

Honolulu, Hawaii

FEB 15 2019

RE: S.B. No. 255
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirtieth State Legislature
Regular Session of 2019
State of Hawaii

Sir:

Your Committees on Education and Higher Education, to which was referred S.B. No. 255 entitled:

"A BILL FOR AN ACT RELATING TO AUTOMATED EXTERNAL DEFIBRILLATORS,"

beg leave to report as follows:

The purpose and intent of this measure is to:

- (1) Require by the end of the 2019-2020 school year, that all public schools; private schools; public charter schools; University of Hawaii and its divisions, campuses, and institutions; and private colleges and universities and their divisions, campuses, and institutions have automated external defibrillators (AEDs) situated in a permanent location on campus;
- (2) Require the public schools, private schools, public charter schools, University of Hawaii, and private colleges and universities that have an athletic trainer to have AEDs available at each sporting event;
- (3) Require AEDs to be maintained and tested regularly; and
- (4) Provide any person who uses, places, or provides for an AED with immunity from civil liability, except as may



result from the person's gross negligence or wanton acts or omissions.

Your Committees received testimony in support of this measure from the Department of Education; State Public Charter School Commission; Hawaii State Teachers Association; Hawaii Primary Care Association; Kids 4 CPR, Inc.; AED Institute of America, Inc.; O'ahu County Committee on Legislative Priorities of the Democratic Party of Hawai'i; American Heart Association; The Future Healthcare Professionals of America Club at St. Andrew's Schools - The Priory; Heart Start Hawaii Foundation; Kalani High School Health Academy; and numerous individuals. Your Committees received testimony in opposition to this measure from the Hawaii Association for Justice. Your Committees received comments on this measure from the Hawaii Athletic Trainers Association.

Your Committees find that AEDs are an important tool in responding to emergency situations. In addition, your Committees find that AEDs have been used on several occasions over the past several years to save the lives of student athletes, teachers, athletic coaches, and spectators of sporting events. This measure ensures that AEDs are available on all public school, public charter school, and University of Hawaii campuses to improve schools' and the community's ability to respond to a medical emergency.

Your Committees have amended this measure by deleting its contents and inserting language that:

- (1) By the end of the 2020-2021 school year, requires all public schools, public charter schools, and University of Hawaii divisions, campuses, and institutions to have an AED on campus;
- (2) Requires the public schools; public charter schools; and University of Hawaii divisions, campuses, and institutions that have an athletic trainer to ensure that the athletic trainer is trained and certified in the use of an AED; and
- (3) Inserts an effective date of July 1, 2050, to encourage further discussion.



As affirmed by the records of votes of the members of your Committees on Education and Higher Education that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 255, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 255, S.D. 1, and be referred to your Committees on Judiciary and Ways and Means.

Respectfully submitted on
behalf of the members of the
Committees on Education and
Higher Education,



DONNA MERCADO KIM, Chair



MICHELLE N. KIDANI, Chair



The Senate
Thirtieth Legislature
State of Hawai'i

Record of Votes
Committee on Higher Education
HRE

Bill / Resolution No.:* SB 255	Committee Referral: EDU/HRE, JDC/WAM	Date: 2/13/19		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
KIM, Donna Mercado (C)	/			
KIDANI, Michelle N. (VC)	/			
KAHELE, Kaiali'i				/
KEITH-AGARAN, Gilbert S.C.	/			
FEVELLA, Kurt				/
TOTAL	3			2
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature <div style="text-align:center; font-family: cursive; font-size: 1.2em;">Michelle N. Kidani</div>				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes