JDL

[SB 2689, SD1](#)
[\(SSCR2260\)](#)
[Status & Testimony](#)

RELATING TO CHAPTER 245, HAWAII REVISED STATUTES.
Amends the definitions of "dealer", "retailer", "wholesale price" and "wholesaler" to include electronic smoking devices and e-liquid. Establishes definitions for "disposable electronic smoking device", "electronic smoking device", "e-liquid", and "reusable electronic smoking device". Allows electronic smoking devices, packages of electronic smoking devices, containers of electronic smoking devices, e-liquid, packages of e-liquid, and containers of e-liquid to be seized and forfeited if unlawfully sold, possessed, kept, stored, acquired, distributed, or transported. Increases the license fee for persons engaged as a wholesaler or dealer. Increases the retail tobacco permit fee for retailers engaged in the retail sale of cigarettes and tobacco products, and includes electronic smoking devices and e-liquid. Effective January 1, 2017. (SD1)

CPH, JDL

[SB 3105, SD1](#)
[\(SSCR2128\)](#)
[Status & Testimony](#)

RELATING TO HEALTH CARE REFERRALS.
Requires that health care providers who refer patients to facilities in which the provider has a financial interest disclose the financial incentives associated with the referral to patients, and establishes that failure to do so is an unfair or deceptive trade act or practice. Effective 1/1/2050. (SD1)

CPH, JDL

[SB 2675, SD1](#)
[\(SSCR2263\)](#)
[Status & Testimony](#)

RELATING TO LICENSING.
Authorizes the board of dental examiners, Hawaii medical board, and board of pharmacy to deny a license to an applicant who has been disciplined by another state or federal agency and the board of nursing to deny a license to an applicant who has been disciplined by another state agency. Authorizes the board of dental examiners, Hawaii medical board, board of nursing, and board of pharmacy to impose the same disciplinary action against a licensee as was taken by another state or federal agency. Establishes conditions for the disciplinary action. Prohibits a licensee from practicing until a final order of discipline is issued if the licensee has been prohibited from practicing in another state. Requires any final order of discipline taken to be public record. (SD1)

CPH, JDL



<p><u>SB 2864</u> <u>(SSCR2096)</u> <u>Status & Testimony</u></p>	<p>RELATING TO PHYSICIAN DISCIPLINE. Authorizes the Hawaii Medical Board to impose the same disciplinary action against a licensee as was taken by another state or federal agency. Establishes conditions for the disciplinary action. Prohibits the licensee from practicing until a final order of discipline is issued if the licensee has been prohibited from practicing in another state.</p>	<p>CPH, JDL</p>
<p><u>SB 2677, SD1</u> <u>(SSCR2110)</u> <u>Status & Testimony</u></p>	<p>RELATING TO NURSING. Beginning with the July 1, 2017, licensing biennium, requires all new nurse licensure applicants to submit electronic fingerprints for criminal history record check purposes. Beginning with the July 1, 2019, licensing biennium, requires all nurse licensure renewal applicants to submit electronic fingerprints for criminal history record check purposes. Authorizes the state board of nursing to develop rules necessary to implement the required criminal history record checks. (SD1)</p>	<p>CPH, JDL</p>
<p><u>SB 2883</u> <u>(SSCR2131)</u> <u>Status & Testimony</u></p>	<p>RELATING TO AMENDING IDENTITY OF REGISTRANT'S PARENT ON A BIRTH CERTIFICATE. Clarifies that amendments to birth records that change parenthood shall not be conducted through the Uniform Information Practices Act procedures to correct personal records, but must be pursuant to a court order of appropriate jurisdiction or other legal establishment of parenthood.</p>	<p>CPH, JDL</p>
<p><u>SB 2840, SD1</u> <u>(SSCR2126)</u> <u>Status & Testimony</u></p>	<p>RELATING TO REPORTING DEATHS TO STATE AGENCIES. Authorizes the DOH to continue to disclose, including through electronic means, lists of names of persons whose deaths have been recorded by DOH to state agencies that maintain official lists of persons and are prohibited by federal law from sharing information for the lists. Requires lists of the deceased from DOH to also include the last four digits of the deceased's social security number, if known. (SD1)</p>	<p>CPH, JDL</p>
<p><u>SB 2408</u> <u>(SSCR2042)</u> <u>Status & Testimony</u></p>	<p>RELATING TO PARTITION OF HEIRS PROPERTY. Adopts Uniform Partition of Heirs Property Act. Establishes procedures and remedies for use in actions for partition of real property involving heirs property (real property held in tenancy in common that meets certain requirements). Effective 1/1/17.</p>	<p>CPH, JDL</p>
<p><u>SB 2886, SD1</u> <u>(SSCR2288)</u> <u>Status & Testimony</u></p>	<p>RELATING TO AGE OF CONSENT FOR ADOLESCENT MENTAL HEALTH SERVICES. Reduces barriers in accessing mental health care for adolescents by lowering the age of consent to receive treatment from 18 years old to 12 years old. (SD1)</p>	<p>CPH/HMS, JDL</p>

DECISION MAKING MEETING ONLY, NO ORAL TESTIMONY WILL BE ACCEPTED.

Persons wishing to submit written testimony may do so up to 24 hours prior to the hearing.

Click [here](#) to submit testimony to the Senate Committee on Judiciary and Labor.



FOR AMENDED NOTICES: Measures that have been deleted are stricken through and measures that have been added are underscored. If a measure is both underscored and stricken through, that measure has been deleted from the agenda.

If you require auxiliary aids or services to participate in the public hearing process (i.e. ASL or foreign language interpreter, or wheelchair accessibility), please contact the committee clerk at least 24 hours prior to the hearing so that arrangements can be made.

FOR FURTHER INFORMATION, PLEASE CALL THE COMMITTEE CLERK AT (808) 586-7344.

Senator Gilbert S.C. Keith-Agaran
Chair

