

Honolulu, Hawaii

MAY 12 2020

RE: H.B. No. 141
H.D. 3
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirtieth State Legislature
Regular Session of 2020
State of Hawaii

Sir:

Your Committees on Commerce, Consumer Protection, and Health and Education, to which was referred H.B. No. 141, H.D. 3, entitled:

"A BILL FOR AN ACT RELATING TO HEALTH,"

beg leave to report as follows:

The purpose and intent of this measure is to:

- (1) Require public schools and public charter schools to have at least one employee trained to administer seizure rescue medication, except under certain circumstances;
- (2) Require a seizure action plan for every student diagnosed with a seizure disorder and distribution of the plan to employees charged with supervising or caring for the student;
- (3) Require all principals, guidance counselors, and teachers to perform an annual self-study review of seizure disorder materials; and
- (4) Appropriate funds to the Department of Education for training of employees to administer or assist with the self-administration of seizure rescue medication.



Your Committees received testimony in support of this measure from the State Public Charter School Commission, Hawai'i Primary Care Association, Epilepsy Foundation of Hawaii, Lahui Foundation, and thirty-four individuals. Your Committees received comments on this measure from the Department of Education and Hawaii Disability Rights Center.

Your Committees find that epilepsy is a medical condition characterized by seizures that affects a variety of mental and physical functions. Because a seizure can happen at any time and in any place, it is vital that school personnel are prepared to appropriately and effectively respond in the event of a seizure. Therefore, this measure, which is based on model legislation proposed by the National Epilepsy Foundation, increases the public's awareness of seizure disorders and makes all schools safer for students affected by seizure disorders.

Your Committees note that public charter schools do not currently have the appropriate personnel to utilize the appropriation for the purposes of this measure and, because this issue raises concerns that merit further consideration, request that your Committee on Ways and Means further examine this issue.

Your Committees have amended this measure by:

- (1) Inserting language that provides immunity from liability for school employees for any act or omission relating to administering or assisting with the self-administration of seizure rescue medication, vagus nerve stimulator magnet, or any other medication prescribed to treat seizure disorder symptoms;
- (2) Requiring private schools, in addition to public schools and public charter schools, to have an employee trained to administer seizure disorder rescue medication and other school employee training and education requirements; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Commerce, Consumer Protection, and Health and



Education that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 141, H.D. 3, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 141, H.D. 3, S.D. 1, and be referred to your Committee on Ways and Means.

Respectfully submitted on
behalf of the members of the
Committees on Commerce,
Consumer Protection, and Health
and Education,

Michelle N. Kidani

MICHELLE N. KIDANI, Chair

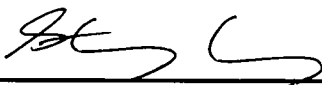
Rosalyn H. Baker

ROSALYN H. BAKER, Chair



The Senate
 Thirtieth Legislature
 State of Hawai'i

Record of Votes
Committee on Commerce, Consumer Protection, and Health
CPH

Bill / Resolution No.:*	Committee Referral:	Date:		
HB 141 HD3	CPH/EDU, WAM	3/11/20		
<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
BAKER, Rosalyn H. (C)	✓			
CHANG, Stanley (VC)	✓			
NISHIHARA, Clarence K.	✓			
RUDERMAN, Russell E.	✓			
THIELEN, Laura H.	✓			
WAKAI, Glenn	✓			
FEVELLA, Kurt	✓			
TOTAL	7			
Recommendation:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
				
Distribution:				
Original	Yellow	Pink	Goldenrod	
File with Committee Report	Clerk's Office	Drafting Agency	Committee File Copy	

*Only one measure per Record of Votes

The Senate
Thirtieth Legislature
State of Hawai'i

Record of Votes
Committee on Education
EDU

Bill / Resolution No.:* HB 141, HD 3	Committee Referral: CPH EDU, WAM	Date: 03/11/2020		
<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
KIDANI, Michelle N. (C)	✓			
KIM, Donna Mercado (VC)				✓
DELA CRUZ, Donovan M.				✓
KANUHA, Dru Mamo	✓			
FEVELLA, Kurt	✓			
TOTAL	3			2
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes