

---

---

# A BILL FOR AN ACT

RELATING TO PALLIATIVE CARE.

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

1           SECTION 1. The legislature finds that numerous studies  
2 show that palliative care significantly improves patient quality  
3 of life and lowers symptom burden. Palliative care is defined  
4 by the World Health Organization as an approach that improves  
5 the quality of life of patients and their families facing the  
6 problems associated with life-threatening illness through the  
7 prevention and relief of suffering by means of early  
8 identification, assessment, and treatment of pain and other  
9 issues of a physical, psychosocial, and spiritual nature.  
10 Palliative care has a team approach that utilizes a team of  
11 clinicians, physician, nurse, social worker, and chaplain, who  
12 work with the persons with serious illness and their loved ones.  
13 It is an extra layer of support that can be offered at the same  
14 time as curative treatments, and may continue after curative  
15 treatments are completed. However, there is often  
16 misunderstanding about palliative care, which is often confused  
17 with hospice and end-of-life care. While hospice is a type of



1 palliative care, it is provided when there is a six-month or  
2 less diagnosis and once curative treatments have stopped. All  
3 palliative care strives to provide is the best quality of life  
4 for those with serious illness and their loved ones.

5       The legislature further finds that palliative care and  
6 hospice utilization in Hawaii deviates from mainland patterns.  
7 A 2017 study conducted by Deborah A. Taira et al., *Hospice*  
8 *Utilization of Medicare Beneficiaries in Hawaii Compared to*  
9 *Other States*, found that hospice utilization was 45.7 per cent  
10 compared to a national average of 52 per cent; the mean length  
11 of stay was sixty days compared with seventy-one days  
12 nationally. A consistent finding of this study is that Asian  
13 and Pacific Islanders (API) were less likely to enroll in  
14 hospice and that "[f]urther research is needed to understand  
15 these differences and eliminate potential barriers to hospice  
16 care." A key concept identified by this analysis is that  
17 Hawaii's culture, uniquely influenced by Asian values compared  
18 to the mainland, emphasizes filial piety and "the expectation of  
19 caring for their loved ones at home rather than in a nursing  
20 home."



1 Other studies make similar observations, such as Merle R.  
2 Kataoka-Yahiro et al., *Culturally Competent Palliative and*  
3 *Hospice Care Training for Ethnically Diverse Staff in Long-Term*  
4 *Care Facilities*, which found that culturally competent  
5 palliative and hospice training is a promising practice to  
6 increase patient, family, and provider engagement with end-of-  
7 life conversations.

8 Therefore, the purpose of this Act is to support activities  
9 that increase the utilization of palliative care in Hawaii by  
10 requiring the department of health to establish a culturally  
11 competent palliative care pilot program to promote public  
12 education and the development of practices specific to the  
13 State's unique cultural norms.

14 SECTION 2. (a) The department of health shall establish a  
15 culturally competent palliative care pilot program. The pilot  
16 program shall:

- 17 (1) Provide public education to:
- 18 (A) Promote palliative care utilization;
- 19 (B) Emphasize referrals to palliative care earlier
- 20 during treatment for patients; and



- 1 (C) Acquire local health care utilization data for  
2 purposes of more precisely measuring palliative  
3 care utilization in the State; and
- 4 (2) Conduct competitive bidding for at least two home- or  
5 community-based palliative care projects; provided  
6 that at least one shall be implemented in a county  
7 with a population of less than 200,000.
- 8 (b) In administering the pilot program, the department of  
9 health shall collaborate with:
- 10 (1) The mayors of the counties in which the projects are  
11 implemented, or their respective designees;
- 12 (2) The chief executive of a hospital in the region in  
13 which the projects are implemented;
- 14 (3) A representative from the John A. Burns School of  
15 Medicine;
- 16 (4) A representative from the American Cancer Society;
- 17 (5) A representative from Kokua Mau;
- 18 (6) A patient, or family member of a patient, who  
19 previously received palliative care; and
- 20 (7) A registered nurse or advanced practice registered  
21 nurse.



1 (c) The department of health shall submit to the  
2 legislature:

3 (1) A preliminary report on the progress and expenditure  
4 of funds for the culturally competent palliative care  
5 pilot program no later than twenty days prior to the  
6 convening of the regular session of 2020; and

7 (2) A final report on the pilot program, its findings and  
8 recommendations, including any proposed legislation  
9 and report on the expenditure of all funds for the  
10 culturally competent palliative care pilot program, no  
11 later than twenty days prior to the convening of the  
12 regular session of 2022.

13 SECTION 3. There is appropriated out of the general  
14 revenues of the State of Hawaii the sum of \$ or so much  
15 thereof as may be necessary for fiscal year 2019-2020 and the  
16 same sum or so much thereof as may be necessary for fiscal year  
17 2020-2021 for the culturally competent palliative care pilot  
18 program.

19 The sums appropriated shall be expended by the department  
20 of health for the purposes of this Act.

21 SECTION 4. This Act shall take effect on July 1, 2050.



**Report Title:**

Department of Health; Palliative Care; Pilot Program

**Description:**

Requires the Department of Health to establish a culturally competent Palliative Care Pilot Program to promote public education on palliative care and establish home- or community-based palliative care projects. (HB1447 HD1)

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

