

SB2975

Measure Title: RELATING TO BLOOD GLUCOSE MONITORING.
Report Title: Blood Glucose Monitoring; Students; Diabetes
Description: Authorizes DOE employees to volunteer to administer or assist a student with blood glucose monitoring.
Companion: [HB2494](#)
Package: None
Current Referral: EDU, CPH
Introducer(s): KIDANI, BAKER, ENGLISH, KEITH-AGARAN, SHIMABUKURO, Wakai

DAVID Y. IGE
GOVERNOR



KATHRYN S. MATAYOSHI
SUPERINTENDENT

STATE OF HAWAII
DEPARTMENT OF EDUCATION
P.O. BOX 2360
HONOLULU, HAWAII 96804

Date: 02/03/2016
Time: 01:15 PM
Location: 229
Committee: Senate Education

Department: Education

Person Testifying: Kathryn S. Matayoshi, Superintendent of Education

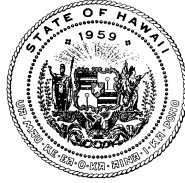
Title of Bill: SB 2975 RELATING TO BLOOD GLUCOSE MONITORING.

Purpose of Bill: Authorizes DOE employees to volunteer to administer or assist a student with blood glucose monitoring.

Department's Position:

The Department of Education (Department) supports the intent of SB 2975. This measure permits Department employees and agents to volunteer to administer or assist a student with blood glucose monitoring when needed. Volunteers will also receive training on proper blood glucose monitoring.

Thank you for the opportunity to provide testimony on this measure.



STATE OF HAWAII
DEPARTMENT OF HEALTH
P. O. Box 3378
Honolulu, HI 96801-3378
doh.testimony@doh.hawaii.gov

Testimony in SUPPORT of SB 2975
RELATING TO BLOOD GLUCOSE MONITORING

SENATOR MICHILLE N. KIDANI, CHAIR
SENATE COMMITTEE ON EDUCATION

Hearing Date: February 3, 2016

Room Number: 229

1 **Fiscal Implications:** None

2 **Department Testimony:** The Department supports this bill and defers to the Department of
3 Education (DOE) for issues on implementation.

4 The purpose of this bill is to include blood glucose monitoring by the student and DOE
5 employees and agents who volunteer to assist a student with blood glucose monitoring. Public
6 Health Nursing Branch currently provides education and training on proper administration of
7 insulin and glucagon in the school setting. Students requiring diabetes care in the school setting
8 are referred to a Department of Health public health nurse (PHN). The PHN completes a
9 comprehensive assessment and develops an individual student diabetes plan. This plan, which is
10 based on the students needs, may include education to school personnel on diabetes, blood sugar
11 testing, insulin and glucagon administration, and emergency action plans for hyperglycemia or
12 hypoglycemia. Training is based on the American Diabetes Association guidelines.

13 Thank you for the opportunity to provide testimony.

14 **Offered Amendments:** None

From: [LJ Duenas](#)
To: [EDU Testimony](#)
Subject: Testimony In Support of SB2975
Date: Tuesday, February 02, 2016 12:54:48 PM

Dear Honorable Sen. Michelle Kidani and Sen. Breene Harimoto
Senate Committee on Education
Hawaii State Capitol

I write in support of SB2975 which clarifies the assistance that can be provided to protect and keep our keiki with diabetes medically safe at school; allowing DOE employees to volunteer to administer or assist a student with blood glucose monitoring.

Further, many school employees are being told they are unable to volunteer because there is not enough liability protection for them. This position appears to stem from a perception that certain activities that are normally associated with routine assistance to students with diabetes are not covered by Hawaii Revised Statutes (HRS) §302A-1164. While the language of that statute was never intended to be construed so strictly, SB2975 seeks to eliminate any such ambiguity by amending the statutory language to specially include those actions. Doing so will ensure that volunteers who provide diabetes care or assistance will be fully protected from liability under HRS §302A-1164(h).

If you have any questions, please do not hesitate to email me. The ADA Hawaii Office is also available for any questions at (808) 947-5979.

Thank you,

Lawrence Duenas, LJ | Associate Director

Pioneer Plaza, 900 Fort Street Mall, Suite 940, Honolulu, Hawaii 96813
Office: 808.947.5979 Fax: 808.546.7502 Email: lduenas@diabetes.org

 **American Diabetes Association.**

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Franchise Owner
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Endocrinologist
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Professor, John A. Burns School of Medicine

Allison Mizuo Lee
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May M. Okhiro, MD, MS
Director, Hawaii Initiative for Childhood Obesity
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President
Diagnostic Laboratory Services, Inc.
Executive Director, Leslie Lam

February 2, 2016

The Honorable Michelle N. Kidani
Hawaii State Senate
Hawaii State Capitol, Room 229
Honolulu, Hawaii 96813

Dear Senator Kidani and Members of the Senate Committee on Education:

On behalf of the American Diabetes Association (ADA) we thank you for your past support and passage of Act 214 in 2015. We request your support once again of **SB2975**.

Your support of **SB2975** will ensure the intent of the legislature to continue to protect keiki with diabetes in schools by offering further clarity in the language.

The current law for students with diabetes includes liability protections and is set forth in Hawaii Revised Statutes (HRS) §302A-1164, as follows: (h) Any person, except for a qualified health care professional providing the training required in subsection (g), who acts in accordance with the requirements of this section shall be immune from any civil or criminal liability arising from these acts, except where the person's conduct would constitute gross negligence, willful and wanton misconduct, or intentional misconduct.

School employees are being told they are unable to volunteer because there is not enough liability protection for them. This position appears to stem from a perception that certain activities that are normally associated with routine assistance to students with diabetes are not covered by HRS §302A-1164. While the language of that statute was never intended to be construed so strictly, SB2975 seeks to eliminate any such ambiguity by amending the statutory language to specifically include those actions. Doing so will ensure that volunteers who provide diabetes care assistance will be fully protected from liability under HRS §302A-1164(h). SB2975 also seeks to clarify and ensure that students who are capable of doing so are allowed to self-manage their diabetes care.

Please support SB 2975's current language and include:

- increased clarity in language for liability protections for staff who volunteer to assist students with diabetes such as assisting a student with blood glucose monitoring; and
- allow students with diabetes to possess, at all times, necessary supplies and equipment to perform blood glucose monitoring and treatment activities under the student's diabetes medical management plan.

I would greatly appreciate your consideration and support of SB2975 to ensure that students with diabetes are safe at school and able to succeed academically.

Please feel free to contact me to discuss your concerns or questions. I am available at llam@diabetes.org or 808.947.5979.

Sincerely,



Leslie Lam, Executive Director
American Diabetes Association



Dr. Jane K Kadohiro, DrPH, APRN, CDE, FAADE
President and CEO, Diabetes Education and Support Consulting Services
1629 Wilder Ave 504
Honolulu, HI 96822
USA

The Honorable Michele Kidani, Chair
Senate Committee on Education
Hawaii State Senate
Hawaii State Capitol, Room 229
Honolulu, Hawaii 96813

TESTIMONY: 2/3/2016 SB 2975

Dear Senator Kidani and Senate Committee on Education Members:

Aloha!

My name is Jane Kadohiro. Retired from the University of Hawaii and the Hawaii State Department of Health, and also retired from the Queens Diabetes Education Program. I continue to do consulting work as Advanced Practice Registered Nurse and a Certified Diabetes Educator. I am also a lifetime volunteer of the American Diabetes Association. My area of special interest over my career of over 40 years has been to make this world safe- and a better place for all children and teens who have diabetes.

I would like to thank you so much for your support this past year in seeing that our bill became law (Act 214). Over the ensuing months we have discovered a few housekeeping issues that need addressed in order to more fully clarify the intent of the law where questions have been raised by parents as well as those who are assisting in its implementation.

Today I am asking for your support of **SB 2975 and I fully support the testimony (including suggested language) provided by the American Diabetes Association** that will more fully address concerns which have been raised by those who would like to volunteer to assist students with diabetes, but are not clear as to their responsibilities or protections from (unlikely) liability.

I am available at (808) 271-1282 or at kadohiro@hawaii.edu should you desire further clarification and have questions.

Thank you for your concern and for the continued work you do to improve the lives of Hawaii's people!

Mahalo nui loa,

Jane K Kadohiro
kadohiro@hawaii.edu
808 271-1282

From: matta@hawaii.rr.com
To: [EDU Testimony](#)
Subject: Testimony for SB2975
Date: Tuesday, February 02, 2016 12:21:19 PM

Dear Honorable Sen. Michelle Kidani and Sen. Breene Harimoto
Senate Committee on Education
Hawaii State Capitol

I write in support of SB2975 which clarifies the assistance that can be provided to protect and keep our keiki with diabetes medically safe at school; allowing DOE employees to volunteer to administer or assist a student with blood glucose monitoring.

Further, many school employees are being told they are unable to volunteer because there is not enough liability protection for them. This position appears to stem from a perception that certain activities that are normally associated with routine assistance to students with diabetes are not covered by Hawaii Revised Statutes (HRS) §302A-1164. While the language of that statute was never intended to be construed so strictly, SB2975 seeks to eliminate any such ambiguity by amending the statutory language to specially include those actions. Doing so will ensure that volunteers who provide diabetes care or assistance will be fully protected from liability under HRS §302A-1164(h).

If you have any questions, please do not hesitate to email me. The ADA Hawaii Office is also available for any questions at (808) 947-5979.

Mahalo for your time!

Morris Atta
523 Panui St.
Honolulu, HI. 96817
matta@hawaii.rr.com

From: [Dana Newberry](#)
To: [EDU Testimony](#)
Cc: [Dana Newberry](#)
Subject: Testimony In Support of SB2975!
Date: Tuesday, February 02, 2016 1:07:26 PM
Importance: High

Dear Honorable Sen. Michelle Kidani and Sen. Breene Harimoto
Senate Committee on Education
Hawaii State Capitol

I write in support of SB2975 which clarifies the assistance that can be provided to protect and keep our keiki with diabetes medically safe at school; allowing DOE employees to volunteer to administer or assist a student with blood glucose monitoring.

Further, many school employees are being told they are unable to volunteer because there is not enough liability protection for them. This position appears to stem from a perception that certain activities that are normally associated with routine assistance to students with diabetes are not covered by Hawaii Revised Statutes (HRS) §302A-1164. While the language of that statute was never intended to be construed so strictly, SB2975 seeks to eliminate any such ambiguity by amending the statutory language to specially include those actions. Doing so will ensure that volunteers who provide diabetes care or assistance will be fully protected from liability under HRS §302A-1164(h).

If you have any questions, please do not hesitate to email me. The ADA Hawaii Office is also available for any questions at (808) 947-5979.

Mahalo for your time!

Dana Newberry (mother of a Type 1 Diabetic Student who needs your help to be safe)!
3906 Niele Place
Honolulu, HI 96816

From: [Amy](#)
To: [EDU Testimony](#)
Subject: : Pass SB2975!
Date: Tuesday, February 02, 2016 1:26:18 PM

Please pass **SB2975!**

Dear Honorable Sen. Michelle Kidani and Sen. Breene Harimoto
Senate Committee on Education
Hawaii State Capitol

I write in support of SB2975 which clarifies the assistance that can be provided to protect and keep our keiki with diabetes medically safe at school; allowing DOE employees to volunteer to administer or assist a student with blood glucose monitoring.

Further, many school employees are being told they are unable to volunteer because there is not enough liability protection for them. This position appears to stem from a perception that certain activities that are normally associated with routine assistance to students with diabetes are not covered by Hawaii Revised Statutes (HRS) §302A-1164. While the language of that statute was never intended to be construed so strictly, SB2975 seeks to eliminate any such ambiguity by amending the statutory language to specially include those actions. Doing so will ensure that volunteers who provide diabetes care or assistance will be fully protected from liability under HRS §302A-1164(h).

If you have any questions, please do not hesitate to email me. The ADA Hawaii Office is also available for any questions at (808) 947-5979.

Mahalo for your time!

Amy Brown
642 8th avenue
Honolulu HI 96816
808-732-1402

From: [Busekrus, Alana N.](#)
To: [EDU Testimony](#)
Subject: Support for SB2975
Date: Tuesday, February 02, 2016 1:28:26 PM

Dear Honorable Sen. Michelle Kidani and Sen. Breene Harimoto
Senate Committee on Education
Hawaii State Capitol

I write in support of SB2975 which clarifies the assistance that can be provided to protect and keep our keiki with diabetes medically safe at school; allowing DOE employees to volunteer to administer or assist a student with blood glucose monitoring.

Further, many school employees are being told they are unable to volunteer because there is not enough liability protection for them. This position appears to stem from a perception that certain activities that are normally associated with routine assistance to students with diabetes are not covered by Hawaii Revised Statutes (HRS) §302A-1164. While the language of that statute was never intended to be construed so strictly, SB2975 seeks to eliminate any such ambiguity by amending the statutory language to specially include those actions. Doing so will ensure that volunteers who provide diabetes care or assistance will be fully protected from liability under HRS §302A-1164(h).

If you have any questions, please do not hesitate to email me. The ADA Hawaii Office is also available for any questions at (808) 947-5979.

Mahalo for your time!

Alana Busekrus
220 Ohana Street, Kailua, HI 96734
Alana Busekrus, BSN, RN, CDE
Queen's Diabetes Education Center
Punchbowl Campus
Physicians' Office Building 2, Suite B5
1329 Lusitana Street
Honolulu, HI 96813
Office: 808-691-7050
Fax: 808-691-5399

From: [Kealii DeRamos](#)
To: [EDU Testimony](#)
Subject: Testimony In Support of SB2975
Date: Tuesday, February 02, 2016 4:22:55 PM

Dear Honorable Sen. Michelle Kidani and Sen. Breene Harimoto
Senate Committee on Education
Hawaii State Capitol

I write in support of SB2975 which clarifies the assistance that can be provided to protect and keep our keiki with diabetes medically safe at school; allowing DOE employees to volunteer to administer or assist a student with blood glucose monitoring.

Further, many school employees are being told they are unable to volunteer because there is not enough liability protection for them. This position appears to stem from a perception that certain activities that are normally associated with routine assistance to students with diabetes are not covered by Hawaii Revised Statutes (HRS) §302A-1164. While the language of that statute was never intended to be construed so strictly, SB2975 seeks to eliminate any such ambiguity by amending the statutory language to specially include those actions. Doing so will ensure that volunteers who provide diabetes care or assistance will be fully protected from liability under HRS §302A-1164(h).

If you have any questions, please do not hesitate to email me. The ADA Hawaii Office is also available for any questions at [\(808\) 947-5979](tel:8089475979).

Mahalo for your time!

Brian K DeRamos
94-383 Punono St
Mililani HI 96789
Sent from my iPhone

From: [Christina DeRamos](#)
To: [EDU Testimony](#)
Subject: Testimony In Support of SB2975
Date: Tuesday, February 02, 2016 4:15:38 PM

Dear Honorable Sen. Michelle Kidani and Sen. Breene Harimoto
Senate Committee on Education
Hawaii State Capitol

I write in support of SB2975 which clarifies the assistance that can be provided to protect and keep our keiki with diabetes medically safe at school; allowing DOE employees to volunteer to administer or assist a student with blood glucose monitoring.

Further, many school employees are being told they are unable to volunteer because there is not enough liability protection for them. This position appears to stem from a perception that certain activities that are normally associated with routine assistance to students with diabetes are not covered by Hawaii Revised Statutes (HRS) §302A-1164. While the language of that statute was never intended to be construed so strictly, SB2975 seeks to eliminate any such ambiguity by amending the statutory language to specially include those actions. Doing so will ensure that volunteers who provide diabetes care or assistance will be fully protected from liability under HRS §302A-1164(h).

If you have any questions, please do not hesitate to email me. The ADA Hawaii Office is also available for any questions at [\(808\) 947-5979](tel:8089475979).

Mahalo for your time!

Christina N DeRamos
95-383 Punono St
Mililani HI 96789
Sent from Chrissy D's iPhone

From: [Clark Fujihara](#)
To: [EDU Testimony](#)
Subject: Testimony in support of SB2975
Date: Tuesday, February 02, 2016 4:13:56 PM

Dear Honorable Sen. Michelle Kidani and Sen. Breene Harimoto
Senate Committee on Education
Hawaii State Capitol

I write in support of SB2975 which clarifies the assistance that can be provided to protect and keep our keiki with diabetes medically safe at school; allowing DOE employees to volunteer to administer or assist a student with blood glucose monitoring.

Further, many school employees are being told they are unable to volunteer because there is not enough liability protection for them. This position appears to stem from a perception that certain activities that are normally associated with routine assistance to students with diabetes are not covered by Hawaii Revised Statutes (HRS) §302A-1164. While the language of that statute was never intended to be construed so strictly, SB2975 seeks to eliminate any such ambiguity by amending the statutory language to specially include those actions. Doing so will ensure that volunteers who provide diabetes care or assistance will be fully protected from liability under HRS §302A-1164(h).

If you have any questions, please do not hesitate to email me. The ADA Hawaii Office is also available for any questions at [\(808\) 947-5979](tel:8089475979).

Mahalo for your time!
Clark Fujihara

From: [EFOX \(Eddie Fox\)](#)
To: [EDU Testimony](#)
Subject: Support for SB2975
Date: Tuesday, February 02, 2016 2:59:49 PM

Dear Honorable Sen. Michelle Kidani and Sen. Breene Harimoto
Senate Committee on Education
Hawaii State Capitol

I am writing to ask for your support of SB2975 which clarifies the assistance that can be provided to protect and keep our children with diabetes medically safe at school; allowing DOE employees to volunteer to administer or assist a student with blood glucose monitoring.

Further, many school employees are being told they are unable to volunteer because there is not enough liability protection for them. This position appears to stem from a perception that certain activities that are normally associated with routine assistance to students with diabetes are not covered by Hawaii Revised Statutes (HRS) §302A-1164. While the language of that statute was never intended to be construed so strictly, SB2975 seeks to eliminate any such ambiguity by amending the statutory language to specially include those actions. Doing so will ensure that volunteers who provide diabetes care or assistance will be fully protected from liability under HRS §302A-1164(h).

If you have any questions, please do not hesitate to email me. The ADA Hawaii Office is also available for any questions at (808) 947-5979.

Thanks,
Eddie Fox

Eddie Fox
District Business Manager - Hawaii
Novo Nordisk Inc.
91-1025 Kaikoele Street; Ewa Beach, HI 96706
USA
808-927-0253 (direct)
efox@novonordisk.com

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From: [Malia96706](#)
To: [EDU Testimony](#)
Subject: Diabetes care for keiki
Date: Tuesday, February 02, 2016 6:13:01 PM

Aloha,

I'm a parent of a type 1 diabetic child in public school. It is a stressful life long illness that needs all of our support. Please pass bill SB2975 for the health and safety of our keikis.

Sincerely, M. Gonsalves

From my Android phone on T-Mobile. The first nationwide 4G network.