

JAN 19 2018

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# A BILL FOR AN ACT

RELATING TO PROVIDER ORDERS FOR LIFE-SUSTAINING TREATMENT.

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

1           SECTION 1. Chapter 327K, Hawaii Revised Statutes, is  
2 amended by adding a new section to be appropriately designated  
3 and to read as follows:

4           "§327K-     Electronic registry system; establishment;  
5 requirements. (a) The department shall establish an electronic  
6 registry system for the purpose of collecting a patient's form,  
7 executed pursuant to section 327K-2(a), and disseminating the  
8 information to an authorized user.

9           (b) The department shall ensure the registry includes the  
10 following:

11           (1) Appropriate and timely methods by which the  
12 information in the registry may be disseminated to an  
13 authorized user;

14           (2) Procedures for verifying the identity of an authorized  
15 user;

16           (3) Procedures to ensure the accuracy of, and to  
17 appropriately protect the confidentiality of,



1 information included on the form submitted to the  
2 registry;

3 (4) A requirement that a patient, or, if the patient is  
4 incapacitated, the patient's legally authorized  
5 representative, receive a confirmation or receipt that  
6 the patient's form has been received by the registry;  
7 and

8 (5) The ability of a patient, or, if the patient is  
9 incapacitated, the patient's legally authorized  
10 representative, to modify or withdraw the form from  
11 the registry; provided that a patient having capacity,  
12 or, if the patient is incapacitated, the patient's  
13 legally authorized representative, retains the ability  
14 to revoke a form at any time, pursuant to section  
15 327K-2(d).

16 (c) A patient's provider who executes a form with a  
17 patient or the patient's legally authorized representative,  
18 pursuant to section 327K-2(a), shall include the form in the  
19 patient's official medical record and shall submit a copy of the  
20 form, or enter the information from the form, into the registry;  
21 provide that a patient, or, if the patient is incapacitated, the



1 patient's legally authorized representative, shall have the  
2 right to choose not to participate in the registry.

3 (d) The registry shall comply with all state and federal  
4 laws and regulations related to security and privacy, including  
5 the federal Health Insurance Portability and Accountability  
6 Act."

7 SECTION 2. Section 327K-1, Hawaii Revised Statutes, is  
8 amended by adding three new definitions to be appropriately  
9 inserted and to read as follows:

10 "Authorized user" means a patient's provider, health care  
11 provider, or health care facility authorized to receive  
12 information from the registry.

13 "Health care facility" shall have the same meaning as in  
14 section 323D-2.

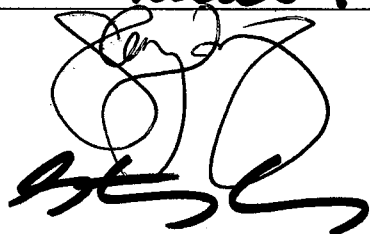
15 "Registry" means the electronic registry system established  
16 under section 327K- ."

17 SECTION 3. New statutory material is underscored.

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

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INTRODUCED BY



# S.B. NO. 2312

**Report Title:**

Provider Orders for Life-Sustaining Treatment; Electronic Registry System; Department of Health

**Description:**

Requires the department of health to establish an electronic registry system for the purpose of collecting a patient's provider order for life-sustaining treatment form and disseminating the information to an authorized user. Specifies certain requirements for the registry.

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

